

R2P - A CONTESTED CONCEPT OR A GLOBAL NORM?

A Rhetorical Analysis of the United Nations General Assembly Formal

Debate on R2P in 2018

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ABSTRACT

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This thesis examines the UN General Assembly debate on the responsibility to protect (known as R2P) held in 2018. R2P is a notion endorsed unanimously by the UN General Assembly in 2005. Its three pillars embody the primary responsibility of states to protect their populations from genocide, war crimes, crimes against humanity and ethnic cleansing. It also incorporates the responsibility of the international community to assist states to fulfil their responsibility and to act collectively if a state manifestly fails to carry out its obligations. The debate in focus in this thesis is the second UN General Assembly formal debate on R2P since 2009.

The status of R2P as a norm has been contested by both states and scholars. The purpose of this thesis is to examine how participants of the 2018 debate define R2P and how they argue for and against its implementation. These research questions are explored from the perspective of norm theory and rhetorical criticism. The research material consists of the statements made by participants of the debate and they are retrieved from the UN General Assembly Official Records. The analysis is carried out by applying Kari Palonen's thoughts on interpreting the political and Rhoderick P. Hart's modified version of the Toulmin system

The results reveal that although participants of the debate primarily reaffirm their commitment to R2P, they continue to disagree over pillar III and implementation of R2P. From a rhetorical perspective the debate can be understood as a conflict where both proponents of R2P and those states that are sceptical of it or oppose it seek in turn to determine the premise of the discussion and set the agenda. Participants of the debate define R2P in many different terms and based on the discussion it is not possible to call R2P a fully-fledged global norm. However, some aspects of R2P do receive broad support in the debate.

Key words: responsibility to protect, norms, sovereignty, multilateralism, United Nations, General Assembly, regional groups, debate, rhetoric

TIIVISTELMÄ

R2P – KIISTANALAINEN KONSEPTI VAI GLOBAALI NORMI?

Retorinen analyysi YK:n yleiskokouksen vuoden 2018 virallisesta suojeluvastuudebatista

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Tämän tutkielman keskiössä on YK:n yleiskokouksen suojeluvastuuta koskeva debatti vuodelta 2018. Suojeluvastuu on vuonna 2005 YK:n yleiskokouksen hyväksymä periaate, jonka kolme pylvästä käsittävät valtion ensisijaisen velvollisuuden puolustaa alueellaan olevia ihmisiä kansanmurhilta, sotarikoksilta, rikoksilta ihmisyyttä vastaan sekä etniseltä puhdistukselta. Suojeluvastuu sisältää myös kansainvälisen yhteisön vastuun avustaa valtioita täyttämään oma velvollisuutensa ja ryhtyä kollektiivisiin toimiin, mikäli valtio epäonnistuu suojeluvastuunsa kantamisessa. Tutkielmassa käsiteltävä keskustelu on toinen virallinen debatti, joka aiheesta on käyty YK:n yleiskokouksessa vuoden 2009 jälkeen.

Suojeluvastuun statusta kansainvälisenä normina on kyseenalaistettu sekä valtioiden että tutkijoiden taholta. Tutkimuksen tehtävänä onkin selvittää, miten kokoukseen osallistuneet tahot määrittelevät suojeluvastuun periaatteen käsitteen ja miten ne argumentoivat sen toimeenpanon puolesta ja vastaan. Tutkimustehtävää tarkastellaan normiteorian näkökulmasta retorista luentaa analyysissä hyödyntäen. Aineistona tutkielmassa on YK:n yleiskokouksen viralliset istuntopöytäkirjat, joista käy ilmi keskusteluun osallistuneiden puheenvuorot. Aineistoa analysoidaan Kari Palosen poliittisen luennan käsitteen kautta sekä hyödyntäen Roderick P. Hartin versiota Toulminin mallista.

Tutkimuksessa käy ilmi, että vaikka debattiin osallistujat pääsääntöisesti antavat uudelleen tukensa suojeluvastuulle, jakautuvat näkökannat edelleen sen kolmannen pilarin sekä periaatteen toimeenpanon osalta. Keskustelun voi nähdä retorisesta näkökulmasta konfliktiasetelmana, jolloin keskustelun kulkua ja agendan asettelua pyrkivät määrittämään vuorollaan suojeluvastuuseen skeptisesti suhtautuvat tai sitä vastustavat osanottajat ja vuorollaan sen puolesta puhujat. Keskusteluun osallistujat määrittelevät suojeluvastuun hyvin eri termein eikä sitä voida keskustelun perusteella sanoa täysin vakiintuneeksi globaaliksi normiksi. Osa sen osa-alueista saa keskustelussa kuitenkin laajaa tukea.

Avainsanat: suojeluvastuu, normit, suvereniteetti, multilateralismi, Yhdistyneet kansakunnat, alueryhmät, yleiskokous, debatti, retoriikka

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1 INTRODUCTION

This is a time of multiplying conflicts, advancing climate change, deepening inequality and rising tensions over trade. It is a period when people are moving across borders in unprecedented numbers in search of safety or opportunity. We are still wrestling with the risk of the proliferation of weapons of mass destruction – and only beginning to reckon with the potential dangers of new technologies. There is anxiety, uncertainty and unpredictability across the world. Trust is on the decline, within and among nations. People are losing faith in political establishments – national and global. Key assumptions have been upended, key endeavours undermined, and key institutions undercut. It often seems that the more global the threat, the less able we are to cooperate. This is very dangerous in the face of today’s challenges, for which global approaches are essential. In this difficult context, we need to inspire a return to international cooperation. We need a reformed, reinvigorated and strengthened multilateral system. (António Guterres, 9 November 2018.)

We live in a time of rapid changes where globalization affects the way we perceive ourselves and others. Due to huge leaps in technology we are more connected to previously distant people and places on the planet and the political issues we need to deal with are no longer entirely our own but interlinked with everything and connected to everyone else on the planet. On 9 November 2018, António Guterres, the Secretary General of the United Nations (UN), gave a statement at the UN Security Council Open Debate on "Strengthening Multilateralism and the Role of the United Nations". Despite the trend of global connectivity, the Secretary General painted a rather dim picture of the state of the world today: we face numerous challenges ranging from a looming climate catastrophe to deadly conflicts and tensions over inequality and trade. Amidst these threats we have been unable to cooperate in a satisfactory manner and yet cooperation is what we would most urgently need.

The Secretary General is not alone in his concern. Similar thoughts have been voiced by other actors and scholars too. It has been argued that in an increasingly multipolar world we are witnessing a revival of East-West tension due to convergence in political and economic power. Multilateralism and international rules-based system relying on international treaties and conventions are facing serious threats, for instance, by rising nationalism and populism in Europe and beyond and growing distrust in elites and experts as well rising authoritarian regimes. Multilateral and solutions and a rules-based approach to global affairs are being swapped for a “more ‘transactional’ approach involving bilateral deals and solutions and

pursuing ‘our country first’ objectives”. (Linn 2018, 87–88.) Despite these gloomy depictions, there are those (Gowan 2018) who “view the current multilateral scene with a 50/50 mix of optimism and pessimism”. While the Security Council has failed to manage the situation in Syria and Yemen and the US has announced its plans to pull out from certain UN agreements and bodies, major global agreements such as the Paris agreement and Sustainable Development Goals (SDGs) have been negotiated and other states have stepped up their support to international mechanisms. (Gowan 2018.)

The way multilateralism is confronted with these contradictory actions sets the tone for this thesis and hence constitutes the contemporary framework in which this research is conducted. Multilateral normative action also includes the responsibility to protect (R2P) – a political commitment endorsed by UN members states in 2005 with the aim of preventing genocide, war crimes, ethnic cleansing and crimes against humanity. R2P is associated with multilateral action as its core pillars are based on the responsibility of the international community to help states in preventing mass atrocity crimes and if need be, collectively stop grave human rights violations from being committed. The UN General Assembly held its first formal debate on R2P in 2009. It has held informal interactive dialogue every year since then until, almost a decade later, the second formal debate on the question was held on 25 June and 2 July in 2018. How do states argue for and against R2P in a world the Secretary General describes, in a world where international cooperation is, on the one hand, being undermined and on the other, defended? How does multilateralism feature in such a debate?

In this thesis I examine the above-mentioned UN General Assembly debate from 2018 with the means of rhetorical analysis. My intention is to find out whether the UN member states depict R2P as a global norm in the debate and how they argue for and against its implementation. I am also interested in how the debate depicts the relationship between the notions of sovereignty, sovereign equality, multilateralism and R2P. The material I analyse consist of the statements made by the member states’ and observers’ diplomatic representatives. I will use Kari Palonen’s rhetoric model and examine the context, speakers and audience of the debate as well as the arguments laid out in the statements. Arguments are further scrutinized with the help of Rhoderick P. Hart’s modified version of the Toulmin system.

1.1 Rationale and research questions

The good rhetorical critic always has a reason for studying a text they have chosen. A critic should address issues of universal interest and try to find out what is the larger story their criticism can reveal. In Roderick P. Hart's words "no message is inherently worth of study". (Hart 1997, 33.) These words lead us to the rationale of this thesis and the research questions I have chosen to tackle.

Considering how multilateralism is being constantly questioned and how R2P has been recently debated for the second time in history by the UN General Assembly, the debate in question makes for a current and worthwhile research topic. When we study how R2P is defined and categorized in a UN General Assembly debate, what our research will yield is a study of how R2P is currently depicted by the UN regional groups and their members. What this research obviously does not produce is an ultimate truth of the state of R2P as a global norm.

The responsibility to protect has been a subject of a vast body of research and yet it has not been extensively studied from a rhetorical point of view. Some research that has been conducted from this perspective does exist, though. For example, Aidan Hehir (2011) and Elisa Kemppainen (2015) have studied the first formal General Assembly debate on R2P held in 2009. Some of Hehir's points are covered later in the Chapter 3: Responsibility to protect. In terms of methodological approach, both this thesis and Kemppainen's thesis are perhaps more rhetorical in nature than Hehir's studies. However, this thesis concentrates on the most recent UN General Assembly debate on R2P from 2018 and in addition, it differs, somewhat, from Kemppainen's research in the approach it takes as well as in the focus of the research.

While Kemppainen also examines how states argue for and against R2P and whether other themes arise in the debate, she pays extensive attention to the UN as an institution and concentrates on analysing the R2P debate of 2009 as a parliamentary debate and what aspects of parliamentary debate it displays. While the parliamentary environment of the General Assembly is also considered in this thesis, the focus is more on norm theory and the way in which states politically categorize R2P and its relationship with other important concepts,

namely state sovereignty and multilateralism. Whereas Kemppainen makes use of Quentin Skinner and James Martin's thoughts in her thesis, my approach is to utilize Kari Palonen's thoughts on rhetoric and reading the political and to analyse arguments with the help of Rhoderick P. Hart's modified version of the Toulmin system.

I drew inspiration for this work from an internship I had a chance to do at the Permanent Representation of Finland at the Council of Europe in 2016. There I got to witness diplomatic debate in person as I attended the weekly meetings of the Council of Ministers. My personal interest with this UN related topic stems from my involvement in the work of the UN Association of Finland and the UN Youth of Finland. Through years of volunteering in these organizations I have become more aware of the complexity and far reaching effects of the questions tackled by the UN. This experience coupled with the current political situation of the world have played an important role in choosing this particular research topic.

I argue that it is also possible to find universal value in this research since it does not only analyse how R2P is depicted by the UN regional groups and their members but intends to look beyond that and interpret the political in R2P debate. Through this, I seek to unravel how R2P is seen in relation to the concept of multilateralism and the norms of sovereignty and sovereign equality.

My research questions are, therefore, the following:

1. Is R2P depicted as a global norm in the debate and how do participants argue for and against its implementation?
2. How does the debate depict the relationship between the notions of sovereignty, sovereign equality, multilateralism and R2P?
3. How do the UN regional groups position themselves in the debate?

1.2 Research material

The material I analyse in this thesis consist of statements given by UN member states and observer members during the UN General Assembly debate on "The Responsibility to Protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity" held on 25 June and 2 July 2018. After nine years of informal interactive

dialogues, the debate under scrutiny in the thesis was the first formal discussion of R2P by the UN General Assembly since 2009. Altogether 80 statements were made by member states and observers during this debate. Considering that some of these statements were given on behalf of more than one actor, the number of actors whose opinion was voiced with these 80 statements rises to 164.

Observers that participated in the debate include the European Union and the Pacific Islands Forum. A statement was also given by the Group of Friends of the Responsibility to Protect (in this thesis referred to also as the Group of Friends). Friend groups at the UN are informal coalitions of states and international organizations that promote and support certain policies often nationally, regionally and internationally. The statement on behalf of the Group of Friends of the Responsibility to Protect and its 50 members was delivered by Qatar. The European Union spoke on behalf of the EU and its 28 member states as well as Macedonia, Montenegro, Serbia, Albania, Ukraine, Moldova and Georgia who aligned themselves with this statement. Kiribati spoke on behalf of the Pacific Island Forum and its 18 members. Latvia gave a statement on behalf of Estonia, Latvia and Lithuania.

My analysis focuses on the written format of the statements as they are recorded in the UN General Assembly Official Records. As Kari Palonen notes, at master's level it is important to study sources in their original language (Palonen 1997, 65). I have tried to do this to the best of my abilities in order to increase interpretative accuracy but also to challenge myself and practice my language skills at this level of university studies. Of the 80 statements in R2P debate 52 were given in English, 15 in Spanish, 6 in French, 1 in Russian, 3 in Arabic and 1 in Chinese. I have analysed the statements given in English, French and Spanish, that is to say the vast majority, using the statements given in the original language. Any quotes in these languages have been marked by a superscript citation number which guides the reader to the respective official English translations of these quotes in the appendix. In the case of Russian, Arabic and Chinese statements, I have used the English translations provided by the UN General Assembly Official Records for the analysis. I have also watched through the video recordings of the whole debate in order to get a more authentic feel of how the debate proceeded. Even if no explicit reference is made to such aspects as the body language or the tone of voice of the speakers, it is possible that these aspects have affected my political reading of the statements.

For the purpose of gaining an understanding of possible regional differences I have analysed the statements actor by actor but also examine them by region. In order to do this, I use the UN Regional Groups which constitute of UN member states. Currently there are five groups which are the African Group, the Asia-Pacific Group, the Eastern European Group, the Latin American and Caribbean Group (GRULAC) and the Western European and Others Group (WEOG). The African Group has 54 member states all of which are from the African continent. With its 55 member states the Asia-Pacific Group is currently the largest regional group. Its members derive from all over Asia and Oceania. Exceptions are Australia, Israel, New Zealand and Russia which belong to either the WEOG or the Eastern European Group. The Eastern European Group with its 23 members from Eurasia forms the group with fewest members. Some members in this group (Russia) have a territory spanning all the way to Asia while others (Azerbaijan) are geographically located at the crossroads of Eastern Europe and Western Asia. The GRULAC has 33 members from the Caribbean and Central and South America. The WEOG has 29 members from Europe, North America and Oceania. (DGACM, n.d.)

Even if the groups are based on geographical delineations, I argue that they also have, at least to some extent, political meaning. Regional groups were formed for electoral purposes and to facilitate equal distribution of UN positions among different geographical areas. Some regional groups may also coordinate on substantive issues or share information (Ruder, Nakano & Aeschlimann 2017, 123). As the UN membership grew in numbers over the years after its founding, it became essential to hold informal consultations to manage the workload and regional groups became central structures for these consultations (Peterson 2006, 48). Moreover, some states belong to a regional group that perhaps better represents their ideological and political inclinations than their geographical location. For example, Israel is not a member of the Asia-Pacific group like other Middle Eastern countries but a member of the WEOG. New Zealand and Australia are also WEOG members in spite of being located in the Oceania. Furthermore, Cyprus is not a member of either the WEOG or the Eastern European Group despite being an EU member state and having close ties with Russia. Instead, it has opted for a membership in the Asia-Pacific Group.

As may be clear from the above description, the regional groups' "sphere of influence" covers large geographical areas. Therefore, especially the larger groups have members at different stages of development and with varying cultural, political and socio-economic

backgrounds. I have sought to take this into account in the analysis by not grouping states blindly together. Where analysis have yielded interesting results within a group, I have tried to bring up these views that differ from the majority or “mainstream” opinion in each group. Thus, I have tried to illustrate any possible cleavages or consensus not only between but also within the regional groups.

In case a state does not belong to any regional group (such as Kiribati and some members of the Pacific Islands Forum), I have examined it as part of the regional group in whose geographical area it is located. There are also member states that have either an observer status in a regional group or are members in more than one group. As stated by DGACM (n.d.), the United States is not a member of any group but participates in the WEOG as an observer. I have analysed its statement as part of the WEOG. Turkey, on the other hand, participates in both the WEOG and the Asia-Pacific Group but for electoral purposes is considered a member of the WEOG and thus its statement is analysed as part of that group in this thesis. A list of the compositions of each regional group and how states aligned themselves during the 2018 debate with statements made by non-state actors (the EU, the Group of Friends of R2P, the Pacific Islands Forum) is provided in the appendix.

1.3 Structure of the thesis

In the above introductory chapter, I have presented the topic of this thesis and explained the rationale for the research. I have also laid out the research questions and the research material used in this research. In the following chapter I will proceed with a discussion of norm theory: what are norms, how they are formed and how they function. I will also discuss their importance and why states comply with them. In chapter 3 I will give a brief account of the emergence of the responsibility to protect and discuss its status as a norm and interconnectedness with the notions of sovereignty and sovereign equality.

In chapter 4 I will then move on to the methodological approach used in the research. Here I will cover rhetorical criticism and discuss ways of reading the political in texts. The chapter 5 I will cover a discussion of the speech situation of the 2018 debate. This chapter contains an analysis of the context of the debate, speakers we hear in the debate and a discussion of possible audiences of the debate. In chapter 6 I will briefly present the Toulmin model used for analysing arguments in the statements and in chapter 7 move on to applying the methods

to the 2018 formal debate. In the final chapter I discuss what the results of the analysis tell us about the questions asked in this research and what conclusions can be drawn from them.

2 NORM THEORY

In this chapter I will explore what norms are and discuss how they are related to power and governing. I will then discuss how norms affect behaviour and consider why states abide by international norms.

2.1 What are norms?

Janice Thomson argues that an international norm can be defined by the idea that “‘as a rule’ states engage in such practices” (Thomson 1993, 81 in Florini 1996, 364). Robert Axelrod also sees “norms as standard behaviours” (Axelrod 1986 in Florini 1996, 364) but what he adds to this definition is that when actors deviate from such behaviour and violate the norm, they often have to face a punishment. Ann Florini contends that these definitions fail to distinguish behaviour that is “determined by simple power relationships” from that “which is normatively driven” (Florini 1996, 364). She argues (1996) that these definitions fail to distinguish standard behaviour from actions that are influenced by standards of behaviour, that is by norms. Florini further stresses the point that analytically important here is the “sense of obligation” that norms create. (Florini 1996, 364.)

Florini also underlines the importance of understanding norms being “about behaviour, not directly about ideas”. The regimes literature sees norms as “one component of regimes” and although this is “the best-known definition of norms in the international relations theory literature”, Florini criticizes it for restricting norms to a certain issue area. (Florini 1996, 364.) A better understanding of norms, she argues, is provided by Martha Finnemore who describes them as “‘a set of intersubjective understandings readily apparent to actors that makes behavioral claims on those actors’” (Finnemore 1994, 2 fn. 2 in Florini 1996, 364). Florini (1996) explains that this definition grasps the essential nature of norms which is “the sense of ought”, that is the idea of how an actor should behave. Furthermore, Florini argues that “the most important characteristic of a norm is that it is considered a *legitimate* behavioral claim”. (Florini 1996, 364–365.)

Different disciplines talk about behavioural rules with different terms; while constructivists talk about norms, sociologists talk about institutions. Martha Finnemore and Kathryn Sikkink, two leading constructivists, point out that a norm refers to a single standard of

behaviour whereas an institution should be understood as a structure of interrelated practices and rules. Scholars from different disciplines categorize norms into 1) regulative norms and 2) constitutive norms. The former order and constrain behaviour whereas the latter create new categories of action. There is, however, a third category of prescriptive or evaluative norms which, Finnemore and Sikkink lament, has not received as much attention as it should. Finnemore and Sikkink do not explicitly explain how this third category of norms is defined but they find the disinterest in these norms “puzzling, since it is precisely the prescriptive (or evaluative) quality of ‘oughtness’ that sets norms apart from other kinds of rules”. (Finnemore & Sikkink 1998, 891.)

Gregory A. Raymond and Charles W. Kegley Jr. define international norms as

social phenomena with deontological content. They advance a collective evaluation of what ought to be done, a collective expectation as to what will be done, and particular reactions to compliant versus non compliant behaviour. Communicated through a rich lexicon of legal symbols and reinforced by diplomatic ritual, global norms are more than modal regularities; they are intersubjectively shared understandings that express a consensus about the obligations of international actors to behave in a certain way. (Raymond & Kegley Jr. 2006, 61.)

Norms can, therefore, be defined as understandings of how certain things should be done shared by a group or groups. In the above excerpt, Raymond and Kegley Jr. seek to define the meaning of *global* or *international* norms and even if they refer to the collective nature of these norms, they do not specifically say what makes a norm global per se. However, they do argue that

when independent political entities share certain fundamental values, they are more than members of a state system that observe rules of prudence; they are participants in an international society whose behaviour is guided by shared values (Raymond & Kegley Jr. 2006, 61).

For a society to be guided by shared norms, international norms, it seems to be required that these norms are shared by independent political entities such as states. Finnemore and Sikkink take this argument further as they approach the question of defining a global norm quantitatively by asking when international norms are effective. According to them, a norm can usually be considered an effective global norm if one-third of all states have adhered to it, or a considerable number of states affected by the norm have ratified it. This is what,

according to them, constitutes a “critical mass” for a global norm. (Finnemore & Sikkink 1998, 901.)

E. H. Carr, on the other hand, asks whether principles that are intended to be universal need to be supported by national powers in order to become politically effective. He says that the answer is not easy even though many political ideas such as those of the French Revolution, that of the League of Nations and free trade have been built on universal principles and have thus had an international character at least in theory. (Carr 2001, 125.) Carr (2001) further says that there are common, international ideas that stand above national ones even if they are limited and weakly held, and this is, in his mind, proved by the fact that national propaganda of different states tends to “cloak itself in ideologies of a professedly international character”. (Carr 2001, 130.) These ideas suggest that Carr, despite of being more of a realist than a liberal, seems to believe that international ideas do exist, at least to some extent.

Raymond and Kegley Jr. argue that international norms do not exist in isolation, rather they fit together and form a normative order and just like single norms are not all the same, so are not all normative orders. Some are permissive since they allow states to protect themselves and do what they think is best for them in order to strengthen their status in the international arena. More restrictive normative orders, on the other hand, leave rulers far less manoeuvrability and possibilities to “engage in unbridled self-help”. (Raymond & Kegley Jr. 2006, 61.) Raymond and Kegley Jr.’s words suggest there are more than one type of normative order in existence or perhaps some normative orders can be both restrictive and permissive.

2.2 Norm emergence and change

How do norms and international normative orders then emerge and how can they be changed? Finnemore and Sikkink (1998) have introduced a three-stage norm life cycle which describes the emergence and influence of a norm. The first stage of the cycle is norm emergence, the second stage norm cascade which refers to a broad acceptance of a norm and the third stage involve internalization of a norm. (Finnemore & Sikkink 1998, 895.)

After the predicament of the Vietnam War acts of states have been increasingly viewed in the light of ethical and international norms and cooperation started to emerge as a necessity. This led to norms being formed outside the state and being applied to the state from outside. (Giesen & van der Pijl 2006, 4.) Klaus-Gerd Giesen and Kees van der Pijl (2006) note that among others Robert Keohane and Joseph Nye developed the idea of international norms which influence even the “constitutional makeup” of states (Giesen & van der Pijl 2006, 5).

Giesen and van der Pijl argue that the relations between norms and decision making have not been explicitly explained in the academic literature. The best conclusion one can draw, according to them, is that international norms can be explicit or implicit as they “emerge from inter-state, multilateral negotiations”. (Giesen & van der Pijl, 2006 8.) Even though Giesen and van der Pijl do not explain the mechanism of forming international norms more explicitly than that, they clearly suggest that international norms are negotiated between independent states in a multilateral setting. In a way one can argue that this resembles the emergence of norms *within* a state, an organization or a club but instead of negotiators being different political parties, interest groups or individuals, they are independent states. Norms can hence emerge at local or national level but international norms are negotiated at international level.

Although Giesen and van der Pijl argue that international norms emerge from negotiations between states, they also note that private sector and international civil society such as transnational social movements and NGOs have been “brought into the process of norm creation” (Giesen & van der Pijl 2006, 12). They (2006) further argue that this development has led to a questioning of the quality of norms because private actors among others participate in formulating norms, but they are not subjected to normative intervention. This means that governments and international organisations “no longer enjoy the monopoly of legitimate authority”. (Giesen and van der Pijl 2006, 13.) Perhaps this development can also lead us to question the dominance of states in the process of defining international norms. In the light of the above-mentioned developments, we could argue that international norms are indeed understandings shared by independent states but also increasingly by other international actors such as civil society and private sector.

One way of explaining change in norms and thus change in the international system is Ann Florini’s evolutionary analogy of norms. It is built on the constructivist presumptions that

norms matter and that power is not a sufficient explanation for norm change. Florini's analogy likens norms to genes and it works on three levels. First, both norms and genes condition behaviour, the former that of states and the latter that of biological organisms such as animals. Second, Florini explains that both norms and genes are transmitted through inheritance. Whereas genes are passed on through reproduction, norms are passed on through cultural transmission from one social organism such as a state to another. Third, both norms and genes are contested by which Florini suggests that they compete with other norms and genes. In other words, "norms must compete for time and attention, just as genes compete for slots on chromosomes". (Florini 1996, 367.) From this it follows that both are affected by natural selection. According to Florini, there are two possible outcomes of this competition: either the contestants coexist or one of them prevails while the other disappears. (Florini 1996, 367.) Florini (1996) argues that both the population of organisms and the population of states evolve over time and that natural selection is the underlying mechanism in both the evolution of organisms and norms: while some genes or norms become more dominant in a populations and others become less frequent (Florini 1996, 369).

Robert Axelrod argues that an evolutionary approach is helpful in studying norm dynamics because it can help us understand "how strategies change over time as a function of their relative success in an ever-changing environment of other players who are also changing their own strategies with experience" (Axelrod 1986, 1110). However, according to Axelrod, a goal of studying how norms have been established in societal settings is to understand better how to promote "cooperative norms" internationally (Axelrod 1986, 1110).

Florini argues that as there is natural selection among biological organisms, natural selection of norms also exists, and it explains the change in norms. She claims that norms face all those three conditions that make natural selection happen in nature. These conditions are 1) variation, 2) reproduction and 3) competition. Florini argues that norms fit these conditions as there are various, competing norms present in the international arena and they "reproduce" – that is, they can be transmitted from one state to another. (Florini 1996, 369.) Florini explains that this "natural selection can be analysed as working at the level of the gene (norm), the whole organism (state), or the entire population of organisms (system)" (Florini 1996, 370). Neorealism draws comparisons between organism and state and focuses on natural selection at the level of organism which Florini sees as problematic. According to

her, neorealism's use of the natural selection model does not explain change but rather stability (Florini 1996, 370–371.)

Florini seems to regard neorealism's approach to the question of change in the international system as outdated. She (1996) explains that in the past when states' survival was largely determined by their ability to form a centralized authority over a given territory, control the use of violence, wage war and protect themselves from aggression, natural selection worked at the level of organisms (states) in favour of powerful states while weaker ones were eradicated. In the contemporary world, however, the analogy is no longer effective, says Florini. She claims that when change happens in the international system, states no longer cease to exist even if they do not share the same norms as other states. For example, the abolition and non-use of nuclear weapons is not dependent on the eradication of states that do not uphold these norms. Thus, Florini argues that "evolution ultimately occurs at the level of the gene, and this is the appropriate parallel for considering the evolution of norms". (Florini 1996, 370–371.)

Florini states that norms are subject to selection and there are three factors that together explain the success or failure of a given norm to spread. These are 1) prominence of a norm, that is whether a norm is prominent enough in its environment; 2) normative environment, that is how well a norm interacts with other norms; and 3) external environmental conditions. International norms generally become prominent when someone, a so-called norm entrepreneur, actively promotes them or when "the state where the mutant form first arose happens to be particularly conspicuous". (Florini 1996, 374–375.) Florini says that among the norms that have been studied, those that became international had either a norm entrepreneur to promote them or originated from a prominent actor or had enjoyed the both benefits (Florini 1996, 375).

The above mentioned three factors (prominence, coherence, environmental conditions) tell us which norms will be spread but not how. Florini (1996) admits that norms and genes do have differences in this regard. While biological organisms cannot choose which genes they express, social organisms can decide which norms they choose to uphold and promote. (Florini 1996, 377.) Contrary to what rational choice theory suggests, Florini argues that these choices are based on less rational and deliberate actions than simple imitation that stems from the norm itself (Florini 1996, 378).

Norms can reproduce either vertically or horizontally. The former means that a norm is upheld by new generations of leaders in one state. These norms do not usually change, says Florini. The latter, on the other hand, refers to emulating, that is copying, other actors' behaviour. Through this horizontal reproduction norms can change within a single generation as actors see others act in a certain way and change their own behaviour to match that. Florini argues that social change that happens quickly is usually a manifestation of "horizontal emulation" because it is faster to spread norms to contemporaries than to wait new generations to be born and grow. (Florini 1996, 378.) Axelrod (1986) says that norms can change in a surprisingly short period of time, even in a couple of decades. Before the introduction of a new norm, an old norm may even seem permanent and stable. (Axelrod 1986, 1096.)

Ronen Palan argues that norms are often treated too narrowly as boundaries between illegal and legal behaviour. Certain behaviour is deemed to conform to international norms while some behaviour is not. This is what Palan calls the "mainstream" view and he notes that it has been challenged by Evolutionary Institutionalists and Institutional thinkers. These traditions see norms and institutions as not only restricting behaviour but also prescribing it. (Palan 2006, 41.) From this point of view Raymond and Kegley Jr.'s permissive and restrictive normative orders can embody not just one of the two qualities but both in the same normative order.

In other words, norms and institutions "stimulate through prohibition, patterns of transgression and change, thus creating new possibilities and new worlds" (Palan 2006, 41). This would suggest, as Palan points out, that change can happen not only within the boundaries set by international norms and institutions but also by "reimagining these very boundaries, moulding and transgressing them" (Palan 2006, 41). International norms can, thus, evolve in the hands of those that mould them. Can they then be morphed into something opposite that they originally stood for and be used against themselves for these opposing purposes? For instance, like Anne Orford (2011) points out, R2P has been criticized for providing this possibility in the form of justifying unilateral military intervention on the pretext of protecting vulnerable populations (Orford 2011, 22).

2.3 Norms and power

If norms can be defined as something that urges us to act or not to act in a certain way, there is certainly an element of power inherent in them. The ability to enforce certain norms and therefore certain behaviour is naturally part of governing and exercising power. Mitchell Dean (2007) explains that in *Leviathan* Thomas Hobbes defines governing as ruling with authority and with basis in law. The verb “govern” can also be understood in a broader sense as demonstrated by Hobbes’ ideas in his work *Behemoth* where he uses “governing” to mean any action that seeks to “direct, guide or control others, for example, children, subjects, wives, a congregation, even livestock”. (Dean 2007, 35–36.) Governing, therefore, could be said to imply any action where an actor seeks to impose his or her authority on others. It can, thus, be said that governing is very much linked to the concept of authority and the concept of norms.

Moreover, governing society is used to describe the routine work of the executive, legislature and judiciary of states and thus does not refer to a single actor doing the governing. It must also be noted that many of the activities of governing are undertaken by non-state actors such as NGOs. Dean states that in this regard governing society does not imply a particular agent with a definite intention nor an object of action. Rather, it implies the political. (Dean 2007, 8–9.)

Dean suggests that there is a certain specific relationship of power involved in the political. To explain what is meant by this relationship, Dean refers to Michel Foucault's ideas of power. Foucault argues that a relationship of power is a relationship between any actors who try to influence one another. According to him, what is fundamental about power is its close link with resistance. He regards power, thus, to be “more like a duel than a total system of subordination”. (Dean 2007, 9.) We could, therefore, argue that if governing society implies the political, and the political implies power and resistance, governing society is also very much a question of power relationships. Following Foucault’s thoughts, Dean (2007) further maintains that “because all human interaction involves relations of power, everything is political” (Dean, 2007, 10). To clarify this, he points out that Foucault, citing Carl Schmitt, actually argues that everything does not necessarily have to be political, but “everything *can* become political” (Dean 2007, 11–12, emphasis added by the author of the thesis).

How does power then translate to certain kind of behaviour by different actors such as states? Actors in international affairs have different, sometimes conflicting, interests and from that scholars in International Relations have deduced that power is the “principal mediating factor determining outcome in international affairs”. (Palan 2006, 42.) Following this observation Palan identifies a key question: “Why do powerful states tend, on the whole, abide by international norms and conventions also when these norms restrict their room for manoeuvre?” (Palan 2006, 42).

Andrew P. Cortell and Jamis W. Davis Jr. introduce a model which depicts patterns of state-societal relations and the structure of decision-making authority through which they explain how international norms affect domestic political decision making (Cortell & Davis 1996, 455). They argue that there are two factors that influence the domestic impact an international norm has: the domestic structure that affects the state’s policy debate and the domestic salience of the international norm in question (Cortell & Davis 1996, 457). Cortell and Davis also point out that the above-mentioned argument can be applied to both democratic and non-democratic states (Cortell & Davis 1996, 458).

In states where decision-making is decentralized the success of appealing to an international norm in domestic political debate depends on the norm’s domestic salience. How salient a norm is, is not necessarily easy to measure but can be conceived through examining state declarations by authoritative actors and state’s policy choices. (Cortell & Davis 1996, 456.) Cortell and Davis’ (1996) findings fit well together with constructivist approach to international relations and this they acknowledge themselves. However, they remark that constructivist accounts provided, for example, by David Dessler and Alexander Wendt examine states as unitary actors whereas it would be more useful to “disaggregate the state” and look at both government officials and societal groups as actors who can appropriate international norms. (Cortell & Davis 1996, 472.)

Florini claims that norms have not been of much interest to those schools of international relations theory that are currently dominant. She finds game theory’s explanation of norms (norms arise when they are needed to solve collective issues) problematic because it does not explain why norms do not always solve collective problems. Just like Florini, both neorealism and neoliberalism understand norms as standards of behaviour. Neorealists, however, see norms as having only limited influence in the distribution of power between

states and other international outcomes. From their point of view, norm change happens when the power distribution changes because the latter is, according to neorealism, the most important factor that affects actor behaviour in international relations. Neoliberalists, on the other hand, seem to regard norms as significantly influential and yet both neoliberalism and neorealism dismiss norms as something which factors originating outside the theory tend to determine. (Florini 1996, 365.) Florini explains (1996) that for constructivism norms are crucial. They shape not only the goals of states but also the ways states try to reach those goals. Moreover, constructivism has provided evidence that norms do in fact change state behaviour and these changes cannot be explained only by short-term power maximization. (Florini 1996, 366.)

Finnemore and Sikkink maintain that norms debate cannot be divided strictly into two camps because the different viewpoints intermingle (Finnemore & Sikkink 1998, 915). However, even this is not an uncontested view since Jeffrey W. Legro (1997) suggests that two polarized camps related to the debate on norms do indeed exist: one maintains that norms have a substantial impact on international relations while the other claims that norms have relatively little influence in the anarchic international arena. Legro himself argues that neither of these approaches is sustainable. He further argues that norms do in fact matter but not to the extent that has been argued due to biases in methodology. As norm proponents have focused on showing that norms do matter, they have failed to consider valid criticism of their approach for example regarding the question of how much norms matter relative to other factors. (Legro 1997, 31.)

Palan says that theories of performative discourse suggest that performance, ritual and habitual appeal to international norms can be seen as an element which moulds the nature of international relationship because it alters the way actors behave. As an example, he refers to the way in which the US and the UK went to war in Iraq “on the flimsiest of excuses” without paying much attention to international norms or conventions but they still took the trouble of trying to make their actions seem legitimate in the eyes of the international community and the UN. (Palan 2006, 40.) Therefore, even if one can argue that international norms did not have much effect on the behaviour of the US and the UK as they did not deter the two states from going to war, it can also be argued that the way in which they took the trouble of trying to explain themselves in the UN, demonstrates that their behaviour had been affected, at least to some extent, by international conventions and institutions.

Giesen and van der Pijl suggest that one way of looking at why states abide by global norms is Jonathan Nye's concept of soft power which suggests that states that manage to establish international norms do not have to change their own behaviour (Giesen & van der Pijl, 2006, 12). A variant of transaction cost theory, on the other hand, explains (2006) state compliance with global norms by the usefulness of institutions and already existing norms which facilitate international transactions. It is easier to abide by already existing conventions even if they sometimes seem to limit state power than invent new procedures. Palan argues that as long as states believe they have more to gain from the already existing norms than to lose they have a strong incentive to follow them. (Palan 2006, 42.)

As another answer to the question of why states abide by global norms, Palan offers the Poulantzian theory of institutions and norms which follows Nicos Poulantzas' thoughts and maintains that institutions such as sovereignty "represent sedimented historical power structures" (Palan 2006, 43) through which the power of ruling segments of populations is maintained. According to this theory, ruling classes are reluctant to transgress these institutions and norms since they uphold their power. Both the transaction cost theory and the Poulantzian theory maintain that self-interest and rational calculations drive states to abide by norms of international affairs (Palan 2006, 43.) and one can argue that that the concept of soft power comes close to these views with its idea of powerful normative powers being able to promote their own ideals.

As Palan says there is also a third theory that is yet to gain more ground in International Relations and Political Science. It is Deleuze and Guattari's theory of desire according to which desire is the motivating force that gives people energy to fulfill their needs. (Palan 2006, 43–44.) According to this theory (2006), socially constructed prohibitions such as norms simultaneously limit actions and generate a desire to transgress prohibition because the very thing that is not allowed is transformed into an object of desire (Palan 2006, 45). This is in line with what is suggested above by Evolutionary Institutionalists and Institutional thinkers' theories of how norms function by creating at the same time limits and stimulating the transgression of those very boundaries. Even though Palan groups the theory of desire together with the transaction cost theory and the Poulantzian theory as concepts that explain state compliance with international norms, he does not explicitly explain how the

theory of desire works in that respect. The said theory seems to answer the question of how norms work rather than why states abide by them.

Finnemore and Sikkink say that the question of what motivations lead to norm conformity has also been a source of debate between scholars. For example, neoliberal institutionalists and regime scholars have focused very much on explaining norm-based behaviour with material motivations which has spurred disagreements between scholars. Another debate centers around “the behavioral logic that scholars believe drives norm-conforming behaviour”. (Finnemore & Sikkink 1998, 912.) This debate involves the economist and rational choice approach to norm analysis according to which actors conform to norms in order to maximize utility, that is in order to reach their desired outcome. Another approach stresses the “logic of appropriateness” in which actors follow norms because they believe “the behaviour to be good, desirable, and appropriate”. (Finnemore & Sikkink 1998, 912.) Finnemore and Sikkink point out that also “habit, duty, sense of obligation and responsibility as well as principled belief” can motivate actors to abide by certain norms (Finnemore & Sikkink 1998, 912).

3 RESPONSIBILITY TO PROTECT

After the Cold War the scope and ambition of international executive rule increased, and this development brought about two sets of questions regarding authority, remarks Anne Orford. The first related to the legitimacy and effectiveness of international authority and questions such as the following: Why should the UN executive organs rather than domestic authorities or other international actors have the power to govern in the decolonized world? Should the UN have the right to judge the legitimacy of governments and is the international executive even able to govern effectively? (Orford 2011, 9–10.) Orford (2011) notes that the relation between international rulers and local claimants to authority formed the second set of questions: How do international actors choose which group or party they deal with in situations of civil war? Can international actors remain impartial in such situations? Orford argues that answering these questions grew increasingly important after the Rwandan genocide and the Srebrenica massacre and that R2P is a “response to that need”. (Orford 2011, 10.)

In 2001 a report entitled “The Responsibility to Protect” by International Commission on Intervention and State Sovereignty (ICISS) first established the notion of R2P as it called for a rethinking of the concept of authority. It argued for a move from “sovereignty as control to sovereignty as responsibility”. (Orford 2011, 15.) By this ICISS meant that states have the primary responsibility to protect the safety and lives of their people and if they are unwilling or unable to meet this responsibility the wider community of states is responsible for providing that protection (Orford 2011, 15). Orford (2011) explains that the concept of R2P emerged as a response to the NATO 1999 action in Kosovo in order to reassert the primacy of the UN at a time which saw a proliferation of many other claimants of international authority such as the Bretton Woods institutions (Orford 2011, 178). Negrón-Gonzales and Contarino (2014) note that the ICISS report exhibited thinking that departed from earlier discourse on humanitarian intervention because it placed the primary responsibility to protect populations to states while sanctioning Security Council authorized international action in the case of state failure to prevent atrocities. (Negrón-Gonzales & Contarino 2014, 257.)

R2P was then formally and unanimously adopted by the General Assembly in a World Summit Outcome Document at the UN World Summit in 2005. R2P is laid out in paragraphs 138 and 139 of the document which declare that states accept their responsibility to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. Furthermore, it is stated that the international community should help states to exercise this responsibility. The international community itself also has the responsibility to protect populations from the above-mentioned crimes by undertaking diplomatic, humanitarian and other peaceful actions. And if such means are inadequate, the document authorizes collective action through the Security Council. (United Nations General Assembly 2005, 30.)

Gareth Evans notes that although a little different from formulation introduced by the ICISS report, the core R2P principles are the same in the adopted document. Evans argues that the unanimous adoption of the Outcome Document and the language used in it should be seen as a huge diplomatic achievement by those who worked on it and should be regarded as “an occasion for celebration rather than disappointment by supporters of the responsibility to protect norm”. (Evans 2008, 47.) The only disappointment with the document is, according to Evans, that it does not include clear criteria for the use of military force. (Evans 2008, 48).

Since its formal adoption in 2005, the Secretary General has released annual reports on R2P in advance of the annual UN General Assembly informal interactive dialogue on R2P. Moreover, R2P has been invoked by the Security Council and the Human Rights Council in dozens of resolutions (Global Centre for Responsibility to Protect 2019a; 2019b). In a 2009 report on R2P to the General Assembly, UN Secretary General Ban Ki-moon presented a three-pillar strategy for advancing R2P. The first pillar refers to the responsibility every state has to protect its populations from four mass atrocity crimes: genocide, war crimes, crimes against humanity and ethnic cleansing. The second pillar covers the responsibility of the international community to encourage and assist individual states in meeting that responsibility and the third pillar maintains that the international community must be prepared to take appropriate collective action, “in a timely and decisive manner” and in accordance with the UN Charter, if a state is manifestly fails to protect its population. (United Nations General Assembly 2009, 8–9.) These pillars are also widely used by member states as they refer to different aspects of R2P in the 2018 formal debate.

The pillar I and II of R2P have not been highly controversial. As Negrón-Gonzales and Contarino note, no state in the 21st century has opposed the responsibility to protect its own people nor argued that the international community should not pay attention to atrocity crimes. The pillar III, on the other hand, has stirred controversy and gathered opposition. Even if it involves not only military action but a broad range of political, diplomatic, economic and juridical tools and several UN documents have stressed that intervention under the pillar should be used as a last resort and undertaken only if authorized first by the Security Council, some states oppose military intervention in principle and others are concerned that the pillar III could be abused. (Negrón-Gonzales & Contarino 2014, 258–259.)

3.1 R2P as a norm

As noted in the introduction, R2P has been a subject of a vast body of research and yet there seems to be no consensus among scholars concerning its status as a norm or what kind of impact it has on state behaviour. It has been brought up that regional organizations play an increasingly active role in implementing R2P with which they comply, according to Touko Piiparinen (2012), for both normative and strategic reasons. Piiparinen argues that R2P should be understood as composing of three layers of actors; international community, states and regional actors and not only the first two. (Piiparinen 2012.) James Pattison takes this argument further by claiming that there is “not simply one international responsibility to protect, but several”; R2P is not just a business of states and regional organizations but it is also held by NGOs, companies and even individuals (Pattison 2015, 210).

Melinda Negrón-Gonzales and Michael Contarino see R2P as “a norm in formation” (Negrón-Gonzales & Contarino 2014, 257). They maintain that both pre-existing local norms and national strategic concerns affect the way states respond to R2P. States that are committed to human rights and humanitarianism tend to be more likely to build broader support for R2P. Whereas states that try to limit R2P usually have normative commitments to non-interference and anti-imperialism. States that have “mixed commitments”, that is to say, states that commit themselves to both human rights and non-interference, may show contradictory responses to R2P. (Negrón-Gonzales & Contarino 2014, 255.)

Jennifer Welsh argues that prevention remains the aspect of R2P that will allow it to play a central role in international politics. However, like in any other area of public policy, it is

measuring the success of preventive actions that continues to be one of the challenges facing R2P. Moreover, Welsh notes that R2P is not omnipotent since possibilities to change the course of events in any given society from outside remain limited, and some leaders are unlikely to refrain from committing atrocities if they see a chance for huge gains or feel an existential threat, she argues. (Welsh 2016, 227–228.)

Some scholars have expressed strong scepticism regarding the impact of R2P on state behaviour. For example, Aidan Hehir calls R2P a “slogan employed for differing purposes shorn of real meaning and utility” (Hehir 2010, 219). He argues that R2P has managed to draw more interest in humanitarian intervention and has changed the discourse around the topic without, however, contributing much of substance (Hehir 2010). Robert W. Murray suggests, from a rather Realist point of view, that “rational calculations premised on self-interest” continue to dictate the way states respond to mass atrocities (Murray 2013, 16).

Luke Glanville disagrees with the scepticism exhibited by the above-mentioned scholars. He argues that such claims are based on a “problematic understanding of how norms matter” (Glanville 2015, 184). Glanville argues that the impact of a norm can be seen not only in compliance with a norm but also in cases of violation. This, he further argues, can be observed in the case of R2P which he claims has a “very real and readily observable impact on the behaviour of states” (Glanville 2015, 184–185.) In the case of Libya, Glanville sees an example of compliance since the US intervened in Libya even though concerns were voiced by some leading officials in the US administration that the country had no strategic interests in doing so. In the case of Syria, where the international community has failed to protect the population, the impact of R2P can be detected in the international community’s acceptance of its responsibility to respond to the crisis and in the way states have sought to justify the impact of their actions, find excuses where they have not acted or shift blame on Russia and China for preventing the international community realizing its R2P. (Glanville 2015, 185.)

Theresa Reinold argues that R2P cannot be considered a legally binding norm or an emerging norm for the very reason that there is no consensus on what R2P means and states do not want to acknowledge the international community’s duty to enforce R2P. However, Reinold concedes that states’ moral pressure to address mass atrocities has increased and the understanding of sovereign responsibilities has begun to change. She considers this to be

happening due to the norm entrepreneurship of the US and other Western states and agenda-setting of non-state actors. Those who oppose absolutely any kind of interference already represent a minority of states. (Reinold 2010, 77–78.)

Orford claims that a consensus in academic literature has been developing about the trivial nature of R2P as a concept. She explains that for some critics such as David Chandler, Nicholas J. Wheeler and Frazer Egerton R2P concept has been deliberately left vague and thus shows that in reality states have no intention to live up to the principles of the concept and protect foreign populations from harm. It has been argued that R2P can at best be “an empty rhetorical gesture cynically made by the leaders of Western states to assuage the growing popular pressure for action in situations of humanitarian crisis” (Orford 2011, 22) and at worst it can be used for justifying any unilateral military action due to the concept’s ambiguity and contingency. (Orford 2011, 22.) Orford (2011), however, disagrees with the growing consensus and strongly argues that R2P is “one of the most important normative shifts in international relations since the creation of the UN in 1945” (Orford 2011, 41).

Some critics of R2P concept claim that normative effect is based on new binding obligations that an emerging norm imposes on states or international organizations. Without these obligations, the norm has no effect. R2P concept does not add anything to existing international law. The Genocide convention, international and regional human rights treaties and the laws of war already enshrine the obligation of states to protect the people within their territory from genocide and other mass atrocities. (Orford 2011, 23.) Moreover, adds Orford (2011), an international responsibility to protect declared by R2P concept does not impose any legal obligations on states to intervene collectively or unilaterally in humanitarian crises. Orford asserts that this is due to the clear opposition of those who could be subject to such intervention as well as those who could be expected to intervene. (Orford 2011, 24.)

According to Jason Ralph and James Souter, R2P has huge potential but whether it can be considered “a fully-fledged international norm” (Ralph & Souter 2015, 68) depends on our understanding of the term “norm”. As a normative aspiration for a new social reality, they argue that R2P is clear since it was unanimously adopted by states at the UN World Summit in 2005. However, if we understand “norm” as something that reflects an existing reality, R2P’s status as a norm is more complicated. On the one hand, Ralph and Souter argue that R2P is a norm also in this respect because states are more aware of their R2P and the possible

implications of their negligence of the said responsibility. This seems to be in line with what Reinold argues about increased pressure to respond to mass atrocities. On the other hand, Ralph and Souter maintain that in order to be “fully-fledged” as a norm, states would also have to fulfil their R2P in concrete terms “as a matter of course”. (Ralph & Souter 2015, 68–70.)

3.1 Sovereignty, authority and R2P

R2P is closely related to questions of sovereignty, sovereign equality and international authority. Sovereignty and sovereign equality of states are old concepts that have long guided interstate relations. These principles have, however, in more recent history been challenged by the emergence of other concepts such as R2P which calls into question states’ absolute authority within their territory. The twin principles of sovereignty and sovereign equality derive from the Treaty of Westphalia. The notion of governing society “presupposes a body that makes, negotiates and imposes laws (Dean 2007, 37). Thus, in order to govern society, there needs to be an actor who successfully claims “a monopoly of rule within a given territory” (Dean 2007, 25). For this to be possible, a territory needs to have demarcated borders. Neither the monopoly of rule nor clearly marked territory existed before the emergence of the idea of nation state after the Thirty Years’ War in 1648 when the Treaty of Westphalia was drafted. (Dean 2007, 25.) The key principle of the treaty holds “*cujus regio, ejus religio*” which meant that henceforth external powers should refrain from interfering in the religious conflicts within other states (Dean 2007, 28). Dean sums up that “a territorially bound state with an effective central government” was indeed “a condition for the emergence of the notion of governing societies” (Dean 2007, 34).

Dean further states that “sovereignty makes governing societies possible. It is a condition for the effective internal government [...] and of stable and enduring agreements between states”. (Dean 2007, 136.) He also asserts that sovereignty has, thus, a civilizing effect on both domestic and international arenas because it limits the arbitrary use of violence for political ends (Dean 2007, 136–137). This argument can, however, be disputed if we look at the countless times states have misused their sovereignty and used violence against their own citizens.

Sovereignty is, therefore, usually defined as a judicial concept which refers to “supreme authority in law-making within territorial boundaries of the state” (Palan 2006, 45). Nowadays all states claim this absolute sovereignty within their territory and as a result, Palan argues, the state system is based on the “twin principles of sovereignty and sovereign equality” (Palan 2006, 45). The latter means that states recognize the sovereignty of other states over their respective territories and thus consider themselves as sovereign equal. Palan reminds, however, that it is what happens in theory. In reality, sovereign equality is constantly transgressed and Palan divides these transgressions into three layers of compromises which have each evolved from the previous layer of transgression. In accordance with Palan’s arguments above, the concept or norm of sovereignty does not only limit states but serves as a “pointer towards transgressions of sovereign absolutism”. (Palan 2006, 45.)

The three theories introduced in Chapter 2.3 explaining state compliance with global norms, namely the transaction cost theory, the Poulantzasian theory and the theory of desire, can be applied to the notions of sovereignty and power in international relations. The first principle or layer of sovereign compromise maintains that “most widely acknowledged source of limitation on sovereign power is power itself”. (Palan 2006, 45.) Palan suggests that the first compromise is a “built-in consequence of the concept of sovereignty: since sovereignty is a claim to a supreme authority within a given territorial domain, the claim can be compromised by external power” (Palan 2006, 45). For example, says Palan, small states are thought to have less autonomy in decision making than larger, more powerful states (Palan 2006, 45–46). Perhaps it is indeed the case especially in multilateral negotiations where smaller states might have less bargaining power than their larger counterparts. This leads us straight to the second layer of compromise.

The second principle of sovereign compromise is multilateralism. As part of this layer of compromise, Palan introduces the concepts of pooling and delegating of sovereignty: states make bilateral and multilateral agreements and abide by norms which restrict their own sovereignty but in certain ways give them more over other countries as these countries have to abide by the same principles (Palan 2006, 47). In the light of this pooling it seems that states’ interest in following norms is driven once again by their self-interested desire to gain more power in the international setting. Palan (2006) attributes the birth of this layer of compromise to the growing intensity of commercial interactions which required more

universal commercial agreements. These agreements were pursued through multilateral treaties which became the mechanism for initial forms of global governance. Multilateral treaties, on their part, contributed to the birth of international organizations which, Palan argues, work on a basis of “club membership”. (Palan 2006, 48.) Members agree to follow the code of conduct set by the club and thus delegate some of their sovereignty to it. Examples of such “clubs” are the EU and the WTO. (Palan 2006, 48.) Palan (2006) argues that this second layer of sovereign compromise was something not forced but, on the contrary, devised by powerful states themselves. He names the post World War II international affairs as an example of a conflict between the first two layers of compromise, power and multilateralism. (Palan 2006, 48–49.)

Market forces make the third principle of sovereign compromise. Palan suggests that the second layer of sovereign compromise, multilateralism, seems to be in the process of being replaced by market forces, the third principle. He argues that at any rate a third principle of sovereign compromise is being advocated by louder voices. Tax competition where states seek to attract fictional business into their territories and companies establish fictional bank accounts in tax havens in order to avoid tax in their own countries is an example. (Palan 2006, 49.) Palan (2006) explains that the market principle sees states as absolute sovereigns who make the ultimate decisions but who are also forced by the market competition, rather than by other states’ power, to pay for wrong decisions. (Palan 2006, 51).

In conclusion, Palan argues that international norms are not a simple question of compliance or non-compliance. He notes that the above explained concept of transgression has created “a complex myriad of practices and norms of behaviour”. (Palan 2006, 52.) Even if the theories presented above seem to argue along the lines of the Realist tradition of International Relations that states abide by international norms mainly out of self-interest, Palan (2006) himself believes, contrary to realism, that the sovereignty of states is being seriously eroded by multilateralism and market forces and paradoxically states have themselves contributed to this development. As argued above, multilateralism, the second layer of sovereign compromise, is a transgression of power, the first layer of compromise. Market forces which is the third layer of compromise is, then, a transgression of multilateralism, the second layer. (Palan 2006, 52–53.)

Dean, on the other hand, argues that sovereignty does not seem to have vanished, but it has

taken new forms (Dean 2007, 58). He asserts that traditional forms of authority are being replaced by more participatory and democratic forms and at the same time the discourse of sovereignty is replaced by the discourse of security (Dean 2007, 69). Dean (2007) also suggests that one way to view the changes in the notion of state sovereignty is to look at the notion as an ideal. He asserts that the issue with the beliefs that state sovereignty has declined is that it was never fully accomplished in the first place. It has always been an ideal and it still is an “ongoing and changeable political construct”. (Dean 2007, 55.)

In the contemporary world it is perhaps necessary to rethink what it means to be a sovereign actor in the international arena. Kal Raustiala (2000) points out that Abram Chayes and Antonia Handler Chayes suggest that the notion of sovereignty in today’s world may not mean local control and authority of state. What they argue is that sovereignty may need to be reconceptualized in the contemporary world where problems tend to transcend state borders and call for multilateral solutions. As global problems require global solutions, interstate cooperation is a must. (Raustiala 2000, 417.) Moreover, Chayes and Handler Chayes argue that by cooperating multilaterally states fulfill their contemporary social role and therefore their “participation in multilateral institutions, far from reducing sovereignty, paradoxically instantiates sovereignty” (Raustiala 2000, 418). As Raustiala puts it, “participation in such multilateralism is part and parcel of what it means to be a sovereign state” (Raustiala 2000, 418). Dean’s thinking certainly supports Raustiala’s argument as he explains above that sovereignty should be understood as a malleable concept that constantly changes. We can ask whether the concept of sovereignty has ever been more than an ideal. Perhaps it is then not completely justifiable to proclaim that state sovereignty has truly vanished at the wake of globalization and multilateralism. Perhaps what we see today is sovereignty taking new forms.

Orford asserts that R2P concept can be seen as “offering a normative grounding to the practices of international executive action that were initiated in the era of decolonisation and that have been gradually expanding ever since” (Orford 2011, 10). She continues by stating that R2P challenges state authority as a given as well as the formal commitment to the UN Charter principles such as sovereign equality, self-determination and non-intervention (Orford 2011, 41). As the theory of desire suggests, norms not only limit behaviour but also evoke a desire to transgress norms. Following this theory, Palan argues above that the norm of sovereign equality is in reality constantly transgressed by three different layers of

compromise: namely power, multilateralism and market forces. If we apply this theory to R2P, it is possible to see the concept as a representation of the second layer of sovereign compromise, multilateralism.

Before the creation of the UN in 1945 effective control over a given territory was seen as a criterion of sovereignty and statehood. With the UN Charter the lawfulness of authority became a question of both fact and of right. Humanitarian intervention and occupation by international organizations was considered only temporary and having little effect on the traditional rights of sovereigns. Orford asserts that R2P is a “significant departure from that vision” as it places emphasis once again on “de facto grounding of authority” (Orford 2011, 16): in order to be legitimate, authority needs to be able to protect its population effectively. Moreover, it regards the effectiveness of protection and the lack of it a factual matter which can be determined by the international community. (Orford 2011, 16.) Thus, according to Orford, R2P “implicitly asserts not only that an international community exists, but that its authority to govern is, at least in situations of civil war and repression, superior to that of the state” (Orford 2011, 120). R2P seeks to limit state sovereignty as it maintains that states cannot do as they please within their territory, but they have certain obligations towards the people that live under their rule. R2P also transgresses the norm of sovereign equality as it seeks to authorize an outside power, the international community, to take action if a state fails to fulfil its obligations. Thus, the concept seems to provide an example of the dual role of norms proposed by the theory of desire and Palan’s theory of levels of transgression. R2P is both restrictive and permissive and shows how the second layer of transgression, multilateralism, affects the notions of sovereignty and sovereign equality.

Can the theories that explain state compliance with international norms then be applied to R2P concept? Perhaps it is promoted by states who see it as a way of maintaining their powerful status in world affairs. In this case R2P could reflect the first layer of sovereign compromise of Palan’s theory in addition to the second layer. From that point of view, power wielded by powerful states in the name of the international community and in the form of a possible military intervention compromises the sovereign equality of states. Or following Nye’s concept of power, promoting R2P could be seen as an example of wielding soft, or normative, power which allows the proponents of the concept to avoid changing their own normative landscape. Perhaps those states that do not support R2P see that it would be disadvantageous to their interests if the concept were to become a truly efficient international

norm. This would support Palan's view of states having incentive to abide by global norms mainly in situations where they gain more than they lose by doing so.

Orford argues that R2P should be understood as a form of law that does not impose duties but instead confers powers of a public nature. The concept should be understood as normative in the sense that it legally authorizes certain activities but does not oblige to act in a certain way. (Orford 2011, 25.) Orford (2011) explains that this authorization is similar in nature to that of the Article 99 of the United Nations Charter which authorizes the Secretary General to exercise his political authority but does not oblige him or her to do so. Orford hence asserts that in this way R2P concept confers and expands authority. (Orford 2011, 26.)

4 METHODOLOGICAL APPROACH

This research is qualitative in its approach and it employs rhetorical analysis as a research method. Such a method is often used when the aim is to identify rhetorical tools used for persuading the audience of the credibility of an argument (Jokinen 2016, 261). In other words, rhetorical analysis approaches language and meaning from the point of view of how a writer or a speaker seeks to make their version of reality appear convincing and how an audience is coaxed into committing to it (Jokinen 1999, 126).

In this chapter I will first seek to determine the nature and functions of rhetoric and then discuss how rhetorical analysis can be used as a research method. As this research falls into the field of political science, this chapter will also examine the relationship between rhetoric and interpreting the political in research material.

4.1 What is rhetoric and how does it function?

Kari Palonen suggests that in relation to politics, rhetoric can be seen both as a research method and as an aspect of politics as a research topic: the political is, thus, always present when we talk about rhetoric. (Palonen 1997, 75.) In political science, rhetoric has been long regarded as mere words and not as action. Palonen, however, disputes this view and argues that words and texts constitute action and they should be understood as such. (Palonen 1997, 77–78.)

Roderick P. Hart describes rhetoric as a form of social art which involves certain basic characteristics. The use of rhetoric can be found in situations where a speaker seeks to bring about change by using contemporary language and examples. In such situations, the speaker tries to do this by appearing as a helper who tries to convince listeners of the importance of making choices and then narrows down these choices for listeners and offers either clear or implied recommendations. (Hart 1997, 7–12.) Hart's view of rhetoric as a social art seems to complement Palonen's description of rhetoric as action. It could be argued that in Hart's description the rhetor uses their social art of rhetoric in the *act* of trying to bring about change.

When describing the nature of rhetoric, Hart cites Carroll C. Arnold's words: "By agreeing to rhetorical exchange people acknowledge their dependence on one another" (Arnold 1972, 16 in Hart 1997, 8). Rhetoric is, therefore, not only one-sided communication where the speaker tries to influence the audience even if it may seem so at first sight. On the contrary, Hart (1997) argues that rhetoric is transactive art, communication which bring people together and where "both speakers and listeners open themselves up to each other's influence" (Hart 1997, 7). Other people's reactions are the measure of rhetoric's success and therefore, Hart describes rhetorical *exchange* as an invitation to cooperate (Hart 1997, 7–8).

In rhetorical criticism a critical perspective is used to examine rhetorical exchange (Hart 1997, 19). Hart says that "rhetorical criticism is the business of identifying the complications of rhetoric and then explaining them in a comprehensive and efficient manner" (Hart 1997, 23). Hart defines knowledge produced by rhetorical criticism as meta-knowledge which, in his words, can be understood as "explicit understanding of implicit realizations" (Hart 1997, 26). Furthermore, Hart argues that there is a persuader of a sort in all of us which means that rhetorical criticism is essentially "criticism of life itself, of our own participation in the experience of living" (Hart 1997, 26).

Hart argues that all rhetorical messages can have a performative character (Hart 1997, 41) and therefore the first question a rhetorical critic should ask of any "rhetorical event" is "What act is being performed here?" (Hart 1997, 45). Hart explains that rhetoric can function in different ways. It can unburden in the sense that those who use rhetoric must find relief by saying aloud something that they advocate but at the same time threatens to overwhelm them and they seek to become part of history. Rhetoric can also distract since a rhetor wants to have their audience's full attention by controlling the premises of a discussion and by controlling how we define and name given activities and things. Rhetoric encourages making associations and linkages between certain things. Moreover, rhetoric deals with time as it often paints a selective picture of the past and "sells the future when trying to move listeners to a better place, a happier circumstance". (Hart 1997, 13–18.)

Another way to look at how rhetoric functions is to examine its relationship with power. Politics can be seen as "a struggle for power" where actors strive to acquire power whenever they strive to realize their goals in international politics (Morgenthau 2006, 30). Carr (2001) maintains that "power is an essential element of politics" and it is also "an indispensable

instrument of government” (Carr 2001, 100). If governance is internationalized, also power is internationalized (Carr 2001, 100). Carr’s concept of political power is divided into three categories: 1) military power, 2) economic power and 3) power over opinion (Carr 2001, 102). Even though Carr himself divides power into three categories, he argues that power is in fact an indivisible element of political action in that military and economic weapons are often intertwined and used for the same purpose (Carr 2001, 119–120). They are “merely different instruments of power” (Carr 2001, 109).

In this thesis the focus is on the third form of power which Carr calls power over opinion or the art of persuasion. He maintains that it is, for political purposes, as essential as military or economic power, and is an important part of them both. Carr says that rhetoric has always been used by political leaders, but only modern times have turned it into the weapon of propaganda. Carr suggests that one obvious reason behind the increased importance of power over opinion as an instrument of political power is that in the past one had to influence only a relatively small number of highly educated people whereas modern times have more and more people whose opinions matter politically. “Contemporary politics”, he argues, “are vitally dependant on the opinion of large masses”. (Carr 2001, 120.) Carr names universal popular education which moulds the opinions of citizens as the “the oldest, and still perhaps the most powerful” instrument of influencing public opinion (Carr 2001, 121). Education has made possible and has in modern times brought along other instruments such as the radio, the film and the press (Carr 2001, 121). Propaganda then enables psychological warfare alongside economic and military war (Carr 2001, 123).

Hart argues that rhetoric is powerful because “it borders on so many worlds” (Hart 1997, 11). Rhetors - or persuaders - can wield power and influence by blending skilfully different roles such as that of a poet, scientist, logician and social worker (Hart 1997, 11). Hans J. Morgenthau (2006) distinguishes between power and influence. Having influence means one can successfully persuade others but cannot compel anyone to do anything or impose one’s will on anyone which having power would permit. (Morgenthau 2006, 31.) Rhetors’ way of controlling others seems to be closer to having influence over others since rarely can they force anyone to do anything with their words but rather guide people to a wanted direction. Hart seems to argue that rhetors would be able to wield more sovereign power too, but it is not clear whether he understands power in Morgenthau’s realist terms. As Hart refers to

rhetors as persuaders, it would seem that he sees the form of control exercised by most rhetors to be closer to influence after all.

4.2 Rhetoric and reading the political

When rhetoric is examined as a research method, it should not be understood as one uniform method (Palonen 1997, 3). Palonen suggests that rhetoric can be regarded as a perspective which examines language from a functional point of view and which studies the political nature of a given text but does not support or oppose any policies (Palonen 1997, 25). As Palonen (1988) notes politics is a phenomenon which cannot be touched nor depicted by a naked eye. It has to be drawn out from the research material by the means of interpretation. (Palonen 1988, 13.) Thus, by using rhetoric as a research method it is possible to find political meanings in a text (Palonen 1997, 25). This is what also guides this research: we will seek to understand the statements made during a UN General Assembly debate on R2P as political actions to strengthen or question it as a global principle.

Focusing on key points or junctions in a text is essential for rendering visible the political. Palonen notes that such central aspects for understanding the political often involve examining rhetoric as a situation of conflict by examining who allies with whom and who is being opposed (which may not be explicitly brought up), which questions are being supported and which opposed and how these things are named and categorized. (Palonen 1988, 27–30.)

One way to understand such junctions in situations involving argumentation is to reduce them down to a basic scheme where there is a rhetor who tries to appeal to an audience with an argument. This scheme subsumes a rhetorical model which depicts a conflict situation between a rhetor and an audience about accepting or opposing an argument. In this light, argumentation can be understood as a way to affect this conflict setting. There is a certain built in political aspect in this type of rhetorical reading which can be used to reveal the political in any text, suggests Palonen. (Palonen 1997, 25.)

Reading a text with the above explained mindset will not yield us the absolute truth but an interpretation. However, Palonen (1988) reminds us that all research is, after all, interpretation and this is also the case in political science. Moreover, one interpretation can

only ever be just that: one imperfect and conditional understanding of a given phenomenon. (Palonen 1988, 15.) Just like our interpretations of rhetoric, rhetoric itself “never produces True Truth. It produces partial truth, truth for these times and these people” (Hart 1997, 9). We can, thus, say that as rhetors themselves interpret their world, the rhetoric they produce is just that – their interpretation of that world. It can be a sincere interpretation but also purposefully modified for the purpose of persuasion. When we study rhetoric used, for instance, in a speech, we come across a double layer of interpretation. Firstly, there is the rhetor’s view which is an interpretation, not the ultimate truth. Secondly, we as rhetorical critics also produce an interpretation – one way of reading what the rhetor tries to convey in their speech act.

5 ANALYZING SPEECH SITUATION

Rhetoric is a situated art which means that its meaning can only be properly deciphered when it is understood in its context. Rhetoric, like all messages, thus bears “the imprints of the social situations that produced them” (Hart 1997, 40). Moreover, Hart emphasizes that rhetoric does not only say things but also does something. Speaking and writing are activities and speeches and texts do not just exist but also act. By choosing to speak, a speaker makes decisions on his or her audience, timing, place and duration of speaking. All these “rhetorical decisions” contain valuable information for rhetorical critic. (Hart 1997, 40–41.) In other words, “the situation itself can make a statement apart from the statements contained in the words of the message” (Hart 1997, 38). Hence, in this chapter I will examine the context of the R2P debate and the speakers who deliver statements during the debate. I also discuss who those statements might be aimed at.

5.1 Context

Those who emphasize the importance of larger social structures in explaining social behaviour focus not only on norms but also on institutions. Robert O. Keohane (1988) argues that in order to understand international cooperation and the conditions under which it takes place, it is essential to study how international institutions are formed and how they operate. Keohane points out that this does not mean that international institutions always facilitate global cooperation but, he continues, all international cooperation takes place within some sort of institutional context. (Keohane 1988, 380.)

The “social situation” relevant for my analysis is the formal debate held by the UN General Assembly on 25 June and 2 July 2018 during which the 80 statements analysed in this thesis were given. The debate was preceded by a statement made by the UN Secretary General António Guterres whose 2018 report on R2P entitled “From Early Warning to Early Action” served as the foundation for the debate. The report emphasizes that prevention and early action remain the essence of R2P. It also outlines a three-fold strategy for strengthening early action by reviewing and strengthening existing preventive capacities, by continuing to promote accountability for atrocity prevention and by expanding civilian action for atrocity prevention. Despite the progress made in implementing R2P, civilians continue to suffer on the ground. It is, however, made clear in the report that these developments are not caused

by a weak principle. Adverse trends on the ground are caused by a lack of sufficient implementation of R2P by the international community and its disagreements about the past which have endangered its unity of purpose. (United Nations General Assembly / United Nations Security Council 2018.)

In the introductory remarks the Secretary General reminds the Assembly about the 2005 World Summit where R2P was unanimously endorsed by global leaders. That day sent a clear message of an imperative to “do more to protect people and do so as a united international community”. (General Assembly Formal Debate 25 June 2018a, 2. António Guterres, Secretary General.) The Secretary General acknowledges that there are concerns about R2P regarding its selective implementation in the past and possibly in the future as well concerning the possibility of using R2P for other purposes than agreed on in the 2005 World Summit Outcome. These fears, he says, must be dispelled with frank discussions. (General Assembly Formal Debate 25 June 2018a, 2–3. António Guterres, Secretary General.)

The Secretary General reiterates that a fundamental part of state sovereignty is protecting its people and that his report outlines ways states can strengthen their capacities to do this. The international community, on the other hand, has a responsibility to support states in this and regional actors may also play a role in helping states. The Secretary General also asserts that it is part of his prevention agenda that the UN continues to support member states in this important endeavour. In case peaceful means are not enough and a state fails to shoulder its responsibility, a collective action is warranted. This, however, he stresses, does not create a new mechanism for intervention. (General Assembly Formal Debate 25 June 2018a, 2–3. António Guterres, Secretary General.)

Finally, the Secretary General clearly lends a meaningful weight on the subsequent debate by concluding with appropriately heavy words as he urgently calls for a consensus not only in words but also in deed:

At this time of extreme challenges, we must not abandon the responsibility to protect or leave it in a state of suspended animation, finely articulated words but breached time and again in practice. Lofty principles mean little if they cannot be applied when they matter most. The credibility of the international community and, above all, the

lives of millions rest on us. (General Assembly Formal Debate 25 June 2018a, 3. António Guterres, Secretary General.)

Miroslav Lajčák, President of the 72nd General Assembly, who opens the formal debate, calls for the Assembly to remember what the debate is really about. It is about R2P, but most importantly it is about people and the responsibility the international community has to them and to humankind. He too emphasizes the importance of prevention of atrocity crimes and although he acknowledges that it is hard work, argues that it not only saves people from experiencing horrors, but it can also save money. The link between R2P and the UN Charter is clear, he argues, since every action taken under R2P must happen within the parameters of the Charter. Lastly, the President of the Assembly appeals to the member states that they remember their commitment to the first line of the Charter which vows to save future generations from the horrors of the past. R2P, he claims, can help the international community to meet that commitment. (General Assembly Formal Debate 25 June 2018a, 1–2. Miroslav Lajčák, General Assembly President.)

5.1.1 The General Assembly as a parliamentary environment

The General Assembly, where the debate was held, is one of the six principal organs of the UN as established by the Charter of the United Nations (UN Charter, Chapter III, Article 7) which was signed on 26 June 1945, in San Francisco, at the conclusion of the United Nations Conference on International Organization, and came into force on 24 October 1945 when the UN was formally established.

The General Assembly serves as a forum for discussion as the UN Charter grants it the power to discuss any questions or any matters within the scope of the Charter. It may also make recommendations to the members of the UN or to the Security Council or to both on any such questions. The General Assembly also considers and approves the UN budget (UN Charter, Chapter IV Article 10, 17.) The power to make recommendations is only limited by Article 12 which forbids making recommendations regarding questions currently addressed by the Security Council and by the Article 2 which bans intervention “in matters which are essentially within the domestic jurisdiction” (UN Charter, Chapter IV, Article 12, 2). In practice, the General Assembly’s discussion have not been significantly limited by these provisions and the majority of member states in the Assembly have deemed that debates and

resolutions in the Assembly do not constitute intervention even though they are meant to put pressure on national governments (Peterson 2008, 99).

The General Assembly has other roles too as it supervises the work of the Economic and Social Council and the Trusteeship Council and selects the judges for the International Court of Justice. In my thesis, the Assembly's role as “a forum for deliberation” is the focus. As Peterson notes, the primary function of the General Assembly discussions among member governments is to provide “collective legitimation (or de-legitimation) of norms, rules and actions” (Peterson 2008, 97). Examining a General Assembly debate on the Responsibility to Protect should, therefore, help us understand how rhetoric is used to strengthen or question the status of R2P as a norm.

The UN Charter accords every member state a representation in the General Assembly and each member one vote (UN Charter, Chapter IV Article 9, 18). Member states stand, therefore, on a more equal footing in the General Assembly than they do in the UN Security Council which consists of fifteen members: five permanent members (China, France, Russia as a successor to the Union of Soviet Socialist Republics, the UK, and the US) known collectively as the P5 and which have the power of veto over decisions, and ten non-permanent members elected for a term of two years.

Due to the inclusion of all UN member states in the General Assembly, the policy of one vote per state delegation and resolutions that are adopted by majority, the General Assembly expresses and reinforces the norm of sovereign equality. These qualities of the Assembly mean that it has been dominated by relatively weak states and consequently it has always been easy to gather a majority support for asserting the principles of sovereign equality, political independence, and non-intervention in the affairs of other states. (Peterson 2008, 98.)

“Traditionally, international organizations were not considered actors in their own right, but only as arenas where mostly states acted”, says Yannis Papadopoulos (Papadopoulos 2013, 84). Papadopoulos argues that “the existence of international regimes shows that the international arena is the realm of cooperative *governance among governments*, in spite of the absence of a global government able to issue collectively binding decisions” (Papadopoulos 2013, 85).

Although parliaments around the world wield different amounts of power, they have a common purpose as legislatures to make laws for political entities (such as states or cities). They also have the authority to amend the entity's budget and oversee the work of the executive. The position and role of the General Assembly within the UN can be compared to that of a national legislature with its role as a forum for debate and powers over the UN budget, election of members to UN bodies and creation of new bodies (Peterson 2008, 102).

If we are to interpret the political nature of parliamentary speeches it is necessary to understand what kind of rhetorical procedure a given institution has. Another feature of legislatures is that parliamentary debate involves discussing a question from different viewpoints and a debate between opposing parties. Parliamentary speech can be understood as an antithesis to cacophony because agenda items are dealt with one at a time, one speaker delivering their statement at a time. (Palonen 2012, 62–63.) This is also the case in the General Assembly. The debate on R2P, for example, was the agenda item no 132 of the 72nd session of the General Assembly and it was discussed on its own, separately from other items during two days. Speakers during the debate delivered their statements one after another as listed in the list of speakers. The President of the Assembly may propose a limitation to the time allowed to speakers and a limitation to the number of times each representative may speak (General Assembly Rules of Procedure, Rule 35).

Despite the similarities with parliamentary procedures and powers accorded to national legislatures, the Assembly's resemblance to a national parliament can also be disputed. For instance, Peterson notes that "few governments have taken up international lawyers' suggestions that the Assembly has actually acquired some degree of legislative authority over states" (Peterson 2008, 103). Legal scholars, themselves, have various opinions on the binding nature of UN resolutions (Dag Hammarskjöld Library 2018). Moreover, delegations and their governments agree that the political influence of resolutions depends on the amount of support they get (Peterson 2008, 101). After attracting public interest for some years after the World War II, the General Assembly has had to face a steady decline in attention which, Peterson says, also indicates institutional decline (Peterson 2008, 97).

Another difference to a national legislature is the lack of elected representatives: member states are represented by the head of state or a minister during the annual General Debate

and by diplomatic delegations including the Permanent Representative of each member state during other times. The lack of representativeness also diminishes the accountability of the General Assembly. The diplomats are not answerable to the electorate for their performance in office to a similar degree as elected parliamentarians are. However, the government whose policies they represent in the Assembly, may of course be voted out of office, if democratically elected in the first place, and thus held accountable. Accountability and transparency are also sought, and hence the Assembly's resemblance with democratic parliaments, by convening the meetings of the General Assembly and its Main Committees in public (General Assembly Rules of Procedure, Rule 60) in the sense that meeting records are published online and the yearly general debate is broadcast online.

5.2 Speakers

“Speaker and message are always wed”, that is to say, the former cannot be separated from the latter (Hart 1997, 84). Moreover, as Palonen points out, parliamentary speeches cannot be understood as independent entities but rather as rhetorical moves in a debate (Palonen 2012, 95). In order to understand these moves that affect the way we interpret the meaning of the debate, it is essential to examine who the participants of the debate are. In other words – who makes the moves?

The statements analysed in this thesis were given by representatives of diplomatic delegations on behalf of their respective countries. “Moves”, such as criticism or expressions of recognition, made by them are really made by the actors they represent (Morgenthau 2006, 85). Diplomats serve as one of the two instruments of diplomacy, the other being the foreign office in the capital of a given country (Morgenthau 2006, 541–542).

Morgenthau argues that the main purpose of diplomacy is to promote the national interests of a given state by peaceful means. This can be done through persuasion, compromise and threat of force and if a state exercises diplomacy intelligently, it should know how to emphasize these diplomatic means at any given moment. According to Morgenthau, the diplomat of a great power should “use persuasion, hold out the advantages of a compromise, and impress the other side with the military strength of his country” if they wish to serve their countries interests and promote peace at the same time. (Morgenthau 2006, 539–541.)

Even though, Morgenthau describes the foreign office “the brains of foreign policy”, diplomats are not mere puppets of the powerful – they are its “eyes, ears, and mouth, [...] its itinerant incarnations” (Morgenthau 2006, 541–542). In fact, Morgenthau (2006) argues, that the diplomat has three roles to fulfil, the first of which is symbolic. The diplomat acts as the symbolic representative of their country and thus performs symbolic functions the purpose of which is to test the prestige of their own country and that of others. Diplomats also serve as the legal representatives of their respective governments and as instructed by them, perform acts of legal character such as sign treaties or documents and vote in the name of their country. Lastly, diplomats have a political role, and this is the most important of their tasks. They shape the foreign policy of their country together with the foreign office. Foreign offices give the instructions, but it is the diplomat who has the power to execute them and this is where the foreign office and the government must rely on the diplomat’s judgement and skill to make successful foreign policy. (Morgenthau 2006, 542–544.)

Although, the General Assembly is not authorised to act in the same way as a parliament is (for example, Article 2 of the Charter prohibits intervention in domestic matters of a member state), it is political in nature. Even if diplomats are not elected parliamentarians, their duty is to represent their country and they take their political orders from national foreign offices governed by the sitting government. These observations of the speakers also reinforce the view that the context in which the statements analysed in the thesis and in this essay is not only diplomatic but also political of nature.

5.3 Audience

Chaïm Perelman maintains that “argumentation is intended to act upon an audience, to modify an audience’s convictions or dispositions through discourse, and it tries to gain a meeting of minds instead of imposing its will through constraint or conditioning” (Perelman 1982, 11). As noted by Hart above and as exemplified by Palonen through the basic rhetorical model, not only the speaker but also the audience is inherently linked to any situation where argumentation is used. A part of rhetorical power lies in this interaction (or conflict) between speakers and their audience.

One way to analyse the audience of a debate is to see who the speakers address. Perelman, however, points out that this does not always reveal the intended audience which is rather

those who the speaker wants to influence with their words, not necessarily those who they address (Perelman 1982, 14). In the R2P debate the speakers address the President of the Assembly and the Secretary General before speaking and some diplomats also explicitly acknowledge “dear colleagues” which naturally refers to the other diplomats at the Assembly. These words cannot be found in the official written records but can be heard if the debate is followed by listening to the official video recordings. Addressing the President and the Secretary General can be taken as part of the diplomatic protocol and therefore they do not necessarily constitute part of the audience. However, some delegates clearly have more than the formal niceties to say to António Guterres. For example, some delegations show their support to R2P by commending the work of the Secretary General and his offices and urge him to appoint a new Special Adviser on the Responsibility to Protect as soon as possible. In this sense, the Secretary General is part of the audience to whom the message is directed.

Even if the General Assembly debates are not open to the public to attend, the R2P debate, like other General Assembly debates, is conducted publicly in the sense that it is made available to a wider audience through online video recordings of the whole debate and through the official written records also published online. When contemplating the possible audience of the statements, it is, thus, easy to draw the conclusion that “the whole world” is meant to witness the debate and consider the message the speakers advocate. It is considered a sign of democratic parliamentarianism to hold open debates (Inter-Parliamentary Union 2006, 43) and this is something the UN as an international organization may want to strive for but it does not necessarily mean the member states try to influence the wide world with their statements. In fact, Perelman (1982) maintains that the audience does not automatically constitute all those who are able to hear the message. However, he also suggests that the audience the speaker wants to influence may be anything as narrow as the speaker him or herself or as wide as the whole humanity – or what he calls “the universal audience which may itself be made up of an infinite variety of particular audiences”. (Perelman 1982, 13–14.)

As there are 80 speakers representing dozens of countries and actors in the debate, we cannot assume that all of them have exactly the same audiences in mind. As noted above, some speakers wish to direct part of their speech to the Secretary General. Others speak also to “dear colleagues” and as diplomats are physically present and conduct the very debate, they

also seem to form one particular audience. In many of the statements it is, however, clear that the main intended audience resides outside the debate hall. The diplomats represent the policy interests of their respective governments at home and these governments are, I argue, the principal audience of the debate. Examples of this are the explicit calls for member states to sign and ratify the Convention on the Protection and Punishment of the Crime of Genocide and appeals to support the initiative to voluntarily restrain the power of the veto in cases of mass atrocity crimes in the Security Council. The latter is, for instance, possible to read as criticism levelled at the P5 of the Security Council.

An even more straightforward example of addressing specific states is provided by the representatives' use of the right of reply. It is an opportunity to defend oneself against public allegations or criticism accorded by the President of the Assembly after the speakers' list has been declared closed (General Assembly Rules of Procedure, Rule 73). Representatives of India and Pakistan exercise the right of reply in order to make consecutive, politically lauded statements regarding the status of Jammu and Kashmir. It is, thus, evident that each statement is directed at multiple audiences which are chosen depending on the political interests of the member state delivering the statement.

6 ANALYZING ARGUMENTS

As suggested by Palonen above, arguments are the means of persuading an audience of something. Hart determines argument as “the linking of ideas in support of identifiable propositions” (Hart 1997, 82). Argumentation can be understood as a way to affect the conflict setting between the speaker and the audience. Now that we have examined the context, speakers and audience of the debate, it is time to turn our attention to the way in which arguments of the debate are analysed in this study.

6.1 Toulmin system

In order to explain reasoning in rhetoric, Hart introduces a modified version of Stephen Toulmin’s approach (Toulmin system) from 1958. In Hart’s words the system “reduces arguments to a kind of outline so as to establish their overall logical movement” (Hart 1997, 98). It is useful because it helps critics in analysing and making sense of patterns in large amounts of discourse under scrutiny (Hart 1997, 98). This is why it is useful in my case. Analysing 80 statements is time consuming: listening through the recorded statements takes 9 hours 6 minutes and 45 seconds and in text format (as recorded in the UN General Assembly Official Records) they spread over 89 pages. Therefore, one needs a method which helps identifying patterns of argument in a systematic manner.

When using the modified Toulmin system, the researcher (or the critic) isolates in the message under scrutiny major claims, major data and warrants. Major claims are the broadest, often abstract, statements the speaker makes. They represent what the speaker hopes listeners will remember of the message. Major data refers to statements that form “the supporting structures of discourse” (Hart 1997, 98) and answer the question of what makes the speaker voice their major claim. These statements may subsume sub-data such as facts, statistics or other evidence and, like major claims, can be found at a level of abstraction. Warrants are what Hart calls “the keys to the Toulminian approach” (Hart 1997, 99) as they enable us to move from major data to a major claim. Hart uses in his modified Toulmin system three types of warrants described by Ehninger and Brockriede in 1963. These are 1) substantive warrants which are “ideas based on what is thought to be actual fact”; 2) motivational warrants which imply something desirable must be achieved or something is being endangered; and 3) authoritative warrants which make the move from major data to a

major claim possible by asserting the credibility of the speaker or some other source. Hart emphasizes the importance of identifying which “warrants were explicitly supplied by the speaker and which were left unspoken”. (Hart 1997, 99.) This is crucial in rhetorical criticism because most speakers leave some things unsaid and rely on listeners to fill in the missing pieces that make the argumentative movement. Hart argues that in such cases “the persuader becomes a solicitor, one who uses language to entice listeners to participate silently in an argumentative exchange”. (Hart 1997, 99–100.)

Palonen argues that when we are studying politics it is crucial to adopt a Nietzschean-Weberian perspectivism and understand that politics is a complex phenomenon which cannot be exhaustively described by any research approach. (Palonen 1997, 5). Where one method sheds light on certain aspects of politics and leaves others untouched, another approach may tackle the question from a completely different viewpoint.

Why did I choose to use the Toulmin system in this thesis? Hart (1997) describes the Toulmin system as “the best method developed thus far for explaining that curious brand of thinking/feeling known as human reasoning” (Hart 1997, 104). He (1997) argues that the system is useful in many ways. When a message is outlined by using the system, its value appeals are emphasized and “its beguiling use of language” deemphasized, says Hart. (Hart 1997, 100–101.) Moreover, by looking for provided and omitted elements of the rhetorical message in question, it is possible to come to understand better speaker-audience relationships. Furthermore, Hart argues that the Toulmin system helps critics explain tone by examining transitions and relationship between major data and major claims present in the rhetorical message. (Hart 1997, 100–101.)

7 THE 2018 FORMAL DEBATE

In this chapter I concentrate on analysing the arguments used in the debate. I examine first the major claims actors make in their statements and then investigate the data they use to back up these claims. Finally, I seek to determine what kind of warrants make the movement from the data to the claims and what this tells us about the argumentation of the actors. I supply these interpretations with an analysis of rhetorical devices used for supporting arguments.

7.1 Importance of dialogue

Even if the General Assembly has held informal interactive dialogue on R2P every year since the first formal debate in 2009, the 2018 debate signals that this is not enough. It becomes clear that there is a strong acknowledgment among the member states and regional organizations of the importance of continuous dialogue on R2P. The Group of Friends of the Responsibility to Protect with its 50 member states from across the globe and the EU with its 28 members both support the proposition to include R2P as a standing agenda item on the formal agenda of the General Assembly. This appeal is also reinforced by similar appeals made by individual states from all the regional groups. Kiribati and the Pacific Islands Forum argue that regional level dialogue and partnership are essential for delivering on the responsibility to protect.

Most of the countries of the African group that took part in the formal debate support ongoing dialogue on R2P. The Group of Friends sees an ongoing dialogue as a possibility to promote consensus about what can be done to prevent atrocity crimes. Out of the 50 members of the Group of Friends, 13 are African countries. Ghana and Rwanda, who are members of the Group of Friends, also reiterate their support for making R2P a permanent agenda item in their individual statements. Ghana adds that dialogue needs to be sincere and transparent if it is to facilitate consensus building. Ghana also notes that it is important to take into account all views when preparing the outcome of the debate clearly suggesting that R2P is a notion which sparks varying opinions among member states.

It is important to note that the importance of dialogue is also brought up by some of those African countries (Libya, Mauritius and Gabon) which are not members of the Group of

Friends. Libya, for example, chooses to support this claim with the idea that a dialogue in the General Assembly will give its members a chance to benefit from different viewpoints and will enhance the mandate of the General Assembly to continue considering this question. Here it is clearly implied that it is paramount that we listen to different viewpoints in political debate and it also seems to suggest that the General Assembly should have a strong mandate.

However, not all African statements are so pro-dialogue. Sudan and South Africa do not mention dialogue at all in their statements. Egypt, on the other hand, vehemently opposes the inclusion of R2P on the agenda and calls for a continued informal interactive dialogue instead. Their supportive argument for such a claim is that the concept of R2P is not yet clearly clarified and there are legal and political gaps in the concept. This seems to suggest that if R2P were to become a permanent item on the General Assembly agenda, it would send a message that there is a universal agreement on the status of the concept. Even if it is not explicitly brought up, perhaps it would signal that R2P has indeed been elevated from a debatable and dubious concept to the status of a truly international norm.

The support for R2P as a permanent agenda item is remarkably strong among the members of the WEOG. Various states voice their support for it in their individual statements and even those states that do not do so individually, can be counted as being in favour of the proposal as they align themselves with either the European Union or the Group of Friends which both would like to see R2P as a standing agenda item. Only Andorra and Israel do not mention the question of standing item in their statements and even from this pair the latter voices its support for the formal debate taking place that very day.

The WEOG members support their claim with varying amounts of data. Some boldly, or matter-of-factly, declare their support to the permanent item proposition without any supportive data. Others acknowledge that there are differences of opinion or that ongoing dialogue can ensure peace. From these supportive structures the move to the main claim of having R2P as a permanent formal agenda item seems to happen through a motivational warrant: we may overcome our disagreements and even attain peace, if R2P is given a formal status on our agenda and if we, thus, discuss the question continuously. What seems to be implicitly suggested here is what some other WEOG countries state more clearly when they support the permanent item question with arguments about institutionalized discussions and showing commitment: a permanent, formal agenda item equals a more

elevated status for R2P and shows more overall commitment to the concept. Turkey, on the other hand, is among those countries that declare their support for the debate that was taking place in 2018 but do not elaborate on their position on the future of the dialogue and in this regard, its position is perhaps closer to those presented by the Asia-Pacific states.

There is firm support for R2P as a permanent item also in the Eastern European Group even though fewer states take up the issue as explicitly as WEOG countries in their individual statements. This support is backed by statements of the importance of R2P (mentioned by Albania, Estonia, Latvia and Lithuania) but by no further elaboration on why exactly formal debate should be pursued permanently in place of informal dialogues. Only one Eastern European state, Slovakia, seems to provide an answer to this: R2P needs an appropriate forum and it seems that a formal discussion would provide it better than informal dialogues.

There are also those states that do not cast their vote so clearly for either permanent formal or informal dialogue. For instance, Azerbaijan merely argues for more dialogue to reach common ground and bases this argument on the view that divergent opinions and even fear about R2P that exists among member states needs to be addressed. This view is further backed up by the authority of the Secretary General who himself referred to this fear in his statement. The Eastern European Group's general support for the permanent item proposition is, however, countered by strong Russian opposition:

[...] we would like to once again affirm our position that any formalization of discussion on the responsibility to protect is pointless and in many cases completely useless. We have so far seen no disposition among the concept's ideologues to analyse its inherent contradictions or recognize the blatant abuses committed and disastrous mistakes that have been made in the attempts to implement it. Instead, we are invited to discuss non-essential elements and details. We are therefore against the inclusion of this issue as a standing agenda item on the agenda of the General Assembly. The current debate in the Assembly has nonetheless been of some use. It has once again shown that if nothing is done about these mistakes, the concept will surely suffer the same fate as its predecessor, humanitarian intervention, and will eventually fade into oblivion. (General Assembly Formal Debate 2 July 2018, 5. Mr. Musikhin, Russian Federation.)

Russia's position against the inclusion of R2P as a formal agenda item is tied to and hence reinforced by Russian's reservations about the concept itself. These reservations form Russia's other major claim which we will come back to more in detail in the Chapter 7.2 of this thesis. Here, however, we can see that Russia's opposition of the permanent item

question is backed by supportive data which shifts the burden of change on to proponents of R2P: any formal discussion will be useless so long as those promoting R2P fail to take into account its contradictions. In other words, it could be argued that Russia shifts the blame of the criticism R2P receives to the very proponents of the concept. Their unwillingness to consider the pitfalls of R2P causes states like Russia to oppose the concept and will eventually cause its ultimate downfall.

Russia's position is further reinforced by its extreme word choices: according to it, formal discussions are pointless and proponents of R2P have shown no interest whatsoever to discuss not just some mistakes made regarding the use of the concept but its total and conspicuous – *blatant* – abuses. As Jokinen (1999) explains, with such extreme descriptions it is possible to maximize – which is the case here – or minimize certain features of the object in question. With this rhetorical tool the speaker can shift the focus of the debate away from the question whether their claim is true or not to the question of to what extent it is true. (Jokinen 1999, 151.) Hence, one could argue that, in the above excerpt, Russia's presentation of R2P persuades the audience to believe that R2P has indeed failed. To what extent or how R2P has failed should be the crux of the discussion, not *whether* it has failed or not in the first place.

The Asia-Pacific Group's standing on the dialogue question displays as many viewpoints as there are colours in a rainbow. Or it should probably be said that there is no such a thing as "Asia-Pacific position" on the question. This is hardly surprising given the geographical span and socio-economic and political diversity of states within this regional group. In general, those countries (Bangladesh, Japan and Singapore) that align themselves with the Group of Friends, also support the inclusion of R2P as a standing agenda item on the General Assembly agenda in their individual statements. Japan argues that we need continued commitment to R2P. Bangladesh and Singapore, on the other hand, support the claim for a permanent item by saying that it is possible to build consensus and demystify the concept. Here the movement from this supportive data to the claim seems to be made by a motivational warrant: concerns that some states have regarding R2P need to be addressed, common understanding built, and this can be achieved through formal dialogue. This is a warrant that is even explicitly supplied by Singapore.

Even if only a small number of states in the Asia-Pacific Group are in favour of adding R2P as a standing agenda item, a majority of those states that gave a statement do support some form of dialogue. What is common in these statements is that they depict consensus on the R2P as important and discussions or dialogue as a means to get there. They do not mention, however, what form that dialogue should take. There are also those states, such as the Philippines, which declare their support for the debate that was taking place at that very moment but do not elaborate on their positions on the future of dialogue. As brought up above, Kiribati and the Pacific Islands Forum states support especially regional level dialogue. Also United Arab Emirates argues that dialogue should be shifted away from New York to regions so that regional and national solutions can be found.

Asia-Pacific Group has thus proponents of formal R2P dialogue and ongoing discussion in general, but it also includes states that are sceptical of formal discussions. These sceptics can be divided into more moderate ones and those that outright oppose formal discussions. It is interesting to note states that are suffering from a conflict or can be described as totalitarian, such as Myanmar, Pakistan, Syrian Arab Republic and Democratic People's Republic of Korea, can all be included in the sceptics. What I call more moderate sceptics regarding the dialogue question, for instance Pakistan and Vietnam, do not explicitly state that they oppose formal discussions but prefer other options such an ongoing interactive dialogue or what Vietnam calls "constructive, positive and cooperative dialogue" (General Assembly Formal Debate 2 July 2018, 15. Mr. Dinh Nho Hung, Vietnam). Pakistan argues that the focus should not be on "the modalities of our discussion but rather on the substantive nature of the differences in our perspectives and viewpoints" (General Assembly Formal Debate 25 June 2018b, 16. Ms. Lodhi, Pakistan). This is what makes it believe that only a one-off formal discussion is not enough to bring together the different viewpoints. Vietnam, on the other hand, argues that there should be as wide a consensus as possible, if R2P is to be made a permanent agenda item.

Democratic People's Republic of Korea is one of those countries that explicitly states it does not support R2P as a standing agenda item because, according to it, there is no consensus on the concept which is shown by the fact that the 2018 formal debate was decided by a vote. Instead, it calls for informal debates which would help states "narrow gaps" (General Assembly Formal Debate 2 July 2018, 9. Mr. Ja Song Nam, Democratic People's Republic

of Korea). While Syria shares the above scepticism, it supports its argument also by different means:

Syria, together with many other Member States, calls on the Secretariat and the Governments of States that are striving to establish this principle as a standing item on the General Assembly agenda to show courage and admit that Member States differ substantially on this concept. [...] When the Secretariat and the Governments of the States that promote the responsibility to protect in this exclusionary and selective way admit that these consequences are part of the failure on the part of the United Nations to respect and implement every one of the principles and provisions of the Charter, without exception, then we in Syria, along with many other Member States that stand ready to respect the principles of freedom, justice and equality in word and deed, are ready to sit down with them at one table and discuss the concept of the responsibility to protect in a transparent way. At that point, we will be willing to discuss the issue of including this concept on the General Assembly agenda and to reach a consensus on the concept itself [...]. (General Assembly Formal Debate 25 June 2018b, 4. Mr. Ja'afari, Syrian Arab Republic.)

Here Syria, like Democratic Republic of Korea, clearly argues that a unified opinion on R2P does not exist. What is more, its opposition to adding the concept on the General Assembly agenda is supported very much the same way as the Russian position is. R2P is a concept that has been misused but this is not admitted by the concept's proponents which is the one of the primary reasons for Syria to oppose their proposal of adding R2P as a standing item on the agenda. Syria reinforces its position by resorting to a so called inclusive "we" rhetoric: it is not only Syria that is of this opinion but many other states. Such a repetitive use of the third person plural "we" (and a phrase "with many other Member States") works as a persuasive tool painting a picture of a speaker speaking on behalf of and being backed by a group with unified interests (Jokinen 1999, 139). In addition, this "we" coalition, described as a truthful supporter of freedom and justice both in *word and deed*, is pitted against the hypocritical proponents of R2P whose moral integrity is a condition for further talks on the very concept they promote.

Among the states in the Latin American and Caribbean Group there is support for R2P as a standing agenda item. Primarily this proposition is supported by those states that are members of the Group of Friends. Some of them indicate their support also in their individual statement although their supportive data for this argument remains rather vague or non-existent giving it a declaratory tone not unlike that used in many of the WEOG statements.

Only Guatemala supports its claim by stating that the General Assembly is the logical forum to discuss R2P.

What is noteworthy in the Latin American and Caribbean Group, however, is that the permanent item question seems to receive support also from non-members of the Group of Friends. Ecuador, for example, does not explicitly declare its support for the proposition but I argue that its favourable position can be deciphered from the supportive data it gives here:

[...] confiamos en que este nuevo formato de debate nos dará la oportunidad para discutirla con mayor interés y compromiso político de manera constructiva y transparente, buscando la protección de los civiles en absolutamente todos los lugares donde se cometen estos crímenes atroces; en todos lugares, sin dobles raseros ni selectividad. (Debate oficial de la Asamblea General el 2 de julio de 2018, 6. Sra. Yáñez Loza, Ecuador.)¹

In the above excerpt Ecuador seems to deliver a motivational data-claim movement. With these new modalities of debate, it is possible to generate what is needed, that is a greater political commitment to finding a way to protect people from atrocities without selectivity. Here the new form of discussion – a formal General Assembly debate – is supported with the belief in its possibilities of taking the concept of R2P forward.

The whole Latin American and Caribbean Group is not, however, unanimous on the permanent item question. Opposition is backed by similar supportive structures as provided by the sceptics in other regional groups. They lean on arguments that concerns voiced by various states regarding the scope and limits of the concept should be addressed first (Bolivia). Some states (Brazil) only argue for continued dialogue with the same reasons but without specifying what form of dialogue they would prefer. Venezuela, on the other hand, can be taken as a Latin American representative of a stronger opposition. It calls for a continued informal dialogue and uses as much as half of its speech for this purpose. The justification for this argument is that Venezuela claims the General Assembly broke the 2005 consensus on R2P by voting on the proposition of holding a formal debate on it. According to Venezuela, a common position on the concept, that reflects the views of sovereign states, can be achieved through informal discussions.

7.2 Defining R2P

As we can see above, the regional groups have varying opinions on how the General Assembly should continue its discussions on R2P. Now we turn on the question of how R2P is defined by the UN member states. What is R2P after all and what it is not? Is it described as an international principle, a global norm or a contested concept and how are these views justified?

The EU refers to R2P as a principle in its statement. It does not refer to it as a norm nor does it discuss its choice of the term “principle”. Regarding the definition of R2P, we can say, however, that one of the major claims the EU makes in the debate is that R2P is about enabling populations to live in security. Ultimately, R2P is about peace. This is also a claim that the EU does not support with data and thus it is difficult to deduct warrants that lead to this argument. This gives the statement a confident, self-evident tone.

The definition used by the Group of Friends holds similarities to that of the EU. It clearly backs the concept of R2P as it defines it as a “key element” of atrocity prevention but like the EU, it does not refer to it as a norm (General Assembly Formal Debate 25 June 2018a, 4. Ms. Al-Thani, Qatar). The statement made by Qatar on behalf of the Group is rather declaratory on this part since it does not provide substantial data in support of the claim apart from referring to the Secretary General’s similar arguments. Hence, it only instantiates an authoritative warrant: in order to support its claim, the Group relies on the Secretary General as a figure of authority.

The WEOG countries and most of the states in the Eastern European group reinforce the position of the EU and the Group of Friends in their individual statements. R2P is declared to be a global principle which, with its three mutually important pillars, promotes peace. Like the EU and the Group of Friends, the individual statements do not clearly explain why this is the case. Some states (Liechtenstein and Albania) even refer to R2P as a norm. An exception to this is Israel which maintains that R2P does not create a new legal norm but should be applied within existing legal frameworks.

Persuasive rhetoric may involve describing things by using alternative figures of speech or metaphors. These different ways of categorizing things serve different functions such as

justifying or criticizing something (Jokinen 1999, 143–144.) Even if statements like the one delivered by Ireland hail R2P as a widely accepted global principle, some WEOG and Eastern European states recognize that there are different views on R2P and concerns especially regarding the pillar III and the use of force. Here it is noteworthy to look at how these fears and concerns are categorized by the WEOG and Eastern European states as misleading criticism, misconceptions or misinterpreted information. These categorizations are justified by supportive data: pillar III encompasses not only the possibility of the use of force but a broad range of other measures. Here the message is rather clear: concerns regarding the pillar III are unwarranted. Although Eastern European states do not categorize concerns quite thus, some of them almost brush them off in the same vein by claiming that different opinions must not stop states from acting and protecting populations. These claims can be seen as attempts by the WEOG and the Eastern European states at controlling the premises of the discussion as they seek to control the way R2P is defined.

As discussed above, many of the claims made by the WEOG and Eastern European states are simply asserted. What does this tell us about their rhetorical strategy? It could be argued that a lack of data and rhetorical reinforcements comes off as rather confident, perhaps even self-assured. It seems as if the speakers are so certain about the rightness of their message that it does not need explanations or justification. On the other hand, if we look at the individual statements as pieces of a whole, it is possible to find other rhetorical devices at play. For example, repetition can be used to reinforce one's own message, but it can also be achieved through tying someone else's arguments to one's own statement and hence virtually "repeating" someone else's words or opinions (Jokinen 1999, 154). If we examine the WEOG and Eastern European statements from this point of view, individual statements can be seen as parts of a larger statement made by the WEOG and Eastern European states as a whole. Individual states do not necessarily repeat their own message or aspects of it but instead they repeat the message of one another, that is to say, similar, declaratory claims about the status of R2P. This creates an image of a united front, a consensus that cannot be easily refuted.

Russia stands out and serves once again as an exception in the Eastern European Group:

[...] the initiators of the vote [in order to bring about the 2018 formal debate in the General Assembly] are destroying the fragile consensus of 2005 with their own

hands. At this point, we have to conclude that it no longer exists. It is worth noting that previously, while the responsibility to protect was never a norm or rule, there was at least an understanding of its conceptual foundations. Now there is not even that. [...] A large number of delegations have spoken about the serious flaws in the concept during interactive dialogues and in other formats for many years, and yet the complete lack of analysis of those problems in the Secretariat documents continues. (General Assembly Formal Debate 2 July 2018, 4. Mr. Musikhin, Russian Federation.)

Russia declares that R2P was never a norm to begin with although it does not supply justifications for this claim. It, however, concedes that a fragile consensus existed on the foundations of the concept, but this has been broken by the proponents of R2P as they initiated a vote on holding a formal debate on R2P. Moreover, further confrontation is spurred by the UN Secretariat as it, according to Russia, does not take criticism levelled at R2P seriously. The claim is thus that there is no longer *any* form of consensus on R2P and data supplied here for this claim is clearly that the pro-R2P states and the UN Secretariat have ruined the delicate consensus by ignoring criticism and forcing voting. The motivational warrant that Russia omits here seems to be that overriding dissonant views damages attempts to build a common position on any political question.

In both the Latin American and Caribbean group and the Asia-Pacific group those states that are sceptical of R2P are most vocal in voicing their ideas about how it should be defined and understood. In both of these groups, most of the states define R2P in their individual statements as a concept, not as a principle and certainly not as a norm established in international law. The use of the word “concept” is not always explained but there is a strong representation of sceptical views that are mostly justified by concerns or accusations of the misuse or selectivity of R2P and especially its pillar III and international mandate to use intervention. Diverse opinions or no consensus regarding R2P and its scope, are also often mentioned. Sometimes a lack of states’ common understanding is even explicitly supplied as data (justification) for the claim that R2P is a concept not a norm. Political consensus is needed to make a concept into a fully-fledged norm and this motivational warrant for explaining the data-claim movement is also explicitly expressed in some cases such as in the following quote by Malaysia:

Only through all Member States’ complete understanding and systematic application of the responsibility to protect do we believe that we can truly accept it as an

international norm. (General Assembly Formal Debate 25 June 2018b, 26. Mr. Yaakob, Malaysia.)

Venezuela goes even further than most sceptics in its definition of the R2P:

Las reservas que nos plantea esta formulación están fundamentadas en los resultados generados tras las experiencias traumáticas de intervenciones armadas y agresiones militares que se han venido perpetrando contra pueblos y países para promover el derrocamiento de gobiernos, las cuales han provocado desestabilización y el desmantelamiento institucional del Estado. Su ambigüedad y las lagunas jurídicas en cuanto a su definición, junto con su aplicación selectiva, deslegitiman su aplicabilidad como principio del derecho internacional. [...] nos preocupa profundamente que se tenga la intención de promover la utilización de algunos órganos de las Naciones Unidas para validar intervenciones bajo la figura de la responsabilidad de proteger [...]. (Debate oficial de la Asamblea General el 2 de julio de 2018, 24. Sr. Suárez Moreno, República Bolivariana de Venezuela.)²

R2P is not just a problematic concept but outright illegitimate in the light of international law. This view of the concept is backed by the view that R2P is in contradiction to the principles of sovereignty and sovereign equality as well as non-intervention in internal affairs of states. Venezuela is not only concerned that R2P might be misused but it claims it may be in fact *intended* to be used as a pretext for intervention.

When it comes to the proponents of R2P within the Latin-American and Caribbean and Asia-Pacific Groups, they remain rather silent. Only Guatemala, a member of the Group of Friends, proclaims boldly that R2P is a norm it fully supports, and which should be strengthened. No explicit data, however, is given to justify the definition but it is nevertheless provided that support for the norm should be given because it is described by Guatemala as an exemplary way to protect populations. Bangladesh, another member of the Group of Friends, declares that also the criticized third pillar should be part of R2P without, however, giving much supportive data for the claim. It furthermore recognizes there are differing views among the UN membership but also states that “principled opposition to the third pillar” (General Assembly Formal Debate 2 July 2018, 13. Mr. Islam, Bangladesh) will not take anyone forward.

The only African state that distinctly refers to R2P as a norm is Gabon when it reaffirms its commitment

à la norme établie par la responsabilité de protéger, en particulier à la mise en oeuvre des trois piliers, à savoir la prévention, l'encouragement de la communauté internationale et l'action collective en cas de défaillance des États. (Débat officiel de l'Assemblée générale, le 2 juillet 2018, 29. Mme Onanga, Gabon.)³

In the English translation of the statement made by Gabon “la norme établie par la responsabilité de protéger” is not translated by using the word *norm* but as “the standards set by the responsibility to protect”. However, like explained by Florini above, setting standards of behaviour is exactly what norms are about. Hence, I argue that even without the use of the word *norm* in the English translation, the norm of R2P is what Gabon refers to and reaffirms its commitment to.

Despite a lack of use of the word “norm”, R2P does receive a fair amount of support in the African group. Statements delivered individually by African countries bear similarities to the statement of the Group of Friends both regarding the importance of R2P and the declaratory nature of their statements. Gabon, Ghana, Nigeria and South Africa all support R2P in its totality, that is to say all of its three pillars. Their claims are, however, declaratory in nature as they do not explicitly state why R2P is relevant. An exception is, however, Rwanda. It brings up very clearly that, due to its past experiences, its understanding is that the core of the principle of R2P boils down to the third pillar which allows outside intervention in case a state is unable to prevent human rights violations:

Undeniably, in the experience of Rwanda, we now understand, looking back, that when a State is responsible for egregious violations of human rights, that should not prevent other actors from intervening. This is the essence of the pillars of the responsibility to protect. (General Assembly Formal Debate 2 July 2018, 11. Ms. Bakuramutsa, Rwanda.)

In the above excerpt, we can see how Rwanda's argument is based on its subjective experience as a country that has faced such a large-scale tragedy as a genocide. The use of personal experiences – in Rwanda's case individual experiences of a country – in argumentation is a neat way to boost the influence of a speaker since it is difficult to refute such experiences (Jokinen 1999, 134–135).

Perhaps one reason for the general lack of supportive data backing many of the claims regarding the importance of R2P lies in what South Africa brings up. It states that the political basis for R2P was already agreed upon in the 2005 World Summit Outcome

document and that “going back to that undertaking is therefore not an option” (General Assembly Formal Debate 25 June 2018b, 18. Mr. Ntsoane, South Africa). South Africa seems to imply here that renegotiating R2P is out of question because it has already been agreed on and a sufficient consensus on the issue has been reached. On the other hand, a lack of data, subdata and thus also warrants tend to give statements a confident tone (Hart 1997, 100). Perhaps this is something supporters of R2P either intentionally strive for in order to refute possible counterarguments or rebuttal in advance or unintentionally happen to do when they to seek to convince sceptics of the importance of the concept.

Despite South Africa’s support of R2P, its statement also reveals its concerns regarding the unacceptable use of the concept for narrow national interests by those who seek intervention. This leads us to the observation that, despite the support R2P gets from the majority of the African group that gave statements, the group is not united regarding its opinion on R2P. Among the supportive statements, there are very critical voices too.

Along the lines of South Africa, Morocco (which is a member of the Group of Friends) also voices its concern regarding possible misuse of the concept:

La question qui se pose est de savoir comment nous pouvons garantir la protection tout en évitant d’un côté, une mise en œuvre incontrôlée de la responsabilité de protéger et, de l’autre côté, l’instrumentalisation ou l’exploitation politique de ses nobles objectifs. (Débat officiel de l’Assemblée générale, le 25 juin 2018a, 32. M. Kadiri, Maroc.)⁴

R2P is described by Morocco as consisting of noble objectives but the country also points out that uncontrolled implementation of the concept poses a threat of political exploitation. Egypt and Sudan represent even more critical views of R2P. Contrary to the statements in favour of the concept, they also provide supporting arguments or data for their claims. Interestingly enough, in the African group, the more critical a country is of R2P in its statement, the more it tries to back up its claims with supportive structures.

Even if Egypt concedes that the objectives of R2P are noble, it claims that R2P is not yet a specifically designated legal concept but politically ambiguous. This is why Egypt calls for more time to respond to all those “political and legal gaps in the concept” (General Assembly Formal Debate 25 June 2018b, 29. Mr. Gad, Egypt) and thus supports continued informal

interactive dialogue on the issue instead of a permanent formal dialogue. Egypt also claims that it is important to respect the hierarchy of the norm's three pillars and maintains that any implementation of R2P which involves international elements must have broad support from the UN membership:

[...] we would like to reaffirm that that as far as the responsibility to protect is concerned, any international strategy must have the broad support of Member States in order to exclude any doubts about the impartiality of those strategies or the possibility that they could be seen as a way to interfere in a State's internal affairs. (General Assembly Formal Debate 25 June 2018b, 29. Mr. Gad, Egypt.)

Here Egypt seems to base its claim concerning the need to clarify the concept of R2P on the view that currently it is possible, although unacceptable, to use the concept for national gain and thus also interfere with states' internal affairs. No subdata is provided to illustrate whether such fears are valid. In similar vein to Egypt, Sudan describes R2P's objectives as noble but takes an even more critical stance than Egypt in pointing out the concept's shortcomings. According to Sudan:

The concept of the responsibility to protect as advanced today is marred by contradictions in relation to the provisions of the Charter of the United Nations and the system of collective security that it created. It is marred by indifference to the fact that the concept is being exclusively directed at developing countries suffering from underdevelopment, environmental degradation and internal conflict. Indeed, and most importantly, it is marred by the selective approach that it fosters, built as it is on mere feasibility. That is why the concept is theoretically linked to and promoted in conjunction with the call to promote the jurisdiction of the infamous International Criminal Court. (General Assembly Formal Debate 25 June 2018b, 13–14. Mr. Mohamed, Sudan.)

Sudan uses strong language here: R2P is not only problematic in some respects but the whole concept is *ruined* by contradictory ideas and bias. Repetition of the word "marred" adds to the emphasis. Sudan's major claim is that R2P is a questionable and fallacious concept. This claim is supported by four pieces of data, only one of which, I argue, has clear subdata. Moreover, only one of the data-claim movements is explicitly supplied. Firstly, Sudan uses an authoritative warrant as it appeals to the views of "a number of great politicians in the international arena" (General Assembly Formal Debate 25 June 2018b, 13. Mr. Mohamed, Sudan) that share Sudan's views on R2P. No further data is, however, provided regarding who these influential individuals may be.

Secondly, Sudan supports its criticism of R2P by stating that it is only directed at developing countries. Here the movement from the supportive argument to the main claim produces a substantial warrant which implies that the concept of R2P is heavily biased. This view is also not backed by further data. Thirdly, R2P is linked to the promotion of the questionable International Criminal Court which provides, according to Sudan, another reason for being sceptic of R2P. Lastly, Sudan supports its claim by saying that R2P is not in line with the UN Charter. It is possible to see a motivational warrant here implying that the UN Charter should be the guiding principle in atrocity prevention, not R2P. Here Sudan does provide subdata to back up its claim as it clearly names certain articles and chapters of the Charter which it thinks R2P clashes with.

7.3 Preventing atrocities

As we have seen above, states do not define R2P in a homogenous way. They also emphasize different things in the implementation of R2P and atrocity prevention in general. The Group of Friends uses a fairly large junk of its statement for recounting the progress and success that has been made in operationalizing R2P since the 2005 World Summit. This seems to serve the purpose of further consolidating the principle. When it comes to the aspects of R2P the speakers emphasize, the Group of Friends names prevention as the core element of the concept. The involvement of women and youth in atrocity prevention is specifically brought up and so is the importance of upholding and ratifying already existing instruments and conventions such the Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide. These claims are not, however, very clearly supported by data or subdata nor is it possible to deduce clear data-claim movements.

Also, the EU emphasizes the importance of prevention in its statement which contains thematically rather similar responses to atrocity prevention as that of the Group of Friends. These themes, including the involvement of women, youth and civil society in atrocity prevention, investing in education and ending impunity, are echoed in the statements made by the WEOG countries and the Eastern European Group with rather minimal or non-existent data. When it comes to accountability, there is strong support for the International Criminal Court (ICC). Some state or region-specific propositions are also made. For example, Italy mentions the stability of the Mediterranean and Israel reminds the audience of the importance of condemning incitement of hatred and violence referring to the memory of

Holocaust. Some states do remember to add that sometimes prevention fails, and, in these cases, collective action must be taken. Ireland also points out that the international community must also stand against inappropriate implementation of R2P. In the same vein, as if to reassure concerns regarding R2P, Slovakia states that:

[...] focusing on the issue of implementing the responsibility to protect can show the practical gains flowing from that concept in specific situations. On the other hand, it is potentially easier to reassure doubts about the concept in that way than by having a general theoretical discussion. (General Assembly Formal Debate 25 June 2018a, 23–24. Mr. Mlynár, Slovakia.)

Here Slovakia's major claim seems to be that the focus from now on should be on the implementation of R2P. This is backed up by data: doubts about R2P can be overcome and concerned parties reassured by showing them in practice what R2P is truly about. Here the data-claim movement, if not explicitly supplied, shows that concerns are acknowledged and there is a willingness to show that they are unwarranted.

Those states in the Latin-American and Caribbean Group that are also members of the Group of Friends emphasize similar aspects of R2P than the Group of Friends and the EU do. These include highlighting the importance of prevention; civil society, youth and women's participation; ending impunity of atrocity crimes and supporting the ICC; and upholding obligations under the international law. Primarily these claims are simply asserted without clear data or subdata.

In general, states in the Latin-American and Caribbean Group that are not members of the Group of Friends, do not seem to provide much more data to back up their views. However, their focus is somewhat different than that of those Latin American and Caribbean states that are more pro-R2P. They highlight that implementation must not undermine the sovereignty of states and prevention should be based on first and foremost dialogue and peaceful settlement of disputes. Moreover, some of them proclaim that atrocity prevention should focus on tackling root causes of conflicts namely poverty, hunger, underdevelopment, inequality and unfair trade embargoes. For example, Brazil claims that pillars I and II are also about promoting sustainable development. It even supports this view with some supportive claims as it justifies this by saying that long lasting peace requires investments in development, not only in military intervention. The warrant here seems to be that R2P is

after all about promoting peace. A notable exception in this regional group is Cuba with its more aggressive position as it argues that there is no point even to talk about implementation of R2P in the absence of a consensus. If, however, the aim is to really prevent the occurrence of genocide, war crimes, ethnic cleansing and crimes against humanity, Cuba calls for more attention to questions such as underdevelopment, an unjust international economic order and food insecurity. It accuses proponents of R2P for unwillingness to promote these things.

The Asia-Pacific Group follows among the same lines as the Latin American and Caribbean Group as many states in former group maintain that priority should be given to prevention, development and non-military solutions. Some do not give any supportive data for their preferences while others cite the Secretary General's views on the importance of prevention or refer to the high number of atrocities taking place in the world. Japan and Singapore are among those members of the Group of Friends that explicitly take up the issue of development. Japan, for example, argues that R2P should be linked with development assistance and bases this proposition on its own experiences of doing just that. The Philippines is another example of a state in the Asian-Pacific Group that supports the above aspects of atrocity prevention, namely international assistance based on the needs of a country in question, initiatives aimed at capacity-building, hunger eradication and sustainable development and building national institutions of good governance.

When we look at the individual statements made by states in the African Group, we can see that good governance is among those questions that are clearly brought up regarding R2P. Half of the individual statements made by African states bring up and highlight building strong structures and institutions as a way to prevent atrocities and thus as a way to achieve the goals of R2P. For example, even if Morocco argues that the best way to implement R2P still raises questions, it is also among those who call for consolidating democracy and the rule of law as an important way to support state implementation of R2P. No data is provided to support this claim, though.

Another clear theme that emerges in the African group in relation to atrocity prevention and questions of peace and security is development and humanitarian questions. Calls for taking into account the Sustainable Development Goals and how development and humanitarian questions are intertwined with questions of peace and security come from both supporters of

R2P and those more critical of the concept. Sudan is a particularly loud proponent of these arguments:

Development assistance and cooperation are necessary in order to counter the inequitable distribution of resources and opportunities, strengthen economic growth, enhance the terms of trade, provide access to international markets for the products of developing nations, encourage essential economic and structural reforms and provide technical support in order to promote the relevant instruments and organizational institutions. Tackling root causes also means strengthening legal protections and existing legal institutions while supporting efforts aimed at promoting the rule of law and protecting and ensuring the independence of judicial systems. (General Assembly Formal Debate 25 June 2018b, 13. Mr. Mohamed, Sudan.)

Here Sudan draws attention to developmental questions as a factor that causes internal conflicts and ties developing countries' unequal resources and possibilities in the global market to questions of peace and security. The major claim found at an abstract level seems to be that internal conflicts can be prevented by tackling the root causes which include underdevelopment, inequitable distribution of resources and opportunities, economic deprivation, lack of democracy. Data supporting this claim is not brought up.

It has to be noted that questions of selectivity and bias also seep into some of the statements when African states talk about the things they emphasize regarding R2P. Even though, South Africa reaffirms its support to R2P in its statement, it does note that the principle should not be implemented selectively when the concept is aimed at instigating government change. Also Libya brings up the same question as it argues that obstacles to peaceful solutions to armed conflicts include not only divisions based on religion, race or doctrine and assisting and funding terrorist groups but also interference in the internal affairs of states. Once again, this claim is not supported by data.

7.4 Whose duty to protect?

The European Union clearly signals that states are key in the promotion and implementation of R2P. It maintains that states have the primary responsibility to prosecute crimes committed within their jurisdiction. However, if they are unable to unwilling to do so, international courts have an important role to play. These claims are not supported by data and thus come off as declarations. The EU also urges the member states to voice their support

for R2P because it is a key element in ensuring peace. We can see here a substantive warrant at play: when states give their support to R2P, they actually advance peace. The EU also mentions that regional actors with their specific early-warning mechanisms and resolution capacities should be taken into account in atrocity prevention.

The EU also declares that it itself is a dedicated supporter of R2P. Furthermore, it clearly wants to send a message, although the claim is not explicitly supplied but rather abstract in nature, that it does its duty. The data the EU provides for this claim includes it listing measures it has taken and is taking in the field of atrocity prevention. It seeks to reinforce this picture of commitment by sprinkling its speech with such phrases and adjectives as “using all available policies and instruments”, “dedicated and evidence based”, “as the European Union has done”, “we actively promote”, and “the EU wholeheartedly endorses” (General Assembly Formal Debate 25 June 2018a, 6–7. Ms. Adamson, European Union). Moreover, the EU sets itself up as an example of a dutiful regional actor as it “encourages relevant regional actors to embed the principles of the responsibility to protect in their practice and priorities, and to take appropriate action to help prevent atrocity crimes” and “stands ready to share its experiences with other regional actors”. (General Assembly Formal Debate 25 June 2018a, 6. Ms. Adamson, European Union.)

The Group of Friends also acknowledges states’ primary responsibility to investigate and prosecute international crimes committed within their jurisdiction and urges states to comply with these obligations. It also urges member states to implement Secretary General’s recommendations regarding R2P and thus highlights states’ individual responsibility. Moreover, the Group of Friends also argues that the General Assembly should be more active in supporting state efforts to implement R2P. These arguments are not backed up with supportive structures.

Many WEOG and Eastern European states reaffirm their individual commitment to R2P in their statements. Like the EU, some of them support these declarations by providing examples of how they have sought to implement R2P. The WEOG and Eastern European group (except for Russia) stand united in affirming state’s primary responsibility to protect its populations but also call unanimously for international community’s greater involvement. However, while for instance Belgium and Portugal represent those that call for collective action when state fails to protect its people, there are a couple of voices within these groups

that are more cautious in their approach and speak of international community *assisting* states (Israel) or hope for international community's condemnation of atrocities but also mention a respect for state sovereignty (Azerbaijan). Portugal reinforces its message by repeating the same claim three times in its statement.

Moreover, the way the members of these two regional groups emphasize the role of particular actors reveals some nuances in their approach. Most of the WEOG and Eastern European group members call for the Security Council to voluntarily limit the use of the veto in the face of mass atrocities. In this question there are differences among the Security Council's P5. While France, the country behind the appeal to voluntarily refrain from using the veto in the face of mass atrocities, does not hide its criticism towards Russia trying to thwart its attempts to fight atrocity crimes, Russia does not speak about the responsibility or role of the Security Council in its statement. The US talks about how the Security Council should act in a more timely and decisive manner in humanitarian crises and schedule more discussions on emerging threats and thus evades the question of limiting the veto. The UK and China also remain silent about the veto question.

Some WEOG states such as Australia also bring up the General Assembly and urge it to support R2P more actively and criticizes it for having remained "mute" (General Assembly Formal Debate 25 June 2018a, 10. Ms. Bird, Australia). Croatia also levels criticism at the General Assembly and names the inability of the General Assembly to achieve consensus on how to uphold the provisions of the R2P as one reason for the fact that there are so many millions of displaced persons around the world.

Those member states of the Latin American and Caribbean Group that are also members of the Group of Friends reaffirm their commitment to R2P. Many of these states but also some non-members of the Groups of Friends call for the limitation of the Security Council veto. Those critical of R2P, on the other hand, affirm their commitment if not to the concept itself but vouch for their commitment to protecting their people. Similar trends can be detected in the Asia-Pacific Group. In quite a few of the statements made by that regional group, the international community is also envisaged to have some kind of role in protecting populations. It is either urged to assist states in their efforts when asked or act through the UN system. These claims are largely made without supplying data.

As may be evident from the above analysis, based on the statements heard during the debate the African group seems somewhat divided about the definitions and role of R2P. This is also reflected in their views on whose duty it is to protect populations. States in the African group predominantly affirm their individual commitment to R2P. Some provide ample evidence on how they have, in concrete terms, sought to implement the principle while others provide fewer concrete examples. Moreover, it becomes very clear that the African group maintains that the primary responsibility to protect populations lies with states themselves.

Differences of opinion can be detected when we look at the role African states envision for the international community. Some African states such as Rwanda and Mauritius firmly argue that the international community must act to protect populations in case a state is unable or unwilling to do so. Both also highlight the importance of regional actors in conflict prevention by bringing up examples from the African Union and Eastern African Community. Others, including Egypt, Morocco and South Africa, are adamant that the international community's role should be limited to assisting states in the implementation of R2P. As stated by Egypt:

[...] the role of the international community should be limited to a complementary one helping States to fulfil their commitments. International interventions should be an exceptional measure of last resort, and should be conducted in full compliance with the Charter of the United Nations. We also stress the importance of ensuring that the concept is not allowed to expand during implementation. (General Assembly Formal Debate 25 June 2018b, 29. Mr. Gad, Egypt.)

Even if not always explicitly stated as the reason behind this argument, the above view presented by Egypt seems to stem from fears of possible international intervention strategies turning out to be partial and selective.

Nigeria and South Africa also bring up the role of the UN Security Council whose effectiveness in preventing mass atrocities could be improved according to them. Especially South Africa seems to argue that the Security Council needs reform. It supports this view with the claim (but with no subdata attached) that the Council does not meet today's standards of effectiveness, representativeness and transparency:

Unfortunately, while the world has changed, the Security Council has largely remained the same. Contemporary challenges have brought divisions within the

Council to the forefront, especially among its permanent members. At times, such paralysis has cost human lives. A more representative Council would be more effective in dealing with complex contemporary challenges. As advised by the Secretary General, preventive action is built on trust, transparency and accountability. The Security Council should therefore be cognizant of that in its assessments and decision-making if it is to be effective. (General Assembly Formal Debate 25 June 2018b, 18. Mr. Ntsoane, South Africa.)

7.5 R2P, sovereignty and multilateralism

The question of whose duty it is to implement R2P and at the very essence whose responsibility it is to protect populations is closely linked to the question of sovereignty and multilateralism. These concepts are also something that states tend to categorize in various ways. As Jokinen points out, when we categorize events and things, these different categories may serve different functions such as criticizing or justifying something (Jokinen 1999, 142).

The EU does not mention multilateralism explicitly in its statement but does say that the UN support to member states is crucial in preventing atrocities. This is not, however, emphasized in any striking way in the statement which mostly concentrates on different ways the EU encourages atrocity prevention. In the individual statements made by the WEOG and also by the EU member states of the Eastern European Group, there is clearly a visible and unanimous understanding that multilateral cooperation is needed in order to ensure security, prevent conflicts and build peace. Many of these claims are not backed up with data. However, it must be noted that, these claims are reinforced by the way the members of the WEOG and some Eastern European states determine the role of the international community and call for it to actively take part in atrocity prevention. When it comes to the use of data and supportive structures for arguments, some exceptions also come forth. Canada, for example, argues that “the multilateral and rules-based international order that binds us together” needs the support of the UN member states more than ever (General Assembly Formal Debate 25 June 2018b, 20. Mr. Bonser, Canada). This claim is preceded by a sequence of a numeric and non-numeric quantifying that seek to illustrate the gravity of the situation the international community finds itself in. Hence Canada provides data for its claim. Presenting things as numbers often establishes an idea of clear, quantifiable and consistent or logical information (Jokinen 1999, 146):

Despite the robust normative framework that has been developed over the years to protect populations from grievous harm, as we speak, 65.6 million people, a large proportion of whom are children, are forcibly displaced around the world. In Syria, Yemen, Myanmar and South Sudan, to name just a few conflict-specific situations, millions are seeking protection and the preservation of their livelihoods and basic human dignity. (General Assembly Formal Debate 25 June 2018b, 20. Mr. Bonser, Canada.)

Canada is not alone in referring to these numbers in its speech but what makes its statement stand out is the part following the numeric data:

Numbers matter, but so do the stories behind the numbers. Behind every death is a genuine human tragedy for an individual, a family and community. Those left behind are left to cope with deep trauma for which no statistics can account. (General Assembly Formal Debate 25 June 2018b, 20. Mr. Bonser, Canada.)

Here the harrowing experiences of displaced persons are woven into the narrative of a failure of the multilateral normative framework to protect people. Narratives in general can be used as a rhetorical device for creating authentic impressions for the purpose of persuasion (Jokinen 1999, 144). Canada appeals to the common humanity of the audience. Against the backdrop of the above excerpt, multilateral cooperation appears crucial for the preservation of human security and dignity and this is difficult to contest. There seems to be a motivational warrant at play in the data-claim movement here: our common human nature requires us to work together to end the suffering felt by millions of people.

Finland's statement contains another rhetorical way of supporting multilateralism through presenting a common position first before making an individual declaration of commitment:

The meeting [the eighth Annual Meeting of the Global Network of R2P Focal Points held in Helsinki in June 2018] highlighted the role of mediation and noted the twentieth anniversary of the Rome Statute of the International Criminal Court (ICC). We believe that it was important in reaffirming that there are still forces that believe strongly in the rule of law and the rules-based international order. Lastly, Finland remains a staunch supporter of the ICC. (General Assembly Formal Debate 25 June 2018b, 21. Mr. Sauer, Finland.)

Here the support for multilateral cooperation and rules based international system is expressed by using perhaps more subtle rhetorical devices than it may first seem. Even if Finland announces itself to be a strong supporter of the ICC at the end of its statement, it begins by reporting first the Helsinki meeting's similar claim. By doing so, by reporting first

the opinion of another actor or entity – that of an international meeting in this case – and only then aligning itself with it, a speaker may regulate its degree of affiliation with different parties, in other words, its message may appear more neutral (Jokinen 1999, 136–137).

Estonia, Latvia and Lithuania, in the statement made by Latvia on behalf of the three, use both metaphors and the technique of countering counter-arguments in advance in order to get their message of multilateralism across:

Exactly 100 years ago, Estonia, Latvia and Lithuania chose their path to building open, democratic and inclusive societies based on cohesion, multilateralism, equality, inclusion and the rule of law. The path has not always been easy, and we treasure what we have achieved. Today we remain committed to the implementation of the responsibility to protect. We call on all United Nations States Members to uphold that important political commitment. We all must do what we can to protect civilian populations from threat of atrocity crimes. (General Assembly Formal Debate 25 June 2018a, 9. Mr. Mažeiks, Latvia.)

While metaphors can be used in creating wanted connotations, using one's own speech at the same time for argumentation and answering beforehand possible counter-arguments, is a means of snatching away the possibility of someone else using certain opposing views against your argument (Jokinen 1999, 149, 154–155). The phrase *chose their path* gives the impression that building democratic states that are rooted in multilateral cooperation is about a choice a state can make. A choice then indicates that a state must have a room for manoeuvre and thus it also implies a certain responsibility that states making choices bear about their actions. The metaphor of *path*, which is not easy, also includes a response to a possible counter-argument. It is acknowledged that these choices are not always easy, or to continue with the metaphoric language of their choice, the road to a good outcome may be winded and even bumpy at times, but it is a road (or a choice) worth taking in the end.

The Eastern European Group members do not present clear definitions on sovereignty or determine how they understand the relationship between sovereignty and R2P. The WEOG Group, on the other hand, is very vocal about this topic. Sovereignty is defined as a concept which does not stand in opposition to human rights or R2P. On the contrary, they are seen as mutually reinforcing concepts. Moreover, especially the United Kingdom and the United States argue that sovereignty cannot be regarded as an excuse to not to uphold R2P and

mistreat one's population. These claims have a declaratory tone due to the lack of supportive structures.

States of the Latin American and Caribbean Group that are also members of the Group of Friends call for strengthening multilateralism and see it as a way to ensure peace and that R2P works transparently. However, there are also non-members of the Group of Friends, such as Honduras and Peru, that join this call. Mexico is among those few states that justify this claim with supportive data. It relies its arguments on the authority of the Secretary General as it states that global and regional networks are important in supporting states' implementation of R2P because such networks can promote dialogue among states.

State sovereignty, on the other hand, is something that states of the Latin American and Caribbean Group do not necessarily provide a definition for in their statements. However, the relationship between sovereignty and R2P is clearly a question that divides the regional group. Peru, also a member of the Group of Friends, for instance, claims that sovereignty is a responsibility to protect one's own population. Cuba, on the other hand, states that prevention of genocide, war crimes, ethnic cleansing and crimes against humanity should reinforce self-determination and sovereign equality. The fervour with which some states (Cuba, Venezuela) in this group talk about the importance of non-intervention in the internal affairs of states, seems to indicate, however, that they may be inclined to see a clash between the concept of sovereignty and R2P, especially its pillar III.

When it comes to the Asia-Pacific Group, there is a clear rift between the group members regarding the question of sovereignty. There are states such as Bangladesh, China and Pakistan that assert that state sovereignty must always be respected and R2P must not question this. China brings this up very early on in its speech, thus clearly wanting to underline the importance of this claim. No data is provided to back up these claims. China presents this view as follows:

The responsibility to protect the people ultimately rests with each Government, consistent with the principle of sovereignty. When addressing crises, the international community should therefore fully respect the sovereignty of the countries concerned, abide by the purposes and principles of the Charter of the United Nations and uphold the principles of sovereign equality and non-interference in internal affairs. (General Assembly Formal Debate 2 July 2018, 20. Mr. Yao Shaojun, China.)

The above excerpt seems to reflect the view of many of those states that have reservations about R2P. They are the ones that seem to underline states sovereignty and sovereign equality in their statements and link R2P to state sovereignty making it sound like protecting populations is their “business” first and foremost. Even if proponents of R2P do recognize that states have the primary responsibility, they do see other actors having an important role too and do not lay so much emphasis on state sovereignty and self-determination.

Democratic People’s Republic of Korea is perhaps the most vocal in the Asia-Pacific regional group about its views on this matter:

[...] the responsibility to protect peoples from genocide, war crimes, ethnic cleansing and crimes against humanity is entirely the sovereign right of a State. It must not be applied in a manner that interferes in States’ internal affairs. (General Assembly Formal Debate 2 July 2018, 9. Mr. Ja Song Nam, Democratic People’s Republic of Korea.)

Although almost identical in its adamant view of the sacrosanctity of a state’s internal affairs to China’s statement, People’s Republic of Korea stands out even among R2P sceptics with its view on the relationship of R2P and state sovereignty. It determines R2P as a *right* of a state not as a responsibility like proponents of R2P and even those somewhat sceptical of the concept tend to do. The significance in this is that a responsibility implies an obligation or a duty to do something whereas a right does not necessarily involve such a liability. It is rather something, some kind of power or privilege granted to an actor. It may, for example, grant them to act in a certain way but does not make them to. However, rights cannot usually be separated from responsibilities and United Arab Emirates argues just that. It states that sovereignty is a right but that right comes with inherent responsibility. This is not, however, underlined in the North Korean statement, quite the contrary.

In addition to the question of sovereignty, there are states in the Asia-Pacific Group that are vocal about R2P and multilateralism. Namely, Kiribati claims on behalf of the whole Pacific Islands Forum that no one country can achieve R2P alone. This message is reinforced by individual Pacific Islands Forum members in their statements. Papua New Guinea, for example, argues that:

All nation States must work both individually and collectively to prevent devastating atrocity crimes, in defence of our common humanity. [...] The Organization [the UN] is only as good as its Members want it to be, and that means it must be provided with the appropriate resources for undertaking the task of sustaining peace. (General Assembly Formal Debate 2 July 2018, 19. Mr. Rai, Papua New Guinea.)

The major claim here seems to be that upholding R2P and thus preventing conflicts requires states to cooperate with one another. Even if Papua New Guinea does not say this aloud, an unspoken justification for the claim seems to be supplied in Kiribati's statement with which also Papua New Guinea aligns itself with; no one country can achieve R2P alone. Earlier in its speech, Papua New Guinea also appeals to the common humanity that the continuation of conflicts in the 21st century should waken. Thus, perhaps it can be deduced that with this appeal to human emotions, Papua New Guinea is aiming its words at people, not only at states as entities. Furthermore, the importance of multilateral cooperation is also justified by pointing out something about its nature: it only works as efficiently as different parties want it to work.

Palau argues in similar vein as follows:

Working together at the international, regional and domestic levels is imperative to ensure effective and coordinated preventive action. [...] Every nation on the planet and their peoples deserve peace, security, independence and prosperity. But those rights come at a price. It is not without obligations that we inhabit our place and time on the Earth. In true empathy, Palau will continue, with all available means, to foster the rights of all the people on the planet through active participation and intervention in international initiatives that protect and improve the plight of those least capable of securing a better life for themselves. (General Assembly Formal Debate 2 July 2018, 27–28. Ms. Uludong, Palau.)

Here we can see Palau using extreme word choices such as “with all available means” in order to convince the listeners of its own commitment to R2P. I argue that it is not the only message in this excerpt. Palau seems to imply here that its continued commitment to promoting human rights and peace shows “true empathy”. Empathy is an ability to be sensitive to or experience others' feelings or experiences. It is something often attributed to “being human”. Is Palau's major claim here that multilateral cooperation is about showing empathy to others? Or is it that to show true empathy is to carry our obligation to cooperate with one another? This statement reflects, I argue, the interconnected nature of human existence in the contemporary world. All the peoples have a right to live in peace, but they

also have a responsibility to work together so that everyone may equally enjoy that right. This, according to Palau, entails that we show empathy to the plight of others. If our empathy is genuine, if it is true, it will drive us to cooperate multilaterally and eventually it will lead us to peace.

The Group of Friends, and hence those states who are members of the group, state that:

At this time the Group would like to reiterate its common understanding that the responsibility to protect reinforces, rather than undermines, State sovereignty. As the Secretary General underlined in the presentation of his priorities to the General Assembly earlier this year, it is necessary to overcome the false contradiction between human rights and national sovereignty. Human rights and national sovereignty go hand in hand. The achievement of human rights strengthens States and societies, thereby reinforcing sovereignty. States with effective, accountable institutions are among the best defenders of human rights. (General Assembly Formal Debate 25 June 2018a, 4. Ms. Al-Thani, Qatar.)

The R2P concept is tied here firmly to the respect of human rights which, if accordingly respected, are said to strengthen states. R2P is, thus, portrayed in a positive light: the Group of Friends' major claim here is that the protection of human rights, that is to say the respect of R2P, strengthens rather than compromises national sovereignty of states. This view is supported by evoking authoritative warrants: the claim is backed not only by the Group but by the Secretary General as well. Furthermore, by referring to the "common understanding" of the Group, it presents its claims as something supported not by a single state but a unified front of states. This is a rhetorical tool which employs the idea of a consensus as a way to strengthen an argument (Jokinen in 1999, 138–139).

This message is also reinforced by statements made by individual Group members in their individual statements. For example, Ghana states that "good governance guarantees national stability and peace, which are authentic marks of State sovereignty" (General Assembly Formal Debate 25 June 2018a, 11. Mrs. Pobee, Ghana). This is again a declaratory claim made without any clear data and thus warrants are difficult to deduce. However, it states clearly that national stability and peace are indications of state sovereignty. Ghana then points out that these outcomes can be achieved through good governance. These statements seem, thus, to present a parallel understanding of R2P to that of the Group of Friends: sovereignty is about a responsibility to govern well and this good governance ensures peace, stability and respect of human rights which in turn reinforce state sovereignty. Rwanda also

stresses this point of view and urges member states to accept sovereignty as a responsibility. However, like Ghana, Rwanda also does not provide any supporting structures for this argument. This in itself gives their statements not only a declaratory nature but also a confident echo.

The notion of sovereignty is not explicitly brought up by all African states but nevertheless can often be found at a more abstract level in the statements. When it comes to views regarding sovereignty and its relationship with R2P, African states are divided along the same lines as they are concerning the very nature of R2P: African states critical of the concept also view sovereignty in different terms than those supporting R2P. This division is portrayed, for example, by Sudan's statement:

In a world characterized by disparities in power and resources, in many States sovereignty is the best, and sometimes first and only, line of defence. However, it is more than a functional concept in international relations. It is a recognition for many States and nations of their equality in status and dignity with other States and nations. It protects their unique identity and national freedom, and asserts their right to determine their own destiny. (General Assembly Formal Debate 25 June 2018b, 13. Mr. Mohamed, Sudan.)

Here sovereignty is depicted as a means to preserve oneself, as a way, and sometimes the only way, of defending oneself. Reference is also made to the principle of sovereign equality as all states are equally recognized to have this right in the above excerpt. To support this view of sovereignty Sudan paints a picture of the world as a place characterized by disparities in power and resources, not unlike Realists in the International Relations theory do. We can argue that the data-claim movement here is made by insinuating that this inequality can cause instability and confrontation. Even if this warrant is suppressed rather than explicitly supplied, it ties in with the overall message of Sudan's statement as whole, that is to say with the criticism it makes about the concept of R2P and the emphasis it places on development questions instead.

Sudan also presents the membership of the UN as "a symbol of State independence and sovereignty" and the UN as "the main arena in which the sovereignty of States is strongly defended and not abandoned" (General Assembly Formal Debate 25 June 2018b, 13. Mr. Mohamed, Sudan). These claims are not backed up by supportive data and thus come out as mere projections of how Sudan wishes to see the said international organization. This is

further illustrated by Sudan's call for the need to reconcile the two objectives of strengthening state sovereignty and improving international community's capacity to respond to atrocities. If such a call to act is necessary, surely it is something that is not yet satisfactorily accomplished in Sudan's opinion. Hence descriptions of the UN being a protector of state sovereignty is clearly something the country wants to push for.

8 CONCLUSION

In this thesis I have sought to analyse statements made by UN member states as well as the European Union, the Group of Friends on the Responsibility to Protect and the Pacific Islands Forum during the UN General Assembly debate on R2P that took place in summer 2018. My focus has been on how UN regional groups and their members categorize R2P – whether it is seen as a norm – and how they argue for and against its implementation. I have also examined how the debate depicts the relationship between the notions of sovereignty, sovereign equality, multilateralism and R2P. I have approached these questions by examining the data-claim-warrant structure and rhetorical tools used in the statements.

In order to tackle my research questions, I chose to examine more in depth five central themes that arose from the statements. These are: the importance of dialogue, how R2P is defined by members states (as a universal norm, a principle or a problematic concept?), what aspects of R2P and atrocity prevention in general states want to emphasize, who is seen as responsible for protecting populations, and finally how states define the relationship of R2P and the notions of sovereignty and multilateralism.

Both the European Union and the Group of Friends of R2P highlight the importance of dialogue as they welcome the inclusion of R2P as a standing agenda item for the future sessions of the General Assembly. Among the WEOG and the Eastern European group there is a strong support for the same proposition. This claim is not always explicitly supported by data which gives a bold air to it. Nevertheless, in those instances where the claim is explained, a motivate behind it can be found. It is suggested that as a formal agenda item R2P would have a more elevated status and more appropriate forum. Moreover, this would further help states overcome their disagreements and ultimately even attain peace. Russia, however, emerges as a firm opponent of formal discussions which it sees as pointless because the pitfalls of R2P have been ignored by the concept's proponents. Here it shifts the burden of change from the opponents of R2P to its proponents. This is reinforced by extreme words choices which shift the focus of the debate to the failure of R2P.

The African Group in the UN seems rather divided concerning R2P in all these above mentioned five themes. While only one African state explicitly talks about the norm of the

R2P, there is strong support for the concept and ongoing dialogue among the 13 African members of the Group of Friends. On the other hand, there are sceptical states that see the concept as fallacious and are concerned for its possible misuse. Among these countries there are those that do not mention dialogue at all in their statements and those that outright oppose adding R2P as a permanent item on the General Assembly agenda on the grounds of it being a legally and politically dubious concept.

There is also no unanimous “Asia-Pacific position” or “Latin American and Caribbean position” on the permanent item question which reflects the political diversity of the Asia-Pacific group’s membership. Those few Asian countries that are members of the Group of Friends support the permanent item proposition along the same lines and with same motivational warrants of building consensus than the WEOG. The Latin American and Caribbean countries aligning themselves with the Group of Friends also support the proposition with the same declaratory tone than the WEOG. Many, however, support ongoing dialogue without specifying its form for the same reasons as proponents of the standing item question support their claim. Especially those countries that are suffering from a conflict or are totalitarian, outright oppose formal discussions on the same grounds as Russia. The argument is backed by resorting to “we” rhetoric which juxtaposes those who oppose the permanent item question as a coalition of supporters of freedom confronting the hypocritical supporters of the permanent item proposal.

One of the central questions of this thesis is to examine how R2P is named and categorized by the actors participating in the debate. The EU and the Group of Friends refer to R2P as a principle and a key element without really explaining their word choice other than the Group of Friends referring to the Secretary General’s similar wordings. The WEOG and the Eastern European group echo this categorization in their individual statements where they name R2P a global principle and some even call it a norm. The only exception is Israel which rejects R2P as a new legal norm. It is possible to see this attempt of appearing as a united front as a means of trying to control the premises of the discussion on R2P. This is perhaps a way to shield against arguments such as that of Russia which declares that R2P has never been a norm and which accuses the pro-R2P states and the UN secretariat for ruining any previous fragile consensus on R2P by ignoring criticism levelled at it.

In both the Latin American and Caribbean group and the Asia-Pacific group, R2P is mostly defined as a concept, not as a principle or norm. Those sceptical of R2P are most vocal about how it should be understood, and they mostly cite their scepticism stemming from concerns regarding misuse of R2P and its pillar III as well as a lack of common understanding on R2P. Venezuela goes even further as it calls R2P's applicability illegitimate and claims it is meant to be used for intervening in the affairs of other states. Those favourable of R2P in these groups remain rather silent. Only a couple of states that also align themselves with the Group of Friends declare R2P to be a norm and support the pillar III without, however, giving much supportive data to their claim.

While only one African state explicitly talks about the norm of R2P, there is strong support for the concept. On the other hand, there are vocal, critical African states that see the concept as fallacious and contradictory and are concerned for its possible misuse. When it comes to rhetorical tools, those who support R2P in its totality tend to lean towards rather declaratory statements also in the African group. They either draw their support from authoritative figures such as the Secretary General or do not back up their claims with any clear supportive structures. This gives the pro-R2P statements a rather confident tone. Moreover, some supportive states base their claims on individual experiences with genocide and thus make their arguments more difficult to refute. Even if a wider range of warrants from authoritative to substantial and motivational can be found in the statements made by states critical of R2P, they tend to omit supportive structures from many of their claims too. Those critical of R2P also seem to resort to strong words choices and repetitive language. The more critical the state is, the more it seems to justify its claim with supportive structures.

The Secretary General's most recent annual report on R2P, which centres around the implementation of R2P underlining especially the importance of its preventive elements, served as a basis for the debate. Just like R2P as a concept is not defined in a homogenous way by the participants of the debate, different things are emphasized when it comes to atrocity prevention. An interesting finding here is that the EU, the Group of Friends and those states favourable to R2P in the WEOG, the Eastern European group and the Latin American and Caribbean group emphasize the importance of upholding existing instruments and conventions under the international law such as the Universal Declaration of Human Rights and the Genocide Convention. There is more cohesion on the matter of prevention also in the African group as half of the individual statements made by African states highlight

the importance of building strong structures and institutions as a way of preventing atrocities and thus as a way of achieving the goals of R2P.

The sceptics of R2P tend to approach atrocity prevention from a largely different angle. They consider development and humanitarian questions to be intertwined with questions of peace and security. Harsher critiques draw the attention to underdevelopment and unjust economic order. Moreover, they highlight the importance of avoiding selective implementation of R2P, respecting state sovereignty and favouring peaceful settlement of disputes over military intervention. This is the case among both African supporters and sceptics of R2P, the sceptics in the Latin American and Caribbean group and in the Asia-Pacific group. Western and European countries do not bring up the question of development with such intensity, in many statements it is not mentioned at all.

The EU, the Group of Friends and most states in all regional groups reaffirm their commitment if not to R2P, to protecting their populations. States are, thus, seen as the actors who hold the primary responsibility in this respect. Some actors such as the EU, some WEOG countries and Eastern European countries support their affirmations by providing examples of how they have sought to implement R2P. Especially, in the case of the EU this comes off as a means of setting itself up as a dutiful normative actor who is even willing to guide other regional actors in such endeavours.

However, division can be detected when it comes to determining the role the international community in the protection of vulnerable populations. The Group of Friends and some WEOG countries urge the General Assembly to take a more active role and most of the WEOG and the Eastern European members and also some Latin American and Caribbean members call for the Security Council to limit the use of the veto in cases of mass atrocities. Apart from France, the P5 remain silent about this question. The WEOG and Eastern European group predominantly (except for Russia) call for international community's greater involvement in R2P. In the Asia-Pacific group, on the other hand, the international community's role is mainly seen as limited to pillar II.

While some African supporters of R2P show green light to international community's duty to intervene with accordance to pillar III of R2P, the division on this matter is not as clear cut between supports and sceptics of R2P. Those who argue that the international

community's role should be limited to assisting states in the implementation of R2P include both critics of the R2P as well as members of the Group of Friends.

The WEOG and the EU members of the Eastern European group present a clear opinion on the importance of multilateral cooperation for atrocity prevention and peace. Many of these claims are not backed up with data but there are also notable exceptions where appeals are made to our common humanity in order to achieve multilateral cooperation or taking part in multilateralism is likened to a choice states can make if they only want to. Among the Latin American and Caribbean states stronger multilateralism is supported by not only some of those who are also members of the Group of Friends but also by some of those who are not members. From the Asia-Pacific group especially Pacific Island states are vocal defenders of multilateralism as they appeal to the audience's common humanity and empathy and argue that no one country can achieve R2P alone. Moreover, they claim that the effectiveness of multilateralism depends on states themselves.

Lastly, regarding the two largely intertwined concepts of R2P and state sovereignty, we can once again detect divisions along the same fault lines as earlier: those critical of the concept also categorize sovereignty in different terms than those supporting R2P. For the Group of Friends and those benign towards R2P, R2P does not undermine state sovereignty. On the contrary, sovereignty goes hand in hand with human rights and it is about a responsibility to govern well and this good governance ensures peace, stability and respect of human rights which in turn reinforce state sovereignty. While the Eastern European group does not clearly make a connection between sovereignty and R2P, the WEOG is very vocal about the idea that sovereignty is not a licence to kill.

For those who tend to be more critical of the whole concept of R2P, sovereignty is seen as a defence mechanism and a right to determine one's own future. In the Latin American and Caribbean group there is a similar division since there are Latin American members of the Group of Friends who see sovereignty as synonymous with responsibility to protect one's population and then there are some sceptics that argue that atrocity prevention should reinforce sovereign equality not undermine it. The latter group of states seems to imply that there is tension especially between pillar III and sovereignty. In the Asia-Pacific group there are also different nuances in the understandings of sovereignty. There are those who are sceptical of R2P such as China who assert that R2P should not question national sovereignty

and then those like North Korea who determine state sovereignty as a right not as a responsibility like proponents of R2P do.

Even if those states that refer to R2P as a norm in the 2018 debate are a minority, it does not necessarily signal R2P's weak status. As pointed out earlier by Raymond and Kegley Jr. (2006, 61), norms are reinforced by diplomatic ritual and as Palan notes (2006, 40), habitual appeal to norms modify actors' behaviour. This ritual reinforcing can be detected in the debate as, for example, WEOG countries and those that align themselves with the Group of Friends one after another reaffirm their commitment to R2P. The message is reinforced by the declaratory tone of many of these statements.

In fact, if we understand power in Foucauldian terms (Dean 2007, 9) as a duel where there is, on the one hand, persuasion and, on the other, there is resistance, it is possible to see the 2018 debate as a diplomatic power duel. Essentially it is a duel between proponents of R2P and those who either oppose it or are sceptical about it, not a duel between different UN regional groups because all groups include states with varying opinions, or at least with slightly different emphases on things. We can see the speeches made by states as what Palonen (2012, 95) calls rhetorical moves in the debate. We see moves that try to control the premises and direction of the debate as those favourable to R2P seek to direct the discussion to the implementation of R2P by listing their own actions to implement it. This shifts the debate away from R2P's status which could be interpreted as a message that its status has already been determined and is not up for renegotiation. This move is clearly countered by those states that are sceptic of R2P who argue that there is no consensus on the concept as well as those who seek to shift the focus to the misgivings of R2P and to the failure of its proponents to implement it transparently and without selectivity.

It has been outside the scope of this thesis to conduct an in-depth analysis on how local norm salience and internal political situation, cultural and historical background affects states' rhetoric in the R2P debate. This is due to the fact that the debate saw statements from a vast number of states. Such an analysis has also not been conducted extensively of the UN regional groups since they also include such a broad range of different kinds of states and are almost all far from unanimous. Instead, this thesis has achieved to detect tendencies in the argumentation of the regional groups (and inside the groups) about the above-mentioned themes and what kind of rhetorical devices they use in order to persuade their audience.

As for the methodology used in this thesis, for an unpractised critic, like any other research method, using the Toulmin system required some practice. It was easier to begin by isolating all claims in the speech and then deduce the major claim from them. This was helpful when trying to understand hidden supportive structures and tone used in a statement in a large number of statements. Altogether, it was a good method to use in analysing the source material. Kari Palonen's writings on rhetoric were also immensely useful in interpreting the political conflict in the debate.

The arguments analysed in this thesis reflect well the most recent studies on R2P as a norm. The results reflect what is suggested by Negrón-Gonzales and Contarino (2014, 255) about states that are committed to human rights being more favourable towards R2P and those committed to non- interference and anti-imperialism seeking to limit R2P. In the debate we see speeches made by some pro-R2P states where respect for human rights and sovereignty are linked whereas sceptics tend to bring up questions of unfair economic order and concerns about military intervention in internal affairs of states. Moreover, norm entrepreneurship and setting the agenda is prominently exhibited by Western states as Reinold, too, notes (2010, 77–78). However, what is interesting is that many smaller states use more vivid language and sometimes even more direct word choices than what we see in the rhetoric used by some larger states perhaps more traditionally seen as norm entrepreneurs. This is in line with Peterson's (2008, 98) observations about the General Assembly having been dominated by weaker states.

Some states clearly show rethinking of the concept of sovereignty as they see it as a sovereign act to participate in the implementation of R2P and multilateralism more generally. This shows the kind of reconceptualization that Raustiala (2000, 417) talks about earlier in this thesis. Or perhaps what we see here is some states promoting what Palan (2006, 52–53) calls transgression of sovereignty by multilateralism. However, there are certainly also those states that adhere to a more conventional thinking of sovereignty.

The results of this research also correlate with what Reinold (2010, 77–78) says about those states that represent absolute resistance to any kind of interference being a minority. What the results here do not completely correspond with is Reinold's argument that states do not want to acknowledge international community's duty to enforce R2P. The debate shows that

this is the case with some states which outright reject pillar III and some which voice their concerns regarding it. However, the majority expresses their commitment at least to pillars I and II and there are many who reaffirm their commitment to the whole concept of R2P as presented in the paragraphs 138 and 139 in the 2005 World Summit Outcome document.

This would also suggest that R2P, as presented in this debate, is to some extent what Ralph and Souter (2015, 68–70) call a “norm” when it is understood as something that reflects existing reality where states are aware of their responsibilities and implications of negligence.

Kemppainen examines in her thesis (2015) the first UN General Assembly formal debate on R2P from 2009. She notes that R2P received a cautious support in that debate even if participants brought up numerous concerns regarding how well they believe R2P might succeed in achieving its goals. When we examine the results of this research in the light of Kemppainen’s thesis and her findings, it would seem that some steps have been taken forward in solidifying the importance of R2P. What remains essentially unchanged seems to be the arguments used by those sceptical of R2P: Kemppainen, too, notes that they see R2P as a threat to state sovereignty and integrity.

Does the debate then depict R2P as a “fully-fledged norm”? I would argue it does not. Perhaps the debate reflects partially the second stage of Finnemore and Sikkink’s (1998, 895) three-stage norm life cycle. While we perhaps do not see the General Assembly form a unanimous, collective legitimation of R2P, it does receive broad acceptance on some levels. It could be even argued that those favourable of R2P even exhibit internalization of the norm based on the examples of how they have implemented it. Of course, it has to be noted that these are not objective estimations of state adherence to R2P implementation and then there are also those that do not give such data to support their proclamations of supporting R2P.

As discussed earlier in this thesis, international norms can be understood as shared understandings not only by states but also increasingly by other actors such as civil society (Giesen and van der Pijl 2006, 13). The influence of these possible other actors on R2P’s status as a norm is something that is not considered in this thesis since the debate analysed here is dominated by states and regional organizations. Therefore, as stated earlier, these results do not obviously provide an ultimate truth or final say on the status of R2P as a norm

but an interpretation of how R2P is currently defined by UN regional groups and their members.

RESEARCH MATERIAL

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APPENDIX

For the purpose of easier readability, I have provided the official English translations of the statements that are quoted in French and Spanish in this appendix. A table of the United Nations Regional Groups and their members' alignment with the different group statements can also be found below.

Translations of quotes

Below are listed the English translations of all the French and Spanish quotes found in the body of this thesis. The translations supplied here can be found in the Official Meeting Records as provided by the United Nations Official Records and as listed under the heading Research Material.

¹ Ecuador (General Assembly Formal Debate 2 July 2018, 6. Ms. Yáñez Loza, Ecuador):
“[...] we trust that this new format for debate will give us the opportunity to discuss it with greater interest and political commitment, in a transparent and constructive manner, and to seek to protect civilians wherever atrocity crimes are committed, impartially and without selectivity.”

² Venezuela (General Assembly Formal Debate 2 July 2018, 22. Mr. Suárez Moreno, Bolivarian Republic of Venezuela):
“Our reservations about the responsibility to protect are based on the consequences of the traumatic experiences of various armed interventions and military aggressions against peoples and countries designed to promote the overthrow of Governments, causing the destabilization and institutional dismantling of States. The ambiguity and legal gaps in the concept's definition, together with its selective application, make its applicability as a principle of international law illegitimate. [...] We are deeply concerned that the intention is to promote the use of certain bodies of this Organization to validate interventions under the guise of the responsibility to protect [...]”

³ Gabon (General Assembly Formal Debate 2 July 2018, 26. Mrs. Onanga, Gabon):

“[...] to the standards set by the responsibility to protect, particularly the implementation of the three pillars – prevention, encouraging the international community and collective action in the case of a State’s failure.”

⁴ Morocco (General Assembly Formal Debate 25 June 2018a, 28. Mr. Kadiri, Morocco):

“How can we ensure protection while on the one hand avoiding the uncontrolled implementation of the responsibility to protect, and on the other the political instrumentalization of its noble objectives?”

United Nations regional groups in 2018

In the tables 1–5 below are listed the compositions of the United Nations Regional Groups at the time of the General Assembly Debate on the Responsibility to Protect in June–July 2018. Bolded are those states that participated in the debate.

The nature of the statements is also indicated. If a state delivered an individual statement, it is marked in the individual statement column. If a state was involved in a group statement, its participation is marked in a respective group statement column.

The number of states taking part in the debate (either by delivering an individual statement or by aligning itself with a group statement) out of a whole regional group is presented at the bottom of each table.

A list of the regional groups is available at:

<https://www.un.org/depts/DGACM/RegionalGroups.shtml> [Accessed on 11th February 2019]

Table 1. African Group

State	Individual statement	The European Union statement	The Group of Friends on the Responsibility to Protect statement	The Pacific Islands Forum statement	Latvia, Lithuania & Estonia co-statement
Algeria					
Angola					
Benin					
Botswana			x		
Burkina Faso					
Burundi					
Cabo Verde					
Cameroon					
Central African Republic					
Chad					
Comoros					
Congo					
Côte d'Ivoire			x		
Democratic Republic of the Congo					
Djibouti					
Egypt	x				
Equatorial Guinea					
Eritrea					
Ethiopia					
Gabon	x				
Gambia					
Ghana	x		x		
Guinea					
Guinea-Bissau					
Kenya					
Lesotho					
Liberia			x		
Libya	x				
Madagascar					
Malawi					
Mali			x		
Mauritania					
Mauritius	x				
Morocco	x		x		
Mozambique			x		
Namibia					
Niger					
Nigeria	x		x		
Rwanda	x		x		
São Tomé and Príncipe					
Senegal			x		
Seychelles					
Sierra Leone			x		
Somalia					
South Africa	x				
South Sudan			x		
Sudan	x				
Swaziland					
Togo					
Tunisia					
Uganda					
United Republic of Tanzania			x		
Zambia					
Zimbabwe					
N:o of states that participated in the debate / N:o of states in the whole regional group	19/54				

Table 2. Asia-Pacific Group

State	Individual statement	The European Union statement	The Group of Friends on the Responsibility to Protect statement	The Pacific Islands Forum statement	Latvia, Lithuania & Estonia co-statement
Afghanistan					
Bahrain					
Bangladesh	x		x		
Bhutan					
Brunei Darussalam					
Cambodia					
China	x				
Cyprus		x			
Democratic People's Republic of Korea	x				
Fiji	x			x	
India	x				
Indonesia	x				
Iran (Islamic Republic of)	x				
Iraq					
Japan	x		x		
Jordan					
Kazakhstan	x				
Kiribati				x	
Kuwait					
Kyrgyzstan					
Lao People's Democratic Republic					
Lebanon					
Malaysia	x				
Maldives					
Marshall Islands				x	
Micronesia (Federated States of)				x	
Mongolia					
Myanmar	x				
Nauru				x	
Nepal					
Oman					
Pakistan	x				
Palau	x			x	
Papua New Guinea	x			x	
Philippines	x				
Qatar			x		
Republic of Korea	x		x		
Samoa				x	
Saudi Arabia					
Singapore	x		x		
Solomon Islands				x	
Sri Lanka					
Syrian Arab Republic	x				
Tajikistan					
Thailand					
Timor-Leste					
Tonga				x	
Turkey*					
Turkmenistan					
Tuvalu				x	
United Arab Emirates	x				
Uzbekistan					
Vanuatu				x	
Vietnam	x				
Yemen					
No of states that participated in the debate / No of states in the whole regional group	31/55				

* Turkey participates in both the WEOG and the Asia-Pacific Group but for electoral purposes is considered a member of the WEOG. For this purpose its statement is marked in the WEOG table.

Table 3. Eastern European Group

State	Individual statement	The European Union statement	The Group of Friends on the Responsibility to Protect statement	The Pacific Islands Forum statement	Latvia, Lithuania & Estonia co-statement
Albania	x	x			
Armenia	x				
Azerbaijan	x				
Belarus					
Bosnia-Herzegovina			x		
Bulgaria		x			
Croatia	x	x			
Czech	x	x	x		
Republic Estonia		x			x
Georgia		x			
Hungary	x	x	x		
Latvia	x	x			x
Lithuania		x			x
Montenegro		x			
Poland	x	x			
Republic of Moldova		x			
Romania		x	x		
Russian Federation	x				
Serbia		x			
Slovakia	x	x	x		
Slovenia	x	x	x		
The Former Yugoslav Republic of Macedonia		x			
Ukraine		x			
N:o of states that participated in the debate / N:o of states in the whole regional group	22/23				

Table 4. Latin American and Caribbean Group (GRULAC)

State	Individual statement	The European Union statement	The Group of Friends on the Responsibility to Protect statement	The Pacific Islands Forum statement	Latvia, Lithuania & Estonia co-statement
Antigua and Barbuda					
Argentina	x		x		
Bahamas					
Barbados					
Belize					
Bolivia (Plurinational State of)	x				
Brazil	x				
Chile	x		x		
Colombia					
Costa Rica	x		x		
Cuba	x				
Dominica					
Dominican Republic					
Ecuador	x				
El Salvador					
Grenada					
Guatemala	x		x		
Guyana					
Haiti					
Honduras	x				
Jamaica					
Mexico	x		x		
Nicaragua					
Panama	x		x		
Paraguay					
Peru	x				
Saint Kitts and Nevis					
Saint Lucia					
Saint Vincent and the Grenadines					
Suriname					
Trinidad and Tobago					
Uruguay	x		x		
Venezuela (Bolivarian Republic of)	x				
N:o of states that participated in the debate /	14/33				
N:o of states in the whole regional group					

Table 5. Western European and Others Group (WEOG)

State	Individual statement	The European Union statement	The Group of Friends on the Responsibility to Protect statement	The Pacific Islands Forum statement	Latvia, Lithuania & Estonia co-statement
Andorra	x				
Australia	x		x	x	
Austria		x			
Belgium	x	x	x		
Canada	x		x		
Denmark	x	x	x		
Finland	x	x	x		
France	x	x	x		
Germany	x	x	x		
Greece		x			
Iceland					
Ireland	x	x			
Israel	x				
Italy	x	x	x		
Liechtenstein	x		x		
Luxembourg	x	x	x		
Malta		x			
Monaco					
Netherlands	x	x	x		
New Zealand			x	x	
Norway			x		
Portugal	x	x			
San Marino	x				
Spain	x	x	x		
Sweden	x	x	x		
Switzerland	x		x		
Turkey*	x				
United Kingdom	x	x	x		
United States of America*	x		x		
N:o of states that participated in the debate / N:o of states in the whole regional group	27/29				

* Turkey participates in both the WEOG and the Asia-Pacific Group but for electoral purposes is considered a member of the WEOG. For this purpose its statement is marked in the WEOG table.
United States of America participates in the WEOG as an observer