

---

**NILDS**  
Journal of  
Democratic  
Studies

---

Copyright 2024

Published by

National Institute for

Legislative & Democratic Studies,

National Assembly,

Abuja.

All rights reserved. Without limiting the rights under copyright reserved above, no part of this publication may be reproduced, stored in or introduced into a retrieval system, or transmitted, in any form or by any means (electronic, mechanical, photocopy, recording or otherwise) without prior written permission of both the copyright holder and the publisher.

This journal is published subject to the condition that it shall not, by way of trade or otherwise, be lent, resold, hired out or otherwise circulated without the publisher's prior consent in any form of binding or cover other than that in which it is published and without a similar condition being imposed on the subsequent user.

# Contents

Information Communication Technology (ICT) As a Tool  
in Deepening Electoral Process in Nigeria's Fourth Republic:  
Reflections on Tangential Cases

Abubakar Olanrewaju Sulaiman

Assessing Nigeria's Foreign Policy:  
An In-depth Exploration of Buhari's Administration, 2015-2023

Abdulrasheed Abdulyakeen

An Appraisal of Economic Development  
and Nation Building in Nigeria

Taiwo Abimbola Olaniyan

Implications of Kidnapping on National Security  
in Nigeria's North Central Region

Isiaka Dele

Improved Accountability and Transparency for  
Public Parastatals in Nigeria through Enhanced Legislative Oversight

Anthony Emmanuel Edet, Ovey Gilla Achuku, Olajide Olufunsho Ayobolu, Queen Eveshonya Onyekeson

Assessment of Skit Making as an Advocacy Tool  
Against the Lawlessness of Nigerian Policemen

Desmond Onyemechi Okocha, Ugonne Orimili Atu-Obinabo, Abigail Abioye & Jemimah Shuna Dogo

Assessment of the Effect of Information Communication Technology  
on Africa's Political and Economic Advancement

Ekpe Bennet Essien

Syrian Crisis and the Responsibility to Protect (R2P):  
Between Sovereignty and Humanitarian Intervention

Osadebamwen Francis Osayi

# **Syrian Crisis and the Responsibility to Protect (R2P): Between Sovereignty and Humanitarian Intervention**

*Osadebamwen Francis Osayi<sup>1</sup>*

## **Abstract**

The development of sovereignty as a core concept in International Relations is one of the most important developments of the Westphalian Revolution. Promoted by the International Law and the United Nations Charter, the sanctity of sovereignty has received its loudest support. However, the realization of the interdependence of human society has again produced a world community with codes, ethics, norms, and morality for securing peace. The adoption in 2005 of R2P at the World Summit sounded largely that the world is a community that places a high premium on the idealism of world peace and security despite the detest of dictatorship. Thus, in Libya, the sanctity of R2P rose to secure the responsibility of sovereignty to protect the Libyan population, while conversely, it has failed to act in Syria. While some put this failure at the doorstep of Syria's powerful friends, others argue that R2P implementation in Libya has given it a bad name. It is in this context that the argument is situated, using idealism as the prime plank for analysing the failure of the International Community to act in the crisis that has snowballed into a civil war and the resurgence of a Second Cold War amongst the great powers.

**Keywords:** *R2P, Sovereignty, Humanitarian Intervention, Idealism, International Law*

---

<sup>1</sup> Department of Political Science, University of Benin, Benin City, Edo State, Nigeria.

## **Introduction**

At the inception of International Law, certain basic principles were regarded as inviolable. One of such was territorial integrity. States were supreme and absolute within their territories; they were the absolute regulators of events, properties, and persons therein. Accordingly, no one within its territory could claim more rights than those afforded him by the state, and there was no higher or superior power than that of the sovereign. As a consequence, the way a state conducted itself within its territory was not the business of any other state, given that any interference would amount to outright violation of the territorial sovereignty of that state. In recent times, however, the principle of territorial sovereignty, though still substantially retained, has, within the consent of states, been affected on several fronts by the forces of globalization and interdependency.

Other areas in which much strain has been put on the principle of territorial sovereignty are in human rights, the rise of democratic rule, the frequency of dictatorial regimes, internal strife, and the activities of armed rival groups. The weak human rights foundation in some states and the emergence of influential global organizations tend to highlight, if not magnify, the protection of human rights even above the state itself. The verdict, therefore, is that states cannot be trusted with human rights protection. As De Vattel (1969) questioned, "But what alternative exists where the resources of a state are deliberately deployed by a dictator to violate the rights of the very people for whom the pursuit of wellbeing and protection, the state was set up in the first place?" In the case of gross human rights violations by the government, can a charitable state or a group of charitable states intervene? If yes, what has happened in Syria, and why have states not intervened? If not, of what use is humanitarian intervention? This work attempts to interrogate the rights of intervention under the Responsibility to Protect (R2P), its development, and conditions of operation. It adopts idealism as a theoretical tool in discussing the role that the North Atlantic Treaty Organization (NATO), the United States of America (USA), and its allies play as provided by R2P in Syria. For objectivity, a critique of R2P as a principle of intervention is also adopted due to the fact that there are still rigid adherents of the doctrine of territorial sovereignty. As Luttwak

(1999, p. 36) argued, “it might be best for all parties to let minor wars burn themselves out; policy elites should resist the emotions to intervene in other people’s wars.”

### **Sovereignty and Humanitarian Intervention: A Conceptual and Analytical Discourse**

As earlier noted, the development of sovereignty as a core concept in global relations was one of the most important developments of the Westphalian Revolution. Introduced into political theory by French writer Jean Bodin, sovereignty is seen as the supreme power over citizens and subjects, unrestrained by law (cited in Appadorai, 1974, p. 48). Thus, sovereignty was identified from the outset with royal absolutism, invoked to justify absolute (Palmer and Perkins, 2007; Anifowose and Enemu, 1999). The definition is characterized by absolutism rather than responsibility, autocracy rather than legitimacy, and coercion rather than persuasion. Krasner (2001) gave a contemporary definition of sovereignty to mean the idea that states are autonomous and independent from each other within their borders; the members of a polity are free to choose their form of government.

A necessary corollary of this claim is the principle of non-intervention, that one state does not have the right to intervene in the internal affairs of another. The absolute and coercive nature of sovereignty compelled Max Weber to describe the state as a corporate group that has compulsory jurisdiction, exercises continuous organization, and claims a monopoly of force over a territory and its population (1964, p. 155). Ian Brownlie describes the state as a legal person under international law with a defined territory, permanent population, an effective government, and sovereignty (1979, p. 76). To John Hertz, sovereignty seems to be the chief international status symbol, as well as that which furnishes the state as an actual entrance ticket into world politics (1989, p. 89). The state, according to Jean Bodin, is an aggregation of families and their common possessions ruled by a sovereign power and by reason (cited in Appadorai, 1975, p. 48).

## **Between Sovereignty and Humanitarian Intervention: The Responsibility to Protect**

It must be noted that the right of intervention under R2P was the initiative of the International Commission of Intervention and State Sovereignty (ICISS); R2P is a report produced in 2001 by the ICISS, established by the Canadian government, in collaboration with Gareth Evans and Mohamed Sahnoun in 2000 in response to the history of unsatisfactory humanitarian interventions, especially the 1999 Kosovo intervention (ICISS, 2001; Crossley, 2012; Evans, 2012). Endorsed and adopted by the UN in 2005 (Cinq-Mars, 2011; Petrusek, 2012), the R2P established clearer guidelines for determining when intervention is an appropriate channel for approving an intervention and how the intervention itself should be carried out. It is a clearer code to conduct humanitarian interventions. Rather than having the right under humanitarian intervention to intervene in the affairs of other states reactively, R2P is about prevention, diplomatic persuasion, and non-military measures like sanctions and the international criminal court process, whereas humanitarian intervention is about military reaction. R2P is about a wide range of actors, whereas humanitarian intervention focuses only on the role of those capable of applying coercive military force (Evans, 2012). In all, R2P enshrined a state's responsibility to intervene and protect the citizens of another state when that other state has failed in its obligation to protect its citizens.

Macrae and Harner (2003) argued that the ICISS conference in 2001 was a responsive answer to Kofi Anan's (2000, p. 48) question on humanitarian intervention and state sovereignty, "If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica- to gross and systematic violations of human rights that affect every precept of our common humanity?". Thus, the aims of the ICISS commission were the directing of attention towards the needs of people affected by humanitarian disasters and subsequently, away from questions relating to whether sovereignty is superior over moral responsibility to intervene (Thomas, 2004; Evans, 2012). As a consequence of the Rwandan genocide and the failure of the global community to intervene to halt the genocide (Petrusek, 2013; Huriburt and Hassan, 2013), the idealist response to the ICISS became

a report in 2001. The report outlined that the international community has the responsibility to prevent mass atrocities (Petrasek, 2013) with economic, political, social measures, diplomatic engagement through sanctions, referral to ICC and more coercive actions and military intervention as a last resort and rebuild by bringing security and justice to the victim's population and finding the root cause of mass atrocities (ICISS, 2001; Evans, 2012).

The outcome document of the UN 2005 world summit adopted paragraphs 138 and 139 of the 2001 ICISS reports. Evans Gareth argued that these paragraphs gave a final definition to the scope of R2P in four major crimes and to whom the responsibility of intervention rests. Each state has the responsibility to protect its population from genocide, war crimes, ethnic cleansing, and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. The international community should, as appropriate, encourage and help states to exercise this responsibility and support the UNO in establishing an early warning capability (Evans, 2008; Onu, 2009). On 28 April 2006, the United Nations Security Council (UNSC) adopted its first Security Council reference to the R2P under resolution 1674 and another resolution 1894 on November 16, 2009, to ratify and adopt paragraphs 138 and 139 of the 2005 World Summit (UNRES, 2006; UNRES, 2009).

In 2009, in a release report titled, "implementing the responsibility to protect", the UN Secretary General, Ban Ki-Moon, outlined three principles or pillars of the R2P: (i) stresses that states have the primary responsibility to protect their population from genocide, war crimes, ethnic cleansing, and crime against humanity, (ii) stresses the commitment of the international community to assists state in building capacity to protect their population from mass atrocities, and to assist those which are under stress before the eruption of the crisis, (iii) focuses on the responsibility of the international community to take timely and decisive action to prevent and halt mass atrocities when a state is manifestly failing to protect its population (GlobalR2P, 2009; UNRES, 2006; UNRES, 2009; Onu, 2009). The general meeting of the UN General Assembly (UNGA) of July 2009, adopted its first resolution on R2P (RES/63/308), introduced by Guatemala and co-sponsored by 67 countries, including all EU member states,

set as priority, its implementation by the UNO, regional organizations and by diplomatic mechanisms to enforce the responsibility of a sovereign state, and where as last resort, coercion (GlobalR2P, 2009; Onu, 2009).

### **Military Intervention under R2P**

The global community stands solid on the issues of human protection. On such issues, within the neighborhood of R2P, the element of consent or violations is non-negotiable. It must be put on notice that, as far as international law relies on consent, there exist classes of norms that are binding on all states irrespective of a lack of express consent. These laws and treaties under international law are referred to as *jus cogens* or peremptory norms. Sinclair (1984) argued that under the norms, no state is permitted to derogate from any of such rules defined by Article 53 of the Vienna Convention in the law of treaties. The treaty, according to him defines *jus cogens* as a peremptory norm of international law, a norm accepted and recognized by the international community of states as a whole and as a norm from which no derogation is permitted and which can be modified only by a subsequent norm of general international law having the same character. They serve the most fundamental interest of the international community and are binding on all states without exception.

Thus, specified in the general conventions (1949) and its extended protocol (1977) and the R2P, are humanitarian laws of genocide, war crimes, crimes against humanity, and ethnic cleansing. The general convention has entrusted the responsibility of the enforcement of *jus cogens* by widening the responsibility of states beyond the boundaries of their nationals abroad. This was what Russia relied on when it annexed Crimea. In this context, states are empowered and obliged to remedy abuses committed by other states against their population and within their territories. This again explains why Turkey responded with proportional arms when, in October 2012, five of its citizens were killed by Syrian mortar fire along its border with Syria and most recently, the firing down of a Syrian jet flying over Turkish airspace (ICRTOP, 2013; Al Jazeera, 2014; BBC, 2014).

The framework that empowers states' extra-territorial jurisdiction for the

enforcement of R2P (ICISS, 2001) argued is not only conferred by the UN but also derived from the Geneva Conventions, among other conventions and treaties. In his defence of the use of force outside UN mandate to restore law and order, Cassese (2001) explained that, such actions cover: massive and systematic violations of human rights, absence of political will by the state to stop such violations, paralysis of UN security council pursuance to a veto, all peaceful means to settle the dispute have failed, the intervention should best be conducted by a coalition of states and force should be used only to stop abuses. This position falls in tandem with that earlier argued by Evans (2008, 2012) and Ban Ki-Moon (2009), which explained the tripod on which R2P stands. Now that all attempts to bring the crisis to an amicable end has failed, it is our opinion that the last option (coercion) be invoked so long as it meets the six criteria to justify an extra ordinary measure of intervention as stipulated by ICISS (2001), that includes, just cause, right intervention, final report, legitimate authority, proportional means and reasonable prospect.

### **The International Community and the Syrian Crisis: Issues at Stake**

Bashar al Assad, the Syrian president and wife Asma al Assad, who is a British born and British, educated Sunni Muslim (Golovinna, 2012) initially inspired hopes for democratic and state reforms, however a Damascus spring of intense social and political debate took place from July 2000-August 2001 (HRW 2007), which alter the implementation of such reforms The spring ended in August 2001 with the arrest and imprisonment of ten leading activists who had called for democratic elections and a campaign of civil disobedience (Alan. 2003). The present conflict initially began as a civil uprising, evolved from initially minor protests, beginning as early as January 2011, as a response to the regional Arab spring, government corruption, and human rights abuses. However, the large-scale unrest also known as the Syrian uprising began on March 15, 2011, in the southern city of Daraa, sometimes called the Cradle of the Revolution, and later spread nationwide (BBC, 2011).

In April 2011, the army was deployed to quell the uprising, and soldiers fired on demonstrators across the country (HRW, 2011). After months of military sieges (Oweis and Solomon, 2012), the protest evolved into an armed rebellion.

The government's response to the protest, which came in the form of large-scale arrests and torture, coupled with police and military brutality, made the crisis so asymmetrical that it led to simultaneous clashes across many towns and villages throughout the country. These atrocities committed by the Syrian security forces are reminiscent. Following the military crackdowns, many soldiers defected to protect protesters. Many protesters began to take up arms. The first instance of armed insurrection occurred on June 4, 2011, in Jir Ash-Shugur, a city near the Turkish border in Idlib governorate. Angry protesters set fire to a building where security forces had fired on a funeral demonstration. Eight security officers died in the fire as demonstrators took control of a police station and seized weapons. Clashes between protesters and security forces continued in the days following. Some security officers defected after secret police and intelligence agents executed soldiers who refused to shoot civilians (Joseph, 2011).

As a fact of idealists' assumption, if ethical considerations are the guiding norms of international politics, the management, control, and security of those assumptions are committed to the R2P. For instance, in line with the criteria of the R2P early warning system, the Security Council of the UN passed an initial resolution S/RES/1970, which placed a ban and asset freezes on Gaddafi and several key officials. It condemned regime sponsored violence, and in line with article 13 (b) of the Rome status which empowers the Security Council to refer humanitarian crimes to the ICC, it referred the Libyan crisis and report of humanitarian crimes to the ICC for investigations and called on the Libyan government to take all necessary measures to end the killing of civilians. It was, in fact, evidence that the ICC issued an arrest warrant on Gaddafi and some members of the Revolutionary Council. The escalating crisis resulted in the UN Security Council's adoption of resolution S/RES/1973 on March 17, 2011, authorizing a no-fly zone over Libya and necessary measures to protect civilians (Crossley, 2012; Cinq-Mars, 2011).

International morality comprises such principles as opposition to tyranny. The enforcement of R2P principle three had its consequence in the March 19 intervention in Libya to protect civilians. There is also the Security Council's support for the French intervention in Cote d'Ivoire in March 2011, Mali in

2012, referral of Sudan to the ICC (Petrasek, 2013), and the hunting of Joseph Koni, leader, Lord Resistant Army, an armed rebel group in Uganda, who incidentally is wanted by the ICC for war crimes, for which America has sent troops in search of him.

### **The Syrian Question: Response from R2P and the International Community**

Although the Syrian crisis has received significant global attention, yet not without knocks and criticisms of R2P for its failure to take decisive actions to halt mass atrocities being committed. The Arab League, EU, the UN and many western governments condemned the Syrian government's violent response to the protest, and many more expressed supports for the protesters right to exercise free speech (Agence France-Presse, 2011). Initially, regional actors like the Arab League and the Gulf Cooperation Council (GCC) were hesitant to respond, and the UN Security Council was unable to reach a consensus on decisive action to end the conflict. After nearly a year of fighting, Kofi Annan was appointed Joint Special Envoy for the UN and the League of Arab States on 23 February 2012. He set up a six-point plan which required commitments from all parties to work with the special envoy; a ceasefire, and access to and timely provision of humanitarian assistance. Unfortunately, the deal failed to end the violence, which by then had become a de facto civil war.

The UN Security Council then authorized the deployment of a UN Supervision Mission in Syria (UNSMIS) of 300 unarmed observers to facilitate the peace plan in April 2012, but activities were suspended in June 2013 when the observers' presence failed to quell the violence. After it became clear as evidence showed, that chemical weapons have been used in Khan Al-Asal 19 March, Saraqib 29 April, Ghouta 21 August; and Jobar 24 August, (ICRTOP, 2013), and America's threat to attack Syria in what President Obama had referred to in 2012 as "crossing the red line" (Petrasek, 2013), Russia then urged Syria to put its chemical weapons stockpile under international control (Lavrov, 2013). On September 14, 2013, the USA and Russia announced in Geneva that they reached a deal on how Assad should give up his chemical weapons (Solomon, 2013). On its part, the UN Security Council in 2013 passed resolution 2118, which required Syria to destroy its current stockpile of chemical weapons, and further prohibits it

from using, developing, stockpiling, and transferring chemical weapons. This happened to be one, if not the only, unanimous resolution so far taken by the UNSC on the Syrian conflict. On the UN front, in its fifth statement of 14 June, 2012, it called on the international community to take immediate decisive action to meet its responsibility to protect population at risk of further atrocity and crimes in Syria, taking into consideration the full range of tools available under the UN charter, including referral by the UNSC to the ICC (ICRTOPTOP, 2013).

The primary framework for this coordination is the Syria Humanitarian Assistance Response Plan (SHARP), which appealed for USDI 41b to meet the humanitarian needs of Syrians affected by the conflict. In response to the appeal, as of September 18, 2013, the top 10 donors were the USA. The European Commission, Kuwait, UK, Germany, Canada, Japan, Australia, Saudi Arabia and Denmark (UN, 2013), Israel has granted special entry permits for 100 wounded Syrians to be treated at Israeli medical facilities, and has set up a field hospital on the Syrian border (Matt, 2013; Israel2ic, 2013). The League of Arab States' (LAS) initial reluctance to take action in the conflict reversed its decision after nine months of violence against civilians. It initiated a peace plan which called on the government to halt violence, release prisoners, allow for media access, and remove military presence from civilian areas. When the government failed to uphold the plan it initially agreed to, its membership of the league was suspended on 12 November 2011, and economic sanctions were imposed on 27th November 2011. In November 2012, the League, alongside the Gulf Cooperation Council (GCC), recognized the National Coalition of the Syrian opposition as the legitimate representative and main interlocutor with the LAS and GCC.

The EU imposed economic sanctions, including an arms embargo, visa restrictions, and an asset freeze against the Syrian regime in May 2011. In November 2012, it recognized the National Coalition of the Syrian opposition as the legitimate representative of the Syrian people, and subsequently called on Assad to step down to allow for a political transition in January 2013. In March 2013, the EU foreign ministers modified these sanctions, making it possible for European governments to bypass the ban on providing non-lethal supplies to the opposition. On 28 May 2013, the European states effectively ended

the arms embargo on the Syrian opposition and opened up the possibility to arm anti-government rebels while upholding the arms embargo on the Assad government. The UNGA adopted several resolutions calling for all parties to support efforts to peacefully resolve the crisis. In an attempt to pressure the Security Council to act, the General Assembly requested that the UN Secretary General. Ban Ki-Moon briefed the council in January 2013. At this time, Ban Ki-Moon stated, We must do everything we can to reach Syrians in need. We must intensify Our efforts to end the violence through diplomacy, overcoming the divisions within Syria, the region and Security Council On May 15, 2013, United Nations General Assembly adopted a resolution condemning escalation of the conflict, violation of humanitarian law, and demanding that government meet its responsibility to protect citizens, comply with international law and cooperate with the commission of inquiry to investigate claims of chemical weapons (ICRTOP, 2013; UNRES, 2013).

**The Libyan Experience:** Following resolution 1973 of March 7, 2011 invoked on Libya, a coalition of 27 states answered the call of R2P's pillar three to restore the responsibility of sovereignty in Libya, Russia, China, some African states and the BRICS nations have questioned the manner with which that mandate was implemented, as it was not meant for regime change but for the protection of the already ravaged Libyan population. To avoid a repeat of the Libyan experience, Russia and China continued to veto UN resolutions on Syria. Russia's UN ambassador, Vitaly Churkin, argued, 'the situation in Syria cannot be considered in the council... The international community is alarmed that the NATO interpretation of the Libyan resolution is a model for future actions of NATO in the implementation of R2P, and could happen in Syria. His Indian counterpart said Libya has given R2P a bad name. (Cinq-Mars, 2011; Petrasek, 2013; Crossley, 2012).

**Russia's Close Ties to the Assad Regime** have hampered any resolution taken by the Security Council. A factor that is hinged on political, economic, and ideological issues and, by extension, Russia's strategic national interest (Cinq-mars, 2011; Petrasek, 2013; Crossley, 2012; Evans, 2012).

**The principle of non-interference in the internal affairs of other states.**

This has been a Chinese traditional principle, devoted to it. This principle is premised on state sovereignty. As quoted by an article in Xinhua, a state-owned media outlet in China, non-interference is one of the fundamental principles enshrined in the UN charter and also included in the five principles of peaceful coexistence. Intervention in a sovereign country's internal affairs is detrimental to the peaceful settlement of its problems (Cinq-Mars, 2011; Petrusek, 2013).

**Inviolability of National Boundaries:** The possibility of capable resistance in case of any foreign involvement in the crisis. The world fears the outcome of such resistance, which might prove to be difficult and bloody. This again raises serious concern, even as the Syrian army claimed that it has prepared 8,000 soldiers for suicide bombings in the event of NATO's military intervention, including 13 kamikaze pilots (Mahmood and Booth, 2013).

**The fear of Shariaising Syria:** The fear is expressed based on the threat by 13 powerful rebel brigades that rejected the Syrian National Council and called Sharia law the sole source of legislation (Watson, 2013). Similarly, the Hezbollah general secretary, who claimed that they are fighting alongside the Syrian government in a televised address, stated that if Syria falls into the hands of America, Israel, and Takfiris, the people of our region will go into a dark period (Barnard and Mourtada, 2013, Bassem, 2013).

**Lack of Home Support for Military Intervention:** For example, the UK parliament (House of Commons) rejected participation in any international response in the form of a military strike in Syria; the same position is being held in Germany (Kay, 2013).

**The Issue of Budget Reduction** (Peral, 2011). Many countries of the world, especially the West, represented by NATO, have had a massive budget reduction in their military expenditure, a move that is hinged on the global economic crisis. These countries, some of which are willing to take part in any international military response, lack the necessary financial muscle to embark on such a military adventure in Syria.

**United States unilateralism** (Peral, 2011): On a good number of occasions, the US has acted with or without the UNSC's approval for military response in the internal affairs of other states. The US has been embracing unilateralism over the past decade and has shown a progressive disregard for the UN civilian structures as *primus inter pares*... Eric Posner also argued that the, U.S. has ignored the UN rules on numerous occasions-Vietnam, Grenada, Panama, Kosovo, Second Iraq war and the 2011 war in Libya, where it secured an authorization to stop massacre of civilians but violated its terms by seeking regime change U.S has also intervened in Cuba in 1961, Somalia in 1992/1993, Nicaragua, etc. This explains why countries look at the supposed U.S. assistance with suspicion and disdain, especially when it comes to where her interest lies, thus Posner (2013) asked, 'in what country are there no Americans or American property that could be protected?'

### **Implications of Global Inaction on the Syrian Crisis**

The number of deaths and displaced persons, including human rights violations, since the conflict began in Syria in March 2011, cannot be quantified. It is a disservice committed against the people of Syria by the international community for its failure to take timely and decisive action to stop the crisis. The actual number of deaths has been in conflict, but the estimate according to sources ranges from 580,000-700,000 as of March 2024 (Farge, 2022; SOHR, 2024). The conflict has caused many to leave their homes for neighbouring countries for shelter and protection. As of 2023, 16.7 million people need humanitarian assistance, while 7.2 million are internally displaced (UNHCR, 2023). The massive human rights violations are being committed by both the government and rebels, though those of the government are higher both in gravity and scale. There have been nine intentional mass killings, with eight being perpetuated by the government and one by the rebels, according to the UN Commission investigating human rights violations (Heilprin, 2013). Crime wave has considerably increased as criminals' loot houses and stores, as well as increased in rate of kidnappings, car stealing, rape, sexual assault and bombings (Damein, 2012).

## **Conclusion**

When the Arab Spring began, it was not likely to continue unabated because one of the major demands of protesters was democratic reforms aimed at ending sit-tightism across the region. In Tunisia, where it all started, the president, realizing he had lost the legitimacy to govern, fled the country with his family a few days into the crisis. This explains the rationale for the peace presently enjoyed in the country after the protest, though there are still minor skirmishes. However, the initial resistance by Mubarak and the total rejection of the protesters' demand by Gaddafi and Assad led to the unending crisis and insecurity in Egypt, Libya, and Syria, respectively.

The atrocities being committed in Syria presently should be blamed on both Assad and the opposition/rebels. While Assad's decision to hold on to power may have resulted in the crisis, the opposition, did not fare better, hence the increasing number of deaths and displaced persons. However, the Assad led government has never agreed that there are internally displaced persons in Syria, but have argued that, 'there were persons suffering from series of terrorist attacks undertaken by armed outlaws' (Lehmann, 2013).

The international community shares in this blame for its failure to implement R2P for the sake of innocent civilians who bear the brunt of Assad's tyranny and opposition recklessness. The crisis has gone beyond imagination. There was an incident in which a rebel leader Khalid al Hamad, commander of Farooq al-Mustakilla Brigade, also known by his nom de guerre Abu Sakkar, ate the heart and liver of a dead soldier and said, 'I swear to god, you soldier of Bashar, you dogs, we will eat from your hearts and livers! O heroes of Bab Amr, you slaughter the Alawites and take out their hearts to eat them. (Peter, 2013).

This has great implications for religious tolerance in the region. This is why the world should have acted when it became clear that Assad and the opposition were committing crimes against humanity. Will Syria ever be the same again, whether in political or religious matters? especially now that its economy has taken a downturn. It has shrunk by 45%, unemployment has risen fivefold, the currency has decreased by one-sixth of its pre-war value, and the public sector is losing \$15b (Almonitor, 2013). Irrespective of which side eventually wins the

ongoing war, the divisions that emerged along religious, ethnic, and political lines during the conflict cannot be healed soon, no matter how the crisis comes to an end. The decision, based on economic and ideological interests by Russia and China not to intervene, has been blamed by many for the failure of R2P in the conflict. The Western members of the UNSC also share of the blame because of the division among themselves. Now that international law and morality have failed to prevent human rights abuses and protect victims of abuse in Syria, it is now time for the international community to act; otherwise, this inaction will affect the future decisions of the UNSC on the implementation of R2P when the need arises elsewhere and anytime.

## References

- Agence France-Presse (2011). Canada Condemns Violence in Yemen, Bahrain, Syria. March 21, 2012
- Al Jazeera News Report. Russia takes over Crimea. March 17, 2014.
- Aimonitor (2013). Report shows impact on the Syrian Economy. February 4. Available at: <http://www.al-monitor.com/pulse/business/2013/02/economic-impact-syrian-crisis.html>.18 March, 2024.
- Alan, G. (2003). *Syria: Neither Bread nor Freedom*. New York: Zed Books.
- Anifowose, R. and F. Enemuio (1999). *Elements of Politics*. Malthouse Press Ltd, Ikeja, Lagos.
- Appadorai, A. (1975). *The Substance of Politics*. Oxford University Press, New Delhi, India.
- Barnard, A. and H. Mourtada, (2013). Leader of Hezbollah warns it is ready to come to Syria's aid. *The New York Times*. April 30. Available at: <http://www.nytimes.com/2013/05/01/world/middleeast/nasrallah-warns-that-hezbollah-is-ready-to-come-to-syrias-aid.html> March 18, 2024.
- Bassem, M. (2013). Hezbollah Chief says Group is Fighting in Syria. *Associated Press*, May 25 March 18, 2024.
- BBC News Report (2011). Middle East Unrest: Syrians Protest in Damascus and Aleppo. March 15.
- BBC World News (2014). Russia Annexes Crimea. March 17.
- Brownlie, I. (1979). *Principle of Public International Law, 3<sup>rd</sup> Edition*. Oxford: Clarendon Press.
- Cassese, A. (2001). *International Law*. London: Oxford University Press.
- Clinq-Mars, E. (2011). UN Security Council Fails to Uphold its Responsibility to Protect in Syria. October 7. Available at: <http://icrtopblog.org/.../un-security-council-fails-to-uphold-its-responsibility-to-protect>, accessed March 11, 2024.
- Crossley, N. (2012). The Responsibility to Protect in 2012: R2P fails in Syria, Brazil's RWP emerges. December 28. Available at: [www.globalpolicyjournal.com/.../responsibility-protect-2012-r2p-fails-syria](http://www.globalpolicyjournal.com/.../responsibility-protect-2012-r2p-fails-syria), accessed February 9, 2024.
- Damein, C. (2012). Crime Wave Engulfs Syria as its cities Reel from War. *The New York Times*, August 9. Available at: <http://www.nytimes.com/2012/08/10/world/middleeast/crime-wave-engulfs-syria-as-its-cities-rel-from-war.html?pagewanted=all>, accessed March 8, 2024.
- De-Vattel, E. (1969). *Civil War. In: The Vietnam War and International Law Richard Falk (ed)*. London: Thomas Nelson Press.
- Evans, G. (2008). *The Responsibility to Protect: Ending Mass Atrocity Crimes once and for all*. Washington: Brookly International Press.
- Evans, G. (2012). *The Responsibility to Protect after Libya and Syria*. Address to the Annual Castan Centre for Human Rights Law Conference, Melbourne, Australia, July 20. Global Centre for Responsibility to Protect.
- Farge, E. (2022). War has killed 1.5% of Syria's Population: UN Estimate. *Reuters*.-June 28.
- Global Centre for the Responsibility to Protect, 2009. Available at: [www.globalr2p.org/pdf/sgr2tng-2009](http://www.globalr2p.org/pdf/sgr2tng-2009), accessed March 18, 2024.

Golovkina, M. (2012). Asma al-Assad, a Desert Rose Crushed by Syria's Strife. *Reuters*, March 19.

Hielprin, J. (2013). UN Report on Syria Lists at Least Eight Massacres Allegedly Perpetrated by Assad Regime and One by Rebels. *Associated Press*, September 11. Available at [news.nationalpost.com/.../un-report-on-syria-list-at-least-eight-massacre-allegedly-perpetrated-by-the-assad-regime-and-one-by-the-rebels/](https://www.nationalpost.com/.../un-report-on-syria-list-at-least-eight-massacre-allegedly-perpetrated-by-the-assad-regime-and-one-by-the-rebels/) accessed 18 March, 2024.

Herz, J. (1989). The Territorial State Revisited: Reflections on the Future of the Nation-State. *Polity*, 1 (1) 11-34.

Human Rights Watch. (2007). No Room to Breathe: State Repression of Human Rights Activism in Syria. October 17, pp. 8-13.

Human Rights Watch (2011). We've Never Seen Such Horror: Crimes against Humanity by Syrian Security Forces. June 1, pp.1-54

Hurlburt, H. and H. Hassan (2013). Syria and the Limits of Responsibility to Protect: Is the United Nations Doctrine a Failure or Success in Syria?. August 27. Available at: [www.usnews.com/.../syria-the-united-nations-and-responsibility-to-protect](http://www.usnews.com/.../syria-the-united-nations-and-responsibility-to-protect), accessed 18 March 2024.

ICISS. (2001). The Responsibility to Protect. International Development Research Centre, Canada. December.

International Coalition for the Responsibility to Protect (ICR2P), (2013). The Crisis in Syria. Available at: [www.responsibilitytoprotect.org/index.php/crisis/crisis-in-syria](http://www.responsibilitytoprotect.org/index.php/crisis/crisis-in-syria), accessed 18 March 2024.

Israel21c (2013) Israeli Doctors Save Lives, June 26, Available at: [www.israel21c.org](http://www.israel21c.org) social action humanitarian aid, accessed March 18, 2024.

Joseph, H. (2011). The Struggle for Syria in 2011: An Operational and Regional Analysis. Middle East Security Report 2. Institute for the Study of War: USA.

Kay, J. (2013). Responsibility to Protect is No Basis for Bombing Syria. *National Post*, September 3. Available at: <http://fullcomment.nationalpost.com/2013/09/03/jonathan-kay-r2p-is-no-basis-for-bombing-syria>, accessed March 18, 2024

ki-moon, B. (2009). Implementing the Responsibility to Protect. January 12. Available at [responsibilitytoprotect.org/implementing%20the%20r2p.pdf](http://responsibilitytoprotect.org/implementing%20the%20r2p.pdf), accessed March 18, 2024.

Kofi, A. (2000). *We the Peoples. Millennium Report*. New York: United Nations.

Krasner, S. (2001). Sovereignty Foreign Policy, January/February. Culled from "Will State Sovereignty Survive Globalism?" In., *Taking Sides: Clashing Views on Controversial Issues in World Politics*, Rourke John (ed), PP. 16-23, 11th Edition. McGraw-Hill: USA

Lavrov, S. (2013), Russia Urges Syria to put Chemical Weapons under International Control. September 9. Available at: <http://www.rferl.org/content/lavrov-syria-attack-terror-lavrov-/25099919>, accessed 18 March 2024.

Lehmann, C. (2013). New Push for Syria Intervention under Responsibility to Protect. NSNBC October 6.

Luttwak, E. (1999). Give war a Chance. *Foreign Affairs*, ( July/August), 78 (4): 36-44.

Macrae, J. and A. Harmer (2003). Humanitarian Action and the Global War on Terror: A Review of Trends and Issues. HPG Report, No. 14.

Mahmood, M, and R. Booth (2013). Syrian Army May use Kamikaze Pilot against the West. Assad Officer Claims. *The Guardian*, August 28. Available at <http://www.theguardian.com/>

[world/2013/aug/28/syrian-army-kemikaze-against-west-assad](#), accessed 18 March 2024

Matt, L. (2013). Wounded Syrians Shuttled to Safed Hospital. *The Times of Israel*, July 8.

Onu, F (2012). The Responsibility to Protect. July 23, Available at: [www.franceonu.org/france-at-the-united-nations/.../23-july-2009-general-assembly](#), accessed April 12, 2024.

Oweis, Y. and E. Solomon (2012). Bombardment of Syria's Homs Kills 21 People. *Reuters*, February 22.

Peral, L. (2011). R2P in Syria-How to Surmount the Inaction of the UN Security Council. European Union Institute for Security Studies, November 16. Available at [http://www.iss.europa.eu/publications/detail/article/r2p-in-syria-how-to-surmount-inaction-of-the-un-security-council/](#), accessed March 18, 2024

Peter, B. (2013). Is this the most Disgusting Atrocity Filmed in the Syrian Civil War? *Foreign Policy Magazine*, May 13. Available at: [http://www.foreignpolicy.com/articles/2013/05/13/most\\_disgusting\\_atrocity\\_syrian\\_civil\\_war\\_rebel\\_eat\\_heart](#), accessed March 18, 2024

Petrasek, D. (2013). Hindrance, not a help, in the Syrian Crisis. *Open Democracy*, September 13. Available at [https://www.opendemocracy.net/openglobalrights/david-petrasel/r2p-e2%80%93hindrance-not-help-in-syrian-crisis](#), accessed March 18, 2024

Posner, E. (2013). The US. Has no Legal Basis to Intervene in Syria, but of course that won't Stop Us. August 28. Available at: [http://www.slate.com/articles/news\\_and\\_politics/view\\_from\\_chicago/2013/08/the-us-has-no-legal-basis-for-its-action-in-syria-but-that-won-t-stop-us](#), accessed 28 March, 2024

Sinclair, L. (1984). *The Vienna Convention on the Law of Treaties*. Manchester: Manchester University Press.

Solomon, J. (2013). U.S., Russia Reach Deal on Syria Chemical Weapons. *The Washington Times*. September 14. Available at: [http://www.washingtontimes.com/news/2013/sep/14/us-russia-reach-deal-syria-chemical-weapons](#), accessed March 18, 2024.

Syrian Observatory for Human Rights (SOHR) (2024). Syrian Revolution 13 years on, nearly 618,000 persons killed since the Onset of the Revolution in March 2011. March 15. Available at: [https://www.syriaohr.com/en/328044/](#), accessed July 1, 2024.

The Economist (2011). NATO after Libya: A Troubling Victory, September 3. Available at: [http://www.economist.com/note/21528248](#), accessed March 18, 2024

Thomas, W. (2004). The Sunset of Humanitarian Intervention: The Responsibility to Protect in a Unipolar Era. *Security Dialogue*, 35(2):135-153.

United Nations High Commission for Refugees (UNHCR) (2023). Syria Situation. Available at: [https://reporting.unhcr.org/operational/situations/syria-situation](#), accessed July 1, 2024.

UN Resolution (2006). S/RES/1674(2006). Available at: [https://undocs.org/S%2F1674\(2006\)&Language=E&DeviceType=Desktop&LangRequested=False](#), accessed August 13, 2024.

UN Resolution (2009). S/RES/1820(2009). Available at: [https://main.un.org/securitycouncil/en/s/res/2009-%282009%29](#), accessed August 13, 2024.

UN Resolution (2013). Situation of Human Rights in the Syrian Arab Republic. Available at: [a/c3/68/142/res/unga](#), accessed 18 March 2024.

United Nations (2013). Syria Humanitarian Assistance Response Plan (SHARP). Available at: [http://www.reloefweb.int/report/syrian-arab-republi/revised-syria-humanitarianassistance-](#)

*Syrian Crisis and the Responsibility to Protect (R2P): Between Sovereignty and Humanitarian Intervention*

response-plan-sharp-January, accessed March 18, 2024.

Watson, I. (2013). Syrian rebels reject interim government, embrace Sharia. *CNN*, September 25. Available at: <https://go.gale.com/ps/i.do?id=GALE%7CA343851728&sid=sitemap&v=2.1&it=r&p=EAIM&sw=w&userGroupName=anon%7Ee57b20b8&aty=open-web-entry>, accessed August 13, 2024.

Weber, M. (1964). *The Theory of Social and Economic Organization*. New York: The Free Press.