Do Small States Matter?


Author: Afrida Chowdhury
Supervisor: Johanna Söderström

Uppsala University
Development Studies C
Department of Government
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Abstract

A new era of wars and instability have left the world shaken with the civil wars in Syria and Libya. Although there are many similarities with Syria and Libya, the two states did not have the same end due to actions by the United Nations Security Council. Libya resulted in a military humanitarian intervention, while Syria did not. Studies about the Security Council usually focus on the actions of the Permanent Five members who holds institutional power and influence over the council, mostly due to their quantitative economic and military power, leaving smaller states, the non-permanent members out of research. The point of this study is to fill in the lacuna of the studies on the non-permanent members to see they behave in the council by how they problematize the crisis in Syria and Libya. This paper compares the discourses of Colombia, Portugal and South Africa, three of the non-permanent members of the Security Council between 2011-2012 in how they speak about the decision to intervene in Libya and not in Syria. To conduct my normative study I use Tal Dingott Alkopher’s study on Military Humanitarian Intervention Norms by analysing speeches found in UNSC meeting protocols that regarded Syria and Libya. I do this to find evidence for how these non-permanent members argue for or against norms of intervention. My results show that the non-permanent members are more aligned with intervention norms for Libya rather than Syria.

Keywords: Non-permanent members; Syria; Libya; Discourse; Military Humanitarian intervention.
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1. Introduction

The distribution of power in the United Nation Security council (UNSC) is more than often solely ascribed to the position of the permanent five (P5) members. In international relations, the power of a state is often contributed through quantitative manner, such as economic (GDP) and military power, but could also be determined by the size of a nation’s population. Together with the right to veto, the P5 members have larger influence in decision-making processes in the United Nations than smaller states. It means that smaller states are politically, economically and strategically more vulnerable of exerting any real influence in world affairs, in these quantitative manners. The power of the veto and the influence the P5 have over the UNSC denotes that they hold an institutional power to shape how certain conflicts and crises could possibly be shaped. Research on how these five states act in international relations and within the council is therefore not new. However, influence is not solely made quantitatively, it is also be made qualitatively, where smaller states have more space to practise diplomacy. These qualitative strengths derives from smaller states being norm entrepreneurs and having a perceived neutrality in the council that is provided by their knowledge and expertise. One way this is visible is through their active engagement in the General Assemblies, through their speeches (Thorhallsson, 2012). Therefore, this paper will analyse discourses of non-permanent members of the UNSC to fill in to the gap there is of research of non-permanent members’ behaviour in the council. More specifically, the paper will look at three non-permanent member states, Portugal, Colombia and South Africa to sort out for their arguments in speeches for the cases of the intervention in Libya, and non-intervention in Syria between 2011 and 2012. These three states were three of the five rotary non-permanent members of the UNSC that held candidacy both 2011 and 2012. The other two were India and Germany.

After five years of bloody warfare, the Syrian conflict still sees no end. The Syrian crisis have escalated to the civil war it is in today that started because of the political protests against the Assad-regime much alike the Libyan crisis that ended with the death of Muammar Al-Ghaddafi and a NATO-intervention. When a state cannot take responsibility for its own population and their safety the United Nations Security Council takes over the responsibility of that state. The Responsibility to Protect (R2P) paradigm is what the Security Council relies on when endorsing humanitarian interventions. The council’s actions in these two conflicts have both been questioned and applauded by the international forum (Türkmen, 2014). They
have not been consistent with their resolutions nor the interventions, although the contexts have been similar from the two Arab states. Both the Libyan and Syrian crisis were presented in the UNSC, but they were handled differently and thus had different ends. The loss of life in both countries called for the R2P under international law, however, only Libya ended with a humanitarian intervention, while the vote of intervention in Syria was voted down by the power of the veto (ICRtoP, 2011: The Crisis in Syria). The legality of military humanitarian intervention has been questioned before. The NATO intervention in Kosovo saw grave international condemnation that has interrogated the parameters of how military humanitarian intervention should be conducted. Similarly, the non-intervention on the Rwandan genocide got the world questioning the effectiveness of the council. The bias the UNSC have in invading in some countries while not invading others could and has led to graver atrocities in conflict-torn countries. Consequently, a greater demand for clarity in the standard of interventions by the UNSC is needed (Welsh, 2006).

Therefore, I will in my paper try to clarify for what norms of intervention presented by Tal Dingott Alkopher, the non-permanent members are aligned with in their speeches within the UNSC meetings. These speeches are taken out from meeting protocols that regarded issues of Libya and Syria between 2011 and 2012. The norms of intervention Alkopher presents will work as my framework for the paper to make it more clear for what Portugal, Colombia and South Africa are saying in terms of intervening and/or not intervening in Libya and Syria. The five permanent members of the council, France, United Kingdom, United States, Russia and China can choose to completely block any action or resolution they are not satisfied with and therefore prevent the escalation for crises and conflicts. Small states repeatedly condemn the instability these permanent five members bring to the council, equally have questioned the veto in the UNSC and calling for clarity in the humanitarian intervention paradigm (Thorhallson & Wivel, 2006). Vetoes by China and Russia are mainly pushed to respect a country’s territorial borders and leave it up to that state to make its political decisions. Sovereignty is thus one of the key aspects in order to protect its own state from foreign intervention. However, how come some states’ sovereignty are violated when their own regimes affirms to horrid human rights violations, while others do not have the same dilemma?
Objective, relevance & research question

The objective of this paper is to give space to smaller states in international relations research and to understand how the crisis in Libya and Syria have been problematized by the non-permanent members of the UNSC between 2011-2012 that had led to intervention in the former, but not in the latter. By looking at the speeches of Portugal, Colombia and South Africa I will in my paper be able to determine if they argue differently or similarly for the decision to intervene in Libya to the decision not to intervene in Syria. These three states were nominated into the UNSC for the two year rotary seat and held candidacy between 2011 and 2012, the years the Arab Spring and these two crises escalated. Discourses becomes important in international politics, especially for smaller states because it is in such way they can contribute with influence, by expertise, knowledge, diplomatic and mediation skills as well as leadership by their representatives that are made visible by speeches and actions (Thorhallsson, 2012: 152 fp). I will in this paper look for how the non-permanent members have argued in line with Alkopher’s norms of intervention for the cases Syria and Libya. I will see if these discourses can give support for the intervention in Libya and the non-intervention in Syria. I do this by looking at the particular speeches that regarded Syria and Libya from UNSC meetings between 2011 and 2012. Discourses are a tool used to comprehend how issues get represented and further problematized, that in turns could lead to policy, or in my case, intervention (Bacchi, 2000). The discourse becomes a frame of reference to justify the practises of the object. Therefore, a discourse is more than just the language, it is also constitutive for the social reality that one are interested in (Bryman, 2011: 474). Analysing issue formulations is in ways also a means to analyse discourses. The way we speak about something could have the power to influence other people to perceive it as such. In turns, it could lead to shaping of actions and naturalising them. In regards to that, discourses leads to social constructions (Bergström & Boréus, 2012: 354). Therefore, the relevance of this paper is that there is a lacuna of research on small states, more specifically the lacuna on the non-permanent members in dire decision-making processes, especially within the UNSC, which I fill in by presenting their discourses. Their influence and arguments are usually overshadowed by vetoes and big states that I look beyond. By presenting their speeches I can access the way these smaller members proclaims their main influence in the forum of the meetings. By comparing the non-permanent members’ states speeches of Syria and Libya, I will be able to compare if they argue similarly or differently for intervention in Libya and Syria, two cases that are very similar in its means, but not ends.
I will use Tal Dingott Alkopher’s normative military intervention discourse analysis where she describes for four norm categories to legitimise military interventions. Her criteria’s are human security, international responsibility (R2P), just cause and legitimate/right to authority. These four criteria will serve as my framework in reference to the non-permanent member’s argumentations. This will be further explained in chapter three. My research will answer the following question:

**What norms of intervention did the non-permanent members of the UNSC 2011-2012 speak about, in regards to the intervention in Libya and non-intervention in Syria?**

**Delimitations**

The choice of Colombia, South Africa and Portugal as my countries of analysis were made because they are three of the five countries that serve on the non-permanent rotary seat for both 2011 and 2012. Germany and India were the other two. I have decided to leave Germany and India out of the analysis although they served as non-permanent members for that time-period. The P5 members have a permanent seat in the council because of their economic (GDP) size and military contribution to the council, which has over time made them more influential (Thorhallsson, 2012). Both Germany and India has contributed both qualitatively with their expertise and quantitatively with money to the UNSC and hence are also very influential in the council. To keep my research as “small” as possible in regards to small states, I have decided to leave them out of the analysis. The neo-realist way of defining a state’s size and thus their behaviour is made quantitatively usually by its economic (GDP) and military power, but also its population (ibid: 135-6). Both Germany and India falls into these categories and therefore seen as “bigger” in terms of international relations. However, both South Africa and Colombia are fairly large in population too but their military and economic contribution to the UN is smaller compared to the latter two (ibid: 2012). Although state’s quantitative size matter for UNSC influence, it does not completely grasp the role that small states can play in decision-making processes of the UNSC (ibid: 140). Therefore, neo-liberal institutionalist provides a way for understanding the role small states can play in the international system. These theorist argue that a small state’s interest in international organisations such as the UN lies on the protection they receive from international law, norms
and treaties, and therefore could act more unbiased in decision-making processes than larger states (ibid: 159). Nevertheless, I did begin to analyse both India and Germany but with the limited space of the paper it served as another reason to leave them out of the analysis. However, Rosenau finds that the analysis of small states play a more interesting, nuanced role in foreign political analysis. However he means that this analysis will always be part of the environment of greater states, and therefore they also playing a vital role (Elman, 1995: 181).

Outline
To start off, I will present a brief background on the cases of Syria and Libya. The paper will continue to explain the previous research on the field of humanitarian interventions and smaller states in international relations. It will then present the framework and operationalisation that are the norms of intervention which will be used for my analysis. Thereafter, I will present the method and material I used to conduct my paper. This paper is a comparative case analysis and uses several UNSC meeting protocols to conduct the analysis. The analysis will present each member state at a time and their arguments for Libya and Syria one at a time. The results will be shown schematically which shows that the non-permanent members are more aligned with Alkopher’s criteria for the case of Libya than Syria. The paper will end with concluding remarks.
2. Background Syria & Libya

Hafez al-Assad took power through a coup d’état. Mass human rights violations with political oppression, corruption and torture followed. When his son Bashar al-Assad took power it instigated the rise of rebel groups which both committed atrocities and violated human rights. Several draft resolutions were vetoed by either or both Russia and China 2011-2012. Amongst them were draft resolution S/2012/538 that pushed for embargos against the Syrian Regime\(^1\) (UN: 2011). After one year of warfare, on February 23\(^{rd}\) 2012, Kofi Annan was appointed as a Special Envoy to investigate and try to put an end to the conflict. He also served as a mediator. This resolved in resolution 2042 where Mr. Annan assigned a six-pointed peace plan (S/RES/2042). UNSMIS was the unarmed observatory forces with 300 men that the Security Council appointed. The 12\(^{th}\) of June 2012 the mission was cancelled because the safety of the men could not be guaranteed anymore. This plan more or less demanded for humanitarian help, the release of prisoners, political dialogue between the Assad-regime and the opposition, the unregulated permission of international media in Syria. The conflict is still ongoing and the situation is becoming more dire for each day. In 2012 Syria did not result in any intervention (ICRtoP, 2011, The Crisis in Syria).

Similar to Syria, the Libyan situation also began with the revolutions of the Arab Spring against a brutal dictator. Muammar Ghaddafí took power through a coup d’état 1969, and served under a rule where the opposition had no power (ICRtoP, 2011, The Crisis in Libya). Political protests by the Libyan citizens were countered by violence from the Libyan regime. In February 2011, the Arab League and African Union demanded the UNSC and the international community to do something in order to protect the Libyan citizens (ibid). Resolution 1970 (2011) and 1973 (2011) implemented a military intervention which was called UNSMIL (S/RES/1973). The failure to end violence according to resolution 1970 (2011) when Ghaddafí answered with an escalation of violence, resulted in resolution 1973 (2011) (S/RES/1973), signed by a majority of votes from the council, with Russian Federation, China, Germany, Brazil and India abstaining from the vote. This resolution supported an UN-supported military intervention in Libya. A No-Fly zone over Libya was instituted. The conflict in Libya ended with the death of Ghaddafí, and when NATO ended their military mission in Libya, 31\(^{st}\) of October 2011 (ICRtoP, 2011, The Crisis in Libya).

3. Previous Research

Humanitarian Intervention

Humanitarian interventions among western great powers are not a new phenomenon. Benjamin Kouchner together with former French President Francois Mitterrand were the first to legitimise the concept through UN General Assembly Resolution 43/131 passed on December 8th 1988. It stated that “[…] cases of emergency when a state is unable to assist its population, other states and/or organizations would be allowed without hindrance…” to intervene in the country (Türkmen, 2014: 3). Lessons from previous interventions and non-interventions have questioned the legality of interventions. Whether it was the failed intervention in Somalia in the 90s or the non-intervention in Rwanda. Whether it was NATO-intervention in Kosovo that was not legitimatized by a UNSC mandate, but that later got a status of ‘illegal but legitimate’. The 90s and the early 2000s had many conflicts, crisis and genocides that challenged humanitarian interventions and a new era of interventions in the Middle East further puts the concept of intervention into review.

_Humanitarian intervention_ refers to the protection of civilians by the non-consensual use of military force or threat against a country that have committed grave atrocities against its own people. That is, to stop or prevent human rights abuses from being committed within that certain state (VanLandingham, 2012: 869). Humanitarian intervention law have since the creation of the United Nations been dominated by the UN Charter. The charter thus established a new legal paradigm of the use of force that do not accept the use of military force if not granted by the UN Security Council, except for the case of self-defence. Chapter VII of the charter gives the Security Council soul authority to determine threats of international peace and security and how to act upon these threats. Furthermore, Chapter VII article 53 requires that organisations such as the North Atlantic Treaty Organization (NATO) must confirm to the UNSC before engaging in any enforcement action (ibid: 870 fp.). This is something that was conducted with the Libyan intervention. Moreover, the UN Charter article 2(4) mentions that “all members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purpose of the UN” (United Nations Charter, 2(4)). This particular statement is also in line with one of Alkopher’s four normative categories that endorses the legitimate authority for a state to invade and respect another sovereign states territorial borders. Furthermore, article 2(7) states that
[n]othing contained in the present Charter shall authorize the UN to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle should not prejudice the application of enforcement measures under Chapter VII (United Nations Charter, 2(7)).

The charter also admits to the importance of the sovereignty of states through the Security Council, hence why they have the sole authority to legitimize interventions. The use of military force by one member state to other member state(s) can only be approved by an affirmative vote of the nine members and the permanent five member states in the council (VanLandingham, 2012: 874).

Humanitarian intervention decision-making in the Security Council are in terms of realist aspects considered under Game Theory. This aspect explains the decision-making between intelligent rational decision-makers that neglects the institutional rules, procedures and norms in international relations (Weiss & Collins, 2000: 160 fp.). Bargaining power between the permanent five members in the Council have also characterised the decisions to intervene or not and further played with the right to veto. Consequently, the bargaining power leaves little room for the non-permanent members to give further input to the council. This makes the Security Council decision-making contextually insensitive to the influence of institutional rules, procedures and norms, something that small states in international relations value. They value the core assumptions of institutional law, because all members of international institutions are usually subjected to the same rule and therefore face similar sanctions if rules are broken. They therefore confirm to the rule of the game more than great powers, hence their influence lies in the way they can assort their power; by discourse as explained in the introduction (Doeser, 2014: 198). Therefore, the non-permanent would ideally follow protocol of the military humanitarian intervention norms that Alkopher mentions.

Small States in foreign policy
A small state can be big in demographic and geographic size, but small to its economic power compared to another state. Likewise, a state can be big in its economy but small in demographic size, such as the Nordic countries. Therefore, it is overwhelmingly hard to embody small states in international relations, because of the different characterizations of these states (Gvalia et als, 2013). The realist school is the one used when determining the size and capabilities of a state, although small states compromise a large portion of the world’s states. Neo-realists asserts the quantitative view of the size of a state in order to be influential
in international organisations. It means that they endorse economic (GDP), military as well as population size (Thorhallsson, 2012). Although small states’ enjoy the benefits of voting in the General Assembly and in the UNSC, they had to fight for their membership in the council to be able to influence UN decision-making processes (ibid: 159). The neorealist view is that small-states in international relations most likely would bandwagon with great powers rather than balancing their power with other states, and therefore leaves out room for their own constructive decision-making in the council (Gvalia et al, 2013: 6). Alliances and funding from bigger states consequently creates a power barrier that could work as a way in which a smaller, non-permanent member would vote. Accordingly, this problematic is further noticeable by the veto power that the permanent five holds.

Thorhallsson explains that in order for smaller states to become influential in the UNSC they use two qualitative factors: Firstly, they use administrative competence in areas such as knowledge, initiative, diplomatic and coalition and leadership skills. Secondly, the image of the state in the international system in regards to its perceived neutrality as norm entrepreneurs (2012: 159). Therefore, we need to enhance both qualitative and quantitative measures to explain a states’ ability to have a say within the UN. States that wishes to be elected into the rotary seat of the UNSC have to set up a certain program of work for their period in the Council as well as lobby their case and be able to fully demonstrate their commitment to the other UN member states. Three factors are of key importance in determining whether small states becomes part of the UNSC which are knowledge, diplomatic skills and initiatives (ibid: 152). These are then in turns practised through discourses of the non-permanent members. Doeser, made a study on the Swedish decision to support the Humanitarian intervention in Libya. He said that the decision to intervene was based on the conditions of an international legal basis of the use of force. This highlights the importance for small states in international relations to follow international law, as mentioned earlier (Doeser, 2014: 198). “Thus, raw power matters less in an institutionalized environment” (Thorhallsson & Wivel, 2006: 655). The study of small state is therefore needed to fill in the lacuna there is in research of them, especially on non-permanent members’ behaviour in the UNSC. International relation research mostly try to grasp under what type of existing theories states in the international system can be aligned with, and less on what power they actually assert and what they actually do in practise in the council, which I fill in. Therefore, my research is an empirical study on small states behaviour in the Security Council.
4. Theory/Framework

The framework for this paper will be based on a discursive model, as explained earlier. I will use Alkopher’s study on military humanitarian intervention norms as the point of reference when conducting my analysis. The importance of my study is firstly to understand small states’ and how they act in the council and secondly the outcome of their actions using two fairly similar cases as example, Syria and Libya. To do understand how they act, I need to be able to comply their arguments with already existing norms of intervention. Alkopher’s four categories that will be discussed below will be the evidence for how the three non-permanent members Portugal, Colombia and South Africa have argued in line with the decisions of intervention in Syria and Libya. Alkopher’s article illustrates that intersubjective concepts and ideas that were socially constructed in the 1990s were reinterpreted and shifted in a way that gave meaning to and constituted Military Humanitarian Interventions (MHI) 1. “(Human) security” 2. “international responsibility” (R2P) 3.”Just cause” 4. “Legitimate/right authority” where the latter two are key concepts of Just war theory (Alkopher, 2012: 50). She says that when actors adopt norms and other intersubjective understandings, they invariably asserts a life of their own which leads to different interpretations and understandings, and thus a misuse and confusions of the terms. A norm could thus influence and advocate the willingness to adopt the certain norm when different interpretations are presented, as it will be visible in my analysis (Wiener, 2009: 179, Welsh 2010: 426). These four norms will show whether or not the non-permanent are consistent in their ways of arguing these norms in Libya and Syria. Do they argue differently or similarly for the norms depending on the case?

Military Humanitarian Intervention Discourse: Alkopher

The article examines the post-1999 changes in the Military Humanitarian Intervention (MHI) discourse and socially constructed MHI concepts of “human security”, “international responsibility” “just cause” and “legitimate/right to authority” that are partly responsible for shifts in international political and military responses to humanitarian crises (Alkopher, 2016: 51). Alkopher uses discourse-norm relations to explain military humanitarian interventions (MHIs), and non-interventions. Furthermore, she questions if and how the international community’s reluctance to intervene to human rights violations and atrocities have been explained legally, geopolitically and military, that she visualises through her four normative categories.
Her study looks into the discourses of four Secretary Generals (SGs) of NATO from Kosovo to Syria and shows the changing humanitarian norms between these times. The change in humanitarian intervention attitudes are concerned with normative changes for security practises that most commonly have been from a top-down approach (2016: 50). By comparing discursive forms and making a difference between the key objects and the core distinction the four SGs articulated, her article demonstrates the changes and instable contingent elements in the MHI discourse that destabilised normative MHI practises (ibid: 52). Therefore, the statements of NATO SGs not only reflect intersubjective understandings about MHI that are embedded in social structures (legal and non-legal), they also lead to MHI (or conversely exclude them by the actors not arguing for them) (ibid: 51).

Alkopher investigates how these SGs have problematized the different interventions in speeches and other form of discourses, between the years of the intervention in Kosovo to the non-intervention in Syria. Her results show that the SGs are reluctant to intervene, but more that the outcome often leads to non-intervention, which is the case for the non-permanent members to intervene in Syria. She analyses four SGs discourses over time, starting with the era of Kosovo and post-Kosovo discourse, continuing to the Darfur crisis and ending with the SG Anders Fogh Rasmussen, who was the SG during the crises of Syria and Libya. She finds that the NATO discourse was less preoccupied with human security and more preoccupied with territorial threats, including unconventional sources (2016: 60). Additionally, she deems these secretary generals work as norm entrepreneurs in world politics, where norm entrepreneurs contribute to the empirical research on the humanitarian crisis in Libya and Syria. Much similar to the research on how small states also work as norm entrepreneurs as mentioned previously.

So why are norms in MHI important? Wiener explains that norms are needed in order to have something to agree to for political actors, whether it is states or individual actors’ behaviour. “When you take away norms from its context the context gets misinterpreted” (2009: 176, 179). Therefore the SGs perceptions of these norms influenced NATO’s conduct in humanitarian crisis where intervention was required. Thus she deconstructed each of the SGs discourses to the four key MHI categories in which I will use to fill in the gap of research on how the non-permanent members argue through their speeches presented in UNSC meeting protocols 2011-2012.

Alkopher finds evidence for how certain individuals problematize certain conflicts and their responses for action in those conflicts. The four norms that are derived from her study will work as my framework, similarly to how she analyses the SGs and what norms they are
arguing for. I will look at how Portugal, Colombia and South Africa indeed have (or have not) problematized the issues of concern, Libya and Syria. Alkopher shows that the SGs argue differently for the norms of “(human) security”, “international responsibility”, “Just Cause” and “legitimate/right to authority” and that their perceptions of the norms influenced NATO’s conduct to intervene or not (2016: 51). I will do the same: I will find out if and then how they argue in consideration to these categories. Her categories will work as the reference points in order to be in accordance to how issues are represented by the non-permanent members of the Security council 2011-2012. Unlike her study that seeks to find these four categories under the realms of NATO SGs and see how the norms changes, I will use them to try be in line with to the UNSC non-permanent members’ argumentation of intervention and non-intervention in Syria and Libya.

Operationalisation

It is important to note that these categories are not mutually exclusive. This means that the non-permanent members could (and will) argue for more than one category at a time. It also means that one category does not exclude the other. In my analysis I have sorted to try to find for which ones of these four categories the three states argue for. A schematic figure of which categories they agree with will be presented in the results. As small states are norm entrepreneurs and that they, apart from the bigger ones intend to follow the norms as mentioned earlier, these already existing norms will show if they actually do. If they indeed are in line with them or if they deviate from them. It is also important to say something about the problems with these categories. They are as mentioned much alike. In my analysis I found that many arguments are hard to separate from one category to another, and therefore they can assert to more than one category per discourse. They are also derived from international law that as mentioned before, smaller states are keener to follow.

1. (Human) Security, regards to the human needs and rights that form the matrix of human security which becomes the factors in security decision-making (Alkopher, 2016: 54). She explains in another article that

When extreme human suffering resulting from government action and domestic conflict was perceived as an ‘existential threat’ extraordinary means to provide humanitarian aid to the victims soon followed (Alkopher, 2013: 140).

Therefore, I will use the human security category when the non-permanent members argue that there are grave atrocities against human lives, which is in need for humanitarian aid.
It does not mean that the members argue for or against foreign humanitarian intervention, solely for the protection of civilians, by international means. It is also important to mention that a non-permanent can argue against these norms.

2. **International responsibility**, refers to the Right to Protect (R2P) concept and the UN charter. It derives from the notion of ‘duty’ towards others in order to maintain that certain states’ peace and security. The international community has a role that cannot halt the invocation of sovereignty. Thus, sovereignty does not exclusively protect states from foreign interference (Alkopher, 2016: 55). Therefore, this category will be used when the members argue for the *international community to protect the citizens in Libya and Syria, and therefore that actions should result in* intervention. In the speeches, taking R2P action is usually mentioned explicitly. In turns, it means that this category is violating certain countries sovereignty that some members will argue against.

3. **Just Cause**, derives from the Just War discourse that recognises states’ self-defence by force that justifies war in self-defence of human rights. The Just Cause criterion recognizes not only states right for self-defence under international law, but also individuals. The just cause category indicates the action to intervene in order to protect international borders and for the conflicts not to result in spill-over effects. When conducting the analysis, this category was the hardest one to apply the non-permanent members’ arguments to. Firstly, the criteria mentions a countries right to sovereignty for self-defence but also the international community to intervene in order to protect that certain state’s sovereignty. Therefore, this criteria will be used when a non-permanent member argues to not intervene in Libya or Syria in order to protect their sovereignty or, intervene to protect its sovereignty. The difference from the former category is also that this category also seeks to protect international borders and international peace, and not only civilians.

4. **Legitimate/Right Authority**, as the previous category legitimate/right authority derives from the Just War discourse that further created three forms of legitimate authority during the post-Kosovo era; a force controlled and commanded by the UN, a Security Council mandate to intervene militarily for humanitarian causes, and an international organisation designated to by the Council as an authorised enforcement entity. This
also applies to the authority for the council to act when i.e. human rights are violated and will be used mostly in regards to how the council handles the issue of impunity (ibid: 57). It means that the council takes other measures in order to battle the atrocities made in respective country, Libya and Syria.

The first three categories are quite similar in scope. The violation of human rights is a way to adhere to R2P in Syria or Libya in this case. The R2P and just cause category are two categories that refers to the justification to violate another state’s sovereignty by force in order to protect human rights, but also for self-defence internationally and spill-over effects to neighbouring countries. The United Nation writes that “Sovereignty no longer exclusively protects States from foreign interference; it is a charge of responsibility that holds States accountable for the welfare of their people” a statement that fits well into both just cause and R2P. However, in my research the concept of sovereignty in accordance to intervention was a concept that needed to be further assessed because as the analysis will show, the non-permanent members used the just cause criteria differently than how Alkopher mentions it. I will in my conclusions reassess this problematic.

Are these norms discussed differently from for the different non-permanent members, and is it then argued differently with regard to Syria and Libya? The fourth category of right authority actualises these three norms when the council have (or do not have) the right authority to act in intervention in order to protect, or the authority to imprison and put human rights offenders into trial. It refers to how the council handles the issue of impunity. I would conclude that these four MHI norms work in close connection to one another. The protection of human security is the cause of the councils’ reluctance and/or desire to protect the civilians of Syria and Libya, while the legitimate right to authority to intervene and/or act against impunity is the means for protection. To summarize, what my research intend to do with Alkopher’s framework is to see how these four norms are presented in the non-permanent members speeches in the UNSC. Are these norms argued similarly or differently depending on member? Are these norms argued similarly or differently when speaking of Libya or Syria?

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5. Methods & Material

Comparative Case Study

This study will be conducted through a comparative case study. I will in my research compare the discourses of each non-permanent member for how they speak of the cases Syria and Libya, compare the similarities and differences between the cases and also differences and similarities between the non-permanent members. A qualitative case study is commonly produced inductively, which are also common for cross-sectional comparative designs, which is done in my analysis (Bryman, 2008: 54).

A comparative design refers to the study of two or more contrasting cases using more or less similar methods that embodies the logic of comparison. This type of design implies “[…] that we can understand social phenomena better when they are compared in relation to two or more meaningfully contrasting cases or situations” (Ibid: 58).

The disadvantages with comparative case studies are that the researchers are more eager to not focus on the specific context of the case, rather on the comparison itself, something I have taken into consideration (Dyer & Wilkins 1991, in Bryman, 2011: 83). The researcher thus needs to develop an explicit focus on the outset even though it is sometimes preferable to have a more open approach (Bryman, 2011: 83). Therefore, it is important for me to bear in mind for my research not only to focus on what the norms that are being presented in the non-permanent members discourses, but also how they can be compared to each other, whether it is the comparing of Syria and Libya or the comparing of the non-permanent members to each other.

Qualitative Content Analysis

A qualitative content analysis is a process to identify, code as well as categories primary patterns or themes in the empirical material. It focuses on the substantial interpretation of different types of texts (Patton, 1990). Apart from the quantitative one, it puts more emphasis on the interpretations of texts. The method is used to draw conclusions from different types of communication in which my study of the discourses from non-permanent members becomes relevant. More specifically, I will for my research do a directed content analysis where I first have chosen Alkopher’s theory from where I treat my material (Hsiu-Fang & Shannon, 2005). This means that my material is coded deductively, from theory to material. The point of using a directed content analysis is to discuss the results from theoretical points together with my
categories of human security, just cause, right authority and international responsibility. For my analysis to be as relevant as possible the method needs to fulfil the purpose of the research question and help to answer that question. Therefore, the material used also needs to be reliant. A risk with this deductive method is that the researcher only tries to find support for the theory and not always tries to comply the arguments if they would speak against them. In other words, the ramifications are made selectively. It is important to introduce the method and operationalization openly and therefore it has not been set in stone that one discourse of my analysis always have to agree with one type of category (Graneheim & Lundman, 2003).

Material

The primarily material used for this essay revolves around the time frame from the beginning of the Arab uprisings and the end of the resolutions regarding the non-interventions in Syria, between 2011 and 2012. To highlight the non-permanent members, I needed to find a space in which they are speaking openly where the protocols were easy to access through the UNSC website. Meeting protocols from the UNSC regarding the situation in Libya and Syria from these two years of 2011 and 2012 are the main material of concern. The material is circled around resolutions S-RES 1970 and 1973 (2011) concerning the intervention in Libya and resolutions S-RES 2042 and 2043 (2012) in Syria, but also a couple of draft resolutions that were vetoed on, which will be presented in the analysis. A total number of 215 out of 402 meetings between 2011 and 2012 on the subject of Syria and Libya were conducted throughout these two years. All of the meetings did not consist of usable arguments in order to answer my research question. They usually referred to general peace and security in the Middle East and North Africa. However, there were 25 meeting protocols that solely regarded either the agenda of Syria or Libya. These protocols served as my main analytical material, while the other ones where were sparsely used. Many of the protocols analysed are not presented in the analysis because of the limited space of the paper. Moreover, draft resolutions about intervention in Syria (vetoed by the Russian Federation and China) further started dialogue regarding the problems with the council itself, which will come useful in the analysis. Firstly, I sorted out for which meetings the members had been most out-spoken about the two cases. It usually was prior to or post decision to intervene. Secondly, I also had to check if these speeches could be in line with the four norm categories. If not, the arguments were sorted out. This makes my material solely focusing arguments of the norms of intervention. Some issues that came up while analysing these documents was firstly, and
obviously that they were too many of them. Organizing them, country-wise took up most of the time for the work. If not all of the time, the Syrian discourse was conducted under the same meetings when discussing the Middle East and North Africa as a region. Most of the time, the Syrian crisis was discussed together with the Gaza-war of 2012. However, the issue of Libya was usually discussed in separate meetings. They were mostly held during 2011, whilst Syria was 2012.
6. Analysis

1. Portugal

Portugal: Libya

The Portuguese delegation formulated three pressing issues. Firstly, the issue of the violation of human rights and the refugee situation in Libya was a consistent argument that they used to problematize Syria. Mr. Morales Cabral, representative of Portugal further put emphasis on the human security paradigm during the same meeting and called for the end of violence and respect of the basic freedoms for the Libyan citizens. An argument that Mr. Cabral used many times sounded something like this:

Since the outset of the Libyan popular uprising, Portugal has consistently condemned the indiscriminate violence against civilians and the gross and systematic violation of human rights and of humanitarian law perpetrated by a regime that has lost all its credibility and legitimacy vis-à-vis its own population and the international community (Mr. Cabral, SPV/6498, 2011: 8).

This refers to the first category, the Human Security criteria. They explicitly begin to condemn the loss of human lives by the atrocities made by the Ghaddafi regime, without referring to any kind of intervention.

Secondly, Portugal welcomed resolution 1970 that put its emphasis on the war crimes conducted by the Libyan regime (SPV/6491: 2011). Moreover, Mr. Cabral said that “impunity will not be tolerated” and thus a prosecution of the crimes against civilians be implemented (ibid: 5). The resolution also welcomed an ICC prosecution of the war crimes committed by the Gaddafi-regime that Portugal indeed commended (SPV/6528: 2011). As the situation in Libya was becoming even more complex and brutal, Portugal expressed for a political situation becoming ‘all more pressing’. This particular problem of impunity refers to Alkopher’s Right Authority, for the council to take legitimate measure to ensure the protection of civilians by taking the offenders into justice.

Thirdly, Portugal argued for the respect for territorial integrity, sovereignty and independence when passing resolution 1970. The Portuguese delegation voted in favour of resolution 1970 where they argued for the end of violence and the protection of civilians. This resolution enhanced several travel bans and freezing of assets of the Ghaddafi regime

3 See Apendix for voting results
When violence escalated after resolution 1970 with the Ghaddafi regime becoming more brutal in their atrocities, Portugal also voted in favour of resolution 1973 adopted in March 17th 2011, that resulted in military humanitarian intervention proceeded by NATO. The speeches by Mr. Cabral more or less sounded in line with this statement:

Today we voted for this resolution (1973) because we believe that it fulfils these essential objectives: to establish an immediate ceasefire; to put an end to violence; to protect civilians; to allow for unimpeded humanitarian aid; and to lead to a national dialogue among the Libyans conducive to the establishment of a democratic State, guaranteeing the sovereignty, independence, territorial integrity and national unity of the country, as desired by the Libyan people (Mr. Cabral, SPV/6498, 2011: 9).

Mr. Cabral’s speeches indicates the category of R2P when they argue for the international community to protect the civilians of Libya. However, a foreign intervention in another state also indicates the neglect of that certain states sovereignty. As he mentions, the resolution also entails the protection of territorial integrity and national unity for the country, humanitarian interventions does not adhere to. Therefore, it also entails the just cause category. This is an argument that indeed will differentiate from Libya to Syria as it will be seen later.

We can see a shift from the Portuguese argumentation that first emphasised the human security paradigm, the protection of the civilians, and more to a Right to authority, the prosecution of war criminals. Thus the argument from meeting SPV/6491 (26th of February 2011) about human security and the concern of the civilian lives changed its course to an argument of impunity against the Ghaddafi regime on the meeting of SPV/6528 (4th of May 2011). Portugal finally voted in favour of the military humanitarian intervention in Libya in order to protect the civilians of Libya, from human rights violations. Therefore they more or less, 3 out of 4 categories, followed the norms of intervention in Libya.

Portugal: Syria

The Portuguese mainly argued for the Assad regime being the biggest issue for the crisis in Syria. Portugal also pushed for the respect of the human rights of the Syrian citizens by the Syrian government. Since Syria was most of the time brought up at the same meetings that concerned the Middle Eastern region, it made the council speak of Syria as an issue regarding the whole region at times. Portugal expressed the issue with autocratic leaders in the Middle East that deny its citizens fundamental human rights, expressing concern towards the leaders of Yemen, Libya, Tunisia and Syria (SPV/ 6734, 2011:14). Further expressing the problem with the Syrian government “[…] killed by their own State Security forces” (ibid). Yet again, Portugal put the blame for the problem on the Syrian government, and the ‘Damascus
Regime’; “We regret that the Syrian Government has shunned every opportunity to search for a political settlement of the present situation” (Mr. Cabral, SPV/6826, 2012: 31). I believe that it serves as a means to ensuring the Human Security criteria, with the protection of civilians. From the Portuguese delegates speeches I could see how they were concerned of the loss of lives but also brutal dictators in the Middle East and North Africa which made it easier to pile these leaders to similar humanitarian crimes. I also found that these arguments are less set in stone that the arguments for human security in Libya. It was harder to grasp the categories of norms intervention in Syria than in Libya.

Secondly, the Portuguese delegation were outspoken about that the perpetrators should be held accountable. Portugal condemned the atrocities committed on the peaceful demonstrators and called for an immediate end to the violence and justice for those held accountable (SPV/6524: 2011). Already at this early stage, Portugal, similar to Libya went for the justice-argument. They call for the human rights violators to be held accountable under international law. This is the first time that “international law”, intending to put prosecution to the ICC is mentioned (SPV/6734: 2011). Not many of the other non-permanent argued in this way. Therefore, it endorses Alkopher’s right authority to act against impunity.

Thirdly, Portugal brought up the importance of the sovereignty and territorial integrity of the country, and that peace only should come from a ‘Syrian-led Process’ a couple of times (SPV/6627: 2011). Regional peace and security are also brought into their argumentation when the shelling crossed into the Turkish borders, and thus the Syrian government need to respect their neighbouring countries sovereignty (SPV/6847: 2012).

Portugal voted in favour of the draft resolution S/2011/612 that was vetoed by China and Russia, in the 4th of October 2011. They ‘deeply regretted’ that the resolution was not passed unanimously where they believed that the resolution would “prevent further bloodshed and ensure a peaceful solution to the crisis in Syria” (Mr. Cabral, SPV/6627, 2011:6). Moreover, they regretted not finding a unanimous front in the Security Council regarding the Syrian crisis. Therefore, fourthly, Portugal alike most of the non-permanent members condemned and expressed concern over the dysfunction of the Security Council. The Portuguese representative also expressed disappointment in not implementing draft resolution S/2012/538 that would reinforce the Council’s commitment to the Annan plan to stop the violence and systematic violations of human rights. They especially condemned the Chinese/Russian veto of the matter. They also did this by expressing their negative attitude for a militarily intervention, whereas many of the western P5 members, US, UK and France were positive for one. Portugal directly expressed their attitude against a military intervention,
under Article 41 of the UN Charter and mentions that the draft resolution does not intend for such a result, which Russia and China could be certain of:

Contrary to what some have argued, the imposition of sanctions in the eventuality of continued noncompliance would not be automatic. It would require another Security Council resolution. Moreover, by restricting eventual coercive action to measures under Article 41 of the Charter of the United Nations, the text clearly excluded any possibility of a military intervention (Mr. Cabral, SPV/6810, 2012:8).

Council did not act in the right authority, although the Portuguese delegation argued for one.

Portugal- a defender of the right to protect

The Portuguese argue primarily that the issue of Syria regards the Syrian government themselves, continuously referring them as “the Syrian government, the Damascus regime, the Syrian authorities etc.” whereas Libya is mostly considered under the problem of Ghaddafi. For both cases Portugal argue that atrocities against human rights and the need to protect human lives are of utmost priority. This is in line with Alkopher’s human security criteria, and the need to protect the civilians. Although Portugal time and again expresses that the perpetrators should be held accountable, it is only for the Libyan case the ICC are called for a criminal investigation. This is in line with Alkopher’s Right Authority under international law criteria for both Syria and Libya, however only the latter being held to the ICC. The problem of Syria is also expressed as a regional one when Portugal argues how Syria threatens international peace and security, especially to its neighbouring countries. Similar statements are made in Libya but not to the same extent. The solution to both Syria and Libya should be nationally dealt with. However, in the Libyan crisis, that is not the case with the NATO intervention. The respect for sovereignty in Libya is thus not respected, and therefore, Libya is more the exception of interventions than the rule. The “sovereignty and territorial integrity” that Portugal argue for to both Libya and Syria are thus only respected in Syria, and this argument becomes the main problem in regards of the decision whether to intervene or not. The norms of intervention are therefore changeable depending on the case. The norms are in the Portuguese discourses used similarly, both in regards to Syria and Libya, but their ends are not the same due to council action. Another issue brought up differently from Syria and Libya is the dysfunction of the Security Council itself. Unlike Syria, the Security Council was most of the time unanimous when voting for intervention in Libya, but not in Syria. Therefore, Portugal expressed disappointment to the council for the Syrian case, implying the council being an issue to further stipulate for the protection of the civilians.
2. South Africa

**South Africa; Libya**

Firstly, South Africa condemned the killings and mass atrocities by the Libyan government towards its civilians. During the early meetings, they were hopeful in bringing peace and security with the passing of resolution 1970 (SPV/6491: 2011). They believed that the implementation of resolution 1973 further strengthened resolution 1970 and that the council acted in the responsibility to protect civilians. Therefore, the South African discourse revealed the urgency of norm 1 and 2, human security and R2P as described below:

We believe that the United Nations and the Security Council could not be silent, nor be seen to be doing nothing in the face of such grave acts of violence committed against innocent civilians. We believe that by adopting resolution 1973(2011), which South Africa voted in favour of, the Security Council has responded appropriately to the call of the countries of the region to strengthen the implementation of resolution 1970 (2011), and has acted responsibly to protect and save the lives of defenceless civilians, who are faced with brutal acts of violence carried out by the Libyan authorities” (Mr. Sangqu, SPV/6498, 2011:10).

Secondly, South Africa also calls for the respect for territorial integrity and sovereignty. “[…] we have supported the resolution, with the necessary caveats to preserve the sovereignty and territorial integrity of Libya and reject any foreign occupation or unilateral military intervention under the pretext of protecting civilians. […] This is consistent with the African Union Peace and Security Council decision to respect the unity and territorial integrity of Libya and its rejection of any foreign military intervention, whatever its form.” (ibid). This entails the negative attitude South Africa holds for a military intervention in Libya and the respect for territorial integrity and sovereignty, as well as that the resolutions should be implemented to its ‘letter and spirit’ (Mr. Sanqqu, SPV/ 6498: 2011). On the 27th of June 2011, during meeting SPV/6566 South Africa condemned the military actions by NATO that it did not show any result and moreover that the operation have taken even more civilian lives. It seemed as such that they regretted that they had voted in favour of the resolution. I would argue that this falls in line with Alkopher’s criteria for *Just Cause*. Although they in reality voted in favour of an intervention, South Africa meant that it was not set in stone that it would imply a military one and hence the intervention violating the Libyan sovereignty. This further means that there is a problem when trying to attach arguments to one certain intervention norm category because of the vagueness of the resolutions and concept of sovereignty, that South Africa indeed criticises for the case of Syria as we will we see further on.
Thirdly, South Africa supported the international community’s fight against impunity and the concern for the escalation of violence, and thus the support for the ICCs work. “Therefore, we encourage the Prosecutor to leave no stone unturned in the search for further evidence to strengthen the cases against those who may have committed atrocities” (Mr. Mashbane, S-PV/6528, 2011:11). During the same meeting, they also questioned the implementation of resolution 1970 (2011) and that it should be done consequently together with the ICC and to its letter and spirit. In its course, I claim that this issue formulation stands with Alkopher’s Right Authority with the South African voice arguing similarly to our other non-permanent members.

Fourthly, South Africa had from the beginning called for a political solution that they believed both solution 1970 and 1973 would implement.

To date, we still maintain that the political rather than the military solution is the only way in which durable peace can be achieved in Libya. This is emphasised in paragraph 2 of resolution 1973 (2011), which stresses the need to intensify efforts aimed at a political outcome. It is for that reason we strongly feel that resolution 1973 (2011) should be implemented in its entirety in letter and spirit. [...] Our intention was never regime change; nor was it the targeting of individuals. (Mr. Mashabane, SPV/ 6566, 2011:4).

“The Committee reiterated the African Union’s conviction that only a political solution would make it possible to sustainably settle the current conflict” (ibid). A political solution goes in line with an attitude of a non-military intervention. Although South Africa voted in favour of the resolution that indeed implemented a military intervention, they were not so keen on that result. Although they argue against a R2P concept in theory, their actions showed that they did so in practise. In turns, South Africa has argued in line with all four of Alkopher’s categories, something that they did not do for Syria. South Africa shows that the issue itself does not lie in their own discourse but rather on the language of the resolution and the implementation by some ‘bigger’ NATO states.

South Africa, Syria

South Africa asserts to three major arguments when problematizing the situation in Syria. First, geopolitics and the importance Syria holds in the region, the respect for sovereignty and a political-led process, and the dysfunction of the Security Council. Moreover, the importance of including all sides in the conflict, both the regime and its opposition as well as the condemnation of ‘violence from both sides’ is also a way South Africa argues differently from majority of the western countries, such as Colombia and Portugal.
Firstly, South Africa urged the international community to respect territorial integrity, sovereignty and independence by a Syrian-led political process. Another argument they pushed for was that any solution should be Syrian-led,

It is our hope that this situation will be resolved in a peaceful manner in accordance with the will of the Syrian people. We reiterate that any solution to the Syrian crisis should be Syrian-led, based on genuine national dialogue, devoid of any form of intimidation and free of interference from outside. (Mr. Mashabane, SPV 6710, 2012: 29).

South Africa was careful to say that both sides of the conflict should be part of the process of a political solution and that violence should halt from all sides of the crisis. “South Africa emphasizes that the Security Council and the League of Arab States should address the Syrian Crisis in a balanced manner, by applying pressure on all sides to stop all the violence, and stop it immediately…” (Mr. Mashabane, SPV/ 6841, 2012: 13). This shows the respect for sovereignty South Africa approves of, that applies to Alkopher’s Just Cause criteria.

Secondly, South Africa argued for the great importance Syria holds to the ‘wider region’ (SPV/ 6524: 2011). “Syria is integral to a wider Resolution in the Middle East” argument was brought up consistently as of the meetings for both years (SPV/ 6627: 2011). Furthermore, this issue was also brought up in context to the negative impact a military intervention would have. The concern for military intervention was brought up again, this time in the context to the consequences the Libyan intervention had:

Military intervention to resolve political conflicts, as we have seen in other parts of the world – most recently in the Libyan situation – has unintended consequences not only for the country in question but for the wider region (Mr. Mashabane, SPV/ 6710, 2012: 30).

This further means that South Africa is concerned with the sovereignty of Syria, however that they are more concerned for the conflict to spill over beyond the Syrian borders. Maintaining peace and stability within the Syrian borders would entail the stability to the wider region, and for the conflict not becoming the proxy war it is in as for today. Therefore, it is even more obvious to state that South Africa argues for a just cause category rather than R2P in Syria.

Thirdly, South Africa similar to most of the non-permanent members condemned the instability of the Council and how their actions were done with domestic interests. Explicitly it means that intervention is not only done to protect civilians as for R2P, but also international security, as just cause.

South Africa brings to light the volatility of the Security Council. “We have seen recently that Security Council resolutions have been abused, and that their implementation has gone far beyond the mandate of what was intended” (Mr. Sangqu ibid). They believed that the resolution before have consisted of hidden agendas, and that this particular one did
not leave out the possibility of a military intervention. Thus, South Africa abstained from voting on draft resolution S/2011/612. It applies that South Africa early on problematized the dysfunction on the council and how it also reflected in the problematic in Syria. Therefore, the Council itself becomes the problem for the crisis in Syria.

South Africa – a norm entrepreneur of changing intervention values?
The condemnation of the violence and atrocities by the perpetrators of the civilians was not brought up to the same extent as for the Libyan case, but more than the remaining non-permanent members. Later on, when the Syrian conflict escalated, South Africa also mentioned the severe problems that the conflict (most rightly) could escalate to when mentioning that it gives room for terrorist groups to mobilize and that it would lead to a grave refugee situation, if the conflict was further militarized (SPV/ 6810: 2012; SPV/ 6826: 2012; SPV/ 6841: 2012).

The dysfunction of the Security Council and the international community is most visible when South Africa argues for the problem of Syria. Time and time again, South Africa condemns the one sided bias from outside the region. They argue that choosing sides destabilizes the region, also agreeing to the geopolitical aspect and the respect to territorial integrity. South Africa calls for the need to reform the Council itself.

In conclusion, the inability of the Council to deal with the situation in Palestine and Syria underscores the need for Council to reform.” (Mr. Sangqu, SPV/ 6841, 2012: 13).

However, the arguments South Africa uses to argue for non-intervention in Syria is mostly because of the actions seen in Libya. The lack of clarity in the council sought South Africa to argue differently in the case of Syria. It is therefore not safe to say that South Africa tries to be in line with international norms and conventions, when arguing differently for the two cases. They are not consistent in the arguments for Syria with Libya and seeks two different outcomes with their discourses for the two cases. For Libya, they first seek the R2P but later changes their view that the problem lies within the core UNSC institution itself. They continue using this argument when speaking of the issue of Syria. This entails that South Africa deviates from the norms of intervention and further looks beyond them when criticizing the institutions itself. The critique towards the council seems also be pointed at the norms that are there as well. Surely, both the advocates of intervention in Libya and thus contenders argue in line with the norms, they use the same term as for R2P or sovereignty, but
they intend different meanings. Therefore, South Africa serve as a norm entrepreneur, by changing, or trying to change or re-evaluate the norms of intervention that already exist.

3. Colombia

Colombia; Libya

Firstly, although Colombia voted in favour of resolution 1973 (2011) they were still deprived of the implementation of it. Colombia voted in favour of resolution 1973 (2011) because they were

[...] in favour of measures that are aimed at protecting the civilian population from imminent attacks by a Government that, through its action and statements, has shown that it is not up to the international responsibility of protecting its population. Moreover, the Council unanimously reminded the Libyan authorities of that responsibility in its resolution 1970 (2011) of 26 February. The Government of Colombia deeply deplores the fact that the provision if that resolution have been systematically violated and that our calls have gone unheeded. We deplore also the fact this time there is not the unanimity we saw in the case of resolution 1970 (2011), which was adopted by the Council under Chapter VII of the Charter. (Mr. Osorio, SPV/6498, 2011: 7).

This shows that they voted for a R2P criteria that they similarly to South Africa, later did not agree with. They explicitly say that it is not up to the international responsibility to protect the Libyan population and therefore not contesting to Alkopher’s international responsibility (R2P) criteria. This paragraph entails the concern Colombia have on the council, and how the resolutions do not fulfil what it intends to fulfil. Furthermore, they are concerned over the threat the situation pose to international peace and security, stating that the situation was not only a domestic one. Therefore, this particular quote and argumentation Colombia presents is in line with Alkopher’s Just Cause category, not only concerning the lives of the Libyan people, but also the violation of Libyan sovereignty and threat posed regionally.

Secondly, Colombia is also concerned about how the implementation of the principle of international criminal responsibility could overlap with the task of maintaining international peace and security, but a need to focus on the both (SPV/6528: 2011). Colombia follows protocol when stating that the Charter is the ideal way to proceed when maintaining peace and security. But they still commend the ICC for their work in prosecuting and investigating the war crimes committed by the regime in Libya and it being done according to the Charter (SPV/6647: 2011). The paragraph states that Colombia is concerned by Alkopher’s right authority category, but also fits in to the human security one. They need to protect the human lives by prosecuting the leaders who are responsible for these horrid atrocities.
Colombia; Syria
First and foremost, Colombia condemns the atrocities in Syria. They start by stating that the responsibility of the civilians lie with the Syrian government. Colombia, begins by arguing for a protection of human rights when urging the Syrian Government to “guarantee all citizens the right to life and the full exercise of their freedom of expression and right to peaceful assembly” much like the demonstrations in Syria demanded (Mr. Osario, SPV/ 6524, 2011: 11). Moreover, Colombia urges the Syrian civil society to find channels to build social and political dialogue. This puts some responsibility on the civilians rather than the prosecutors of the criminal acts. Likewise, they add the blame on the government when stating

As I [Mr. Osario] said when the Council adopted resolution 2043(2012), we hope that an expanded presence on the ground will enable constant supervision and evaluation of the compliance with the six-point plan, to which the Syrian Government opposition have committed (Mr. Osorio, SPV/ 6757, 2012: 15).

Although Colombia clearly does not state that impunity should not be forgotten, they do not, to the same extent as for Libya push for a prosecution by the ICC. Therefore this argument works in the realm of right authority, but does not fully comply with it, as the same extent to Libya. They put the blame on the Assad regime, and argues that their atrocities should not go unpunished, however, that it should be nationally led. However, Mr. Osorio mentions the need to implement Kofi Annan’s six point plan, which consist of an observer force in order to monitor the atrocities. What is clear though is that the Colombian discourse desperately seeks an end to human suffering, and hence being in line with the human security category. Whether to put the human rights violators to answer to ICC or to appoint the observing force.

Secondly, the draft resolution S/RES/612 that China and Russia vetoed against called for a Syrian led political process that Colombia supported. They believed that the solution of the crisis only could come through a Syrian political process, although the resolution intended to call for the international community to take responsibility under R2P. Another argument that comes up in Colombia is the urge for political reform in Syria (SPV/ 6627: 2011). Since both the Syrian Government and its opposition did not take the measures needed to end violence and employ Kofi Annan’s six point plan, United Kingdom, France, Germany, Portugal and the United States drafted a new resolution (S/2012/538) urging Syria to comply with the six-point plan. However, the resolution was yet again vetoed by China and Russia. This made Colombia turn heads to focus on the “political solutions” that needed to be taken in order to fully comply with the six point plan to put an end to the crisis (SPV/6826: 2012). They condemned the Security Council instability itself by stating that they had not been able
to do anything because of the negative veto. The problem here is put on Russia and China indirectly, but rather on how the council as an entity had failed.

Colombia joins the international community in calling on all the parties to respect their obligation as laid down in international humanitarian law. While the primary responsibility for the protection of civilians resides with the Syrian authorities, all the parties involved must abide by international humanitarian law which sets out clear rules for that protection. We deplore that neither parties has accepted the proposals for a peaceful solution and that both have rejected a ceasefire and a path leading to political dialogue (Mr. Cuéllar, SPV/6826, 2012: 19).

I would like to claim that this particular statement complies with the R2P concept and Alkopher’s *International Responsibility* criteria. Colombia voted in favour of an intervention that would neglect the Syrian sovereignty, but protect the human lives and at the same time condemn the council’s inability to act in such ways. Therefore, Colombia stays constant in wanting to act in intervention, denying sovereignty to protect human lives. They wanted to see the same dilemma for Syria as for Libya.

Thirdly, Colombia also argue for the necessity that the civilians’ fundamental freedoms and human rights be respected. This again declares that human rights is one of the biggest problem in the crisis and condemns the use of the veto. It is in line with Alkopher’s Human Security paradigm, however, Colombia does not to the same extent argue for the “mass killings” as for Libya and therefore the rule for intervention under R2P would not be legitimate since Colombia does not emphasize on these atrocities.

Furthermore, Colombia welcomed the Joint Special Envoy of the United Nations and the League of Arab States, Kofi Annan under resolution 2042 (2012) that seeks to end the violence with a ceasefire and bring about political dialogue, but no further military intervention. On April 23rd 2012, the Security Council unanimously adopted resolution 2043 (2012) that established the United Nations Supervision Mission in Syria (UNSMIS).

Colombia believed that this unanimous decision sent a message that the council wanted to end the violence “by the Syrian Government”. Moreover, Colombia was very optimistic over the fact that the UNSMIS could cease the violence immediately, ensure humanitarian access and facilitate a political transition, led by Syria themselves, “[...] towards a democratic pluralistic political system, through the creation of the conditions needed to initiate a broad political dialogue between the Syrian Government and the full spectrum of the Syrian opposition” (Mr. Osorio, SPV/6757, 2012: 15).
Colombia – a firm believer of human security

The Colombian argumentations reaffirm three things about Syria. Firstly, in respect to humanitarian international law, the international community have the right to protect. Secondly, although the responsibility is put on the Syrian authorities, Colombia still implies the need to follow international humanitarian law that sets out clear rules for protection. Thirdly, Colombia once again calls for a ceasefire and political dialogue that entails the attitude against military protection. This implies in what priority Colombia problematizes Syria. Firstly, that the problem is finding a solution to the crisis, and that solution being a political one. That the solution be Syrian-led with the help of the international community.

Secondly, the problem is also to amend the humanitarian crisis, allow humanitarian assistance, as well as being concerned of the growing number of refugees. Colombia is straightforward with their argumentation of Libya. Intervene and protect. Intervention to protect human lives is thus obvious for Libya but not Syria. They push for the Ghaddafi regime to be held into custody, which is not as clear as for the Assad regime.
7. Results

What norms of intervention did the non-permanent members of the UNSC 2011-2012 speak about, in regards to the intervention in Libya and non-intervention in Syria?

<table>
<thead>
<tr>
<th></th>
<th>LIBYA</th>
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<th>SYRIA</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Portugal</td>
<td>Colombia</td>
<td>South Africa</td>
<td>Portugal</td>
<td>Colombia</td>
<td>South Africa</td>
</tr>
<tr>
<td>Human Sec.</td>
<td>X</td>
<td>X</td>
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<td>X</td>
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<tr>
<td>R2P</td>
<td>(X)*</td>
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<tr>
<td>Just Cause</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
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</tr>
<tr>
<td>Right Auth.</td>
<td>X</td>
<td>X</td>
<td>X</td>
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</tbody>
</table>

* voted in favour of intervention and argued for the international responsibility to protect, but was later dissatisfied of the action of the intervention.

For Libya, all of the countries are firm on the belief that impunity should not go unpunished and hence delegating prosecution to the ICC. Therefore, all of the non-permanent members agrees in their discourses with Alkopher’s Right Authority criteria. Furthermore, South Africa Colombia and Portugal also emphasised the importance of respecting Libya’s sovereignty. This is in line with the Just Cause condition. Both South Africa, Colombia and Portugal voted in favour of resolution 1973 (2011) that resulted in the NATO intervention, but only the former two were dissatisfied by its results because they thought it would push more for a political solution, rather than the military*. Colombia and South Africa also expressed the issue with the council for the Libyan case, but never as to the same extent as for how they problematized it with Syria’. Therefore, all countries, for both Syria and Libya were in line with Alkopher’s Just Cause criteria.

Moreover, Both Portugal and South Africa were more forward of condemning the human rights violations, which was the overwhelming problem of the whole Arab Spring,
agreeing to Alkopher’s Human Security condition. The non-permanent members arguments of the problems in Libya stayed unchanged throughout the period 2011-2012, with the exception of how resolution 1973 (2011) resulted in military intervention. Subsequently, arguments shifted more towards bringing up the dysfunction of the council. The problems presented were not always affiliated with Alkopher’s intervention norms and criteria, especially considering sovereignty. Sovereignty was not respected due to the intervention.

For Syria, the members had a less unanimous front. All of the three countries argued for how Syria itself was the issue, however they did it differently. Portugal and Colombia argued for how the Syrian government held the outmost responsibility in the crisis and how they were the biggest problem, while South Africa argued that Syria had a geopolitical importance that would hurt international peace and security and the ‘wider region’. Like Portugal and Colombia, South Africa did argue that the Syrian Government did hold the majority of the responsibility, however they also emphasized the importance of both sides of the conflict, the government and the rebel forces. Although the issue ‘Syria’ does not really apply to any of Alkopher’s conditions, the non-permanent members problematized in this way because of their concern for human lives. Therefore, it is in line with her Human Security category. Only Portugal and Colombia brings about the problem with impunity and this is therefore the biggest difference in discourse and implication from Libya to Syria.

Furthermore, Portugal, and South Africa also argue for the respect of Syria’s sovereignty and how their borders should not be crossed by the international community, as well as how the reconciliation and peace process should be merely political and Syrian-led. This type of discourse further pushed for a non-intervention in Syria. South Africa clearly stated that they did not want to see ‘another Libya’ and hence, their discourse became policy by abstention of voting.

It is therefore not safe to say that smaller countries are always keen to follow international norms and law because they are norm entrepreneurs repeatedly bringing new issues to the table. This paper has shown that they indeed follow some international norms of intervention as presented by Alkopher, but also bring other issues that could help seize the dysfunction of the council. They do this by stating the council’s need to be more united and transparent. South Africa, Colombia and Portugal shows a reluctance to intervene in Syria, and this is much due to the failure to uphold the intervention in Libya. Therefore, these non-permanent members are more in line with international norms of intervention in Libya, a way they as smaller countries are perceived to act, while they are more outspoken and acting as norm entrepreneurs constantly bringing new issues and influence to the council for Syria.
8. Conclusion

I have in this paper analysed how Portugal, South Africa and Colombia, non-permanent members of the UNSC problematizes the crisis in Libya and Syria between 2011-2012, where the former resulted in a military intervention, but not on the latter. I have used Alkopher’s study to assert the non-permanent members argumentations to military humanitarian intervention norms in order to see if their arguments of intervention are different when speaking of Libya or Syria. My results show that the non-permanent members do argue differently for norms of intervention. However, the power of the veto also play a bigger role than the norms of interventions and discourses from non-permanent member representatives. At the end of the day, it is how the members vote, not what they say. Nonetheless, it is still important to highlight the non-permanent members, since there is a lacuna in the research on them in the UNSC.

My results show that, most of the time the non-permanent members did argue under Alkopher’s intervention norm, but more so for Libya than Syria. When conducting this paper, I found a major problem in the way sovereignty and just cause is discussed with the topic of intervention, by the non-permanent members. It intends for the protection of a states’ sovereignty by intervention, which pretty much beats the purpose of sovereignty. Therefore my essay shows that there is a lack of continuity in the council and by the members themselves. This is due to how norms of intervention are biased depending on what country to intervene the members speak of. Therefore normative discourse serves as a determinant in how international politics are shaped. However, this is due mainly to the veto that also works as a barrier for smaller countries to take space and add on to a diversity in the council. This ambiguity in the council halts the UN to politicise and redefine security issues. After conducting this essay, I find that a redefinition and re-evaluation of the Charter, its chapters, the veto and the way they argue for intervention and sovereignty is needed. It serves as a major deadlock for the actions of the UNSC in dire situations. For future prospect the research on non-permanent members in comparison to the permanent member’s discourses would add further dimension to non-permanent behaviour. In that sense, the smaller countries would matter more and their space for expertise would be more considered. Recently, a new set of non-permanent members to the council was voted in that continues to strive and challenge the structures of the UNSC today. With this paper, I have shown that these smaller states input are important for not only stabilizing the council, but also to conduct more transparent decision-making when voting for or against intervention.
9. List of References

Resolutions & Draft resolutions:


UNSC Meeting Protocols:


*International Politics, McMillian Publisher Ltd.* V. 51:2, 196-213.


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Appendix: Voting of resolutions and Draft Resolutions

Results of UN Resolution Votes:
S/RES/1970: Unanimous
S/RES/1973: 10 approved, 0 against, 5 abstained (China, Russia, Germany, Brazil, India)
S/RES/2042: Unanimous
S/RES/2043: Unanimous

Draft Resolutions Voting:
S/2011/612: 13 approved, 2 against (China, Russia)
S/2012/538: 11 approved, 2 against (China, Russia), 2 abstained (Pakistan, South Africa)