

# North Atlantic Treaty Organization Open Agenda



## STUDY GUIDE

Under-Secretary General: Deniz Yalgın  
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HASMUN



## Letter from the Secretary-General

Esteemed Participants and Guests,

It is my greatest pleasure to welcome you all to the fourth edition of the Kadir Has University Model United Nations Conference on behalf of the Kadir Has University Model United Nations Club, Organization Team and the Secretariat. My name is Polat Yamaner, I am a junior student at Kadir Has University, Law Faculty; and I serve you as the Secretary-General of this conference. Having witnessed the last two years of the Conference as a proud participant and an academic team member, I can faithfully state that, HASMUN will, once again, host a formidable experience for you to enhance your skills on different perspectives of the global course of events.

Simulations coursing from historical events to the futuristic concepts, the committees of this year's HASMUN will be met under the theme "*Human Rights: From Respect of the States to the Approbation of the Imperative*". Being one of the few Model UN conferences with a certain theme; this year, we hope to enhance the viewpoint of all the participants, on the fundamental rights and freedoms and human dignity, and its close relation with the international relations, the way of diplomacy, the law, the understanding of security and certainly humanism and humanitarianism.

The Secretariat of HASMUN 2017 had created such committees to actualize our hope and enabled its participants to have a word from the angles of both international and national institutions. I would like to express my gratitude for their intensive work to all Under-Secretaries-General and Academic Assistants who have expanded their efforts much more than me. Without their contribution to the Conference, the very formation of a Model UN conference would not be even possible.

Apart from the exacting and differentiating dimension of the Academia, as one of the Conferences distinguished for its organizational success, I would like to thank the Director-General of the Conference Mr. Alihan Eyübođlu and his Deputy Ms. Gizem Eşsizođlu for constituting the organizational basis of the conference with their high-level knowledge and skills that they have presented. Lastly, I would like to thank the Deputy-Secretary General of the Conference, Mr. Kerem Karaçay for not leaving me alone and enduring all of my anxieties.

Finally, as always, please do not hesitate to contact us with any questions or concerns. The entire staff of HASMUN 2017 and I are committed to create a dynamic and enhancing experience for high-school and university students from all around the world.

Sincerely,

**Polat Yamaner**  
**Secretary-General of Kadir Has University Model United Nations Conference 2017**

## **Letter from the Under-Secretary-General**

Esteemed Delegates;

It is my utmost privilege to welcome you to HASMUN 17. My name is Deniz Yalgın, and I am a Senior Year International Relations student at Istanbul Bilgi University. I have been in the MUN world for four years now and have served in various roles from being a delegate to serving as an Under Secretary General or Secretary General. It is an honour and my utmost pleasure to be able to serve as your Under Secretary General for our North Atlantic Treaty Organisation Committee in HASMUN 17.

In this year's edition for NATO we have decided to present you our most esteemed participants to re-shape or preserve history in the context of NATO involvement in the Libyan Civil War. You will start the committee on the date of 21 January 2011 where the tension between the protestors and General Kaddafi raised leading to the events that would inevitably bring Civil War to the Country.

NATO has been criticised in its prior interventions to Kosovo, Yugoslavia and Bosnia for a wide range of reasons and in the light of these past actions, and the constantly updated simulation of the Libyan conflict you are expected to formulate effective strategies based on a solid legal framework in order to protect and preserve human rights and human life.

I would like to thank our most distinguished Secretary General Mr. Polat Yamaner and also proprietarily thank our most revered Deputy Secretary General Mr. Kerem Karaçay for presenting this opportunity and my hardworking Assistant Under Secretary General Abdülkadir Pir for his exquisite work, ideas and help in bringing this document together.

Lastly, I hope that you enjoy the conference along with the debate and seize this opportunity to have fun and meet new people.

I'm looking forward to meeting and working with you all.

Please do not hesitate to contact me for any further inquiry through [denizyalgin9@gmail.com](mailto:denizyalgin9@gmail.com)

**Deniz Yalgın**

**Under Secretary General Responsible of NATO**

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## **A- INTRODUCTION TO NATO**

The North Atlantic Treaty Organization or namely NATO is an intergovernmental military alliance which is based on the North Atlantic Treaty of 1949. NATO as an intergovernmental military alliance practices collective self-defense and article 5 of the Washington treaty defines collective self-defense as:

“The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.”<sup>1</sup>

Thus NATO has had a significant influence in the international political arena since 1949 Korean War, Invasion of Afghanistan, Iraq and even in Libya although NATO’s role and influence in international politics cannot be reduced to only armed military interventions these are the most outstanding examples of NATO involvement up to date.

### **I. Collective Self-Defense & Self-Defense**

The Broad Definition of Collective self-defense can be seen in the Art.5 of The Washington Treaty but the main definition for Collective self-defense can be found in the Art.51 of the UN Charter as it is stated in the Art5 of the Washington treaty. The article puts out the scope and applicability of collective Self-defense as well as the definition as follows:

“Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the

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<sup>1</sup> [http://www.nato.int/cps/en/natohq/official\\_texts\\_17120.htm](http://www.nato.int/cps/en/natohq/official_texts_17120.htm)

Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.”<sup>2</sup>

Self-Defense and Collective Self Defense in the light of these articles are limited under strict terms. Use of force or the threat of use of force is prohibited under the UN Charter Art. 2 sub.4 as follows:

“All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.”<sup>3</sup>

The monopoly on the use of force in international relations by the UN Security Council henceforth to be referred to as UNSC has created the need for a check valve or a balance for individual states to use force under imminent threat leading to the creation of Ch. VII Art.51 collective self-defense and self-defense under strict terms. The interpretation of Art. 51 ad Art.2.4 in general is regarded for mobilization and buildup of troops to one’s borders, airspace violations, naval buildup and activity or violation of territorial waters, Close border military testing and simulations. The aforementioned cases under the general view; do not possess an imminent threat although preemptive self-defense doctrine may suggest some as plausible cause for preemptive military measures whereas the general tendency would be to exhaust all possible diplomatic methods if proved insufficient than the sanctioning of countermeasures although the scope and degree of which are subject under International Law, before considering or executing military action.

## **II. NATO in World Politics**

Until the Korean War of 1950 NATO was according to a few Neo-Liberal International Scholars a form of Intergovernmental Communicative Organization rather than a Regime as it is today. Subsequent to the Korean War the Military structure of NATO was formed under the influence/command of two US supreme commanders.

The formation of the Warsaw Pact as a result of the Cold War rivalry had brought doubt on the connectivity of the NATO system resulting in the withdrawal of France from NATO’s military wing for 30 years.

NATO conducted its first military operations during the Breakup of Yugoslavia in Bosnia and Yugoslavia(Serbia) and following the breakup of the Warsaw pact the alliance managed to

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<sup>2</sup> <http://www.un.org/en/sections/un-charter/chapter-vii/>

<sup>3</sup> <http://www.un.org/en/sections/un-charter/chapter-i/>

develop better relations of former members and even managed to persuade some to join the alliance in 99 and 2004.

Further military action taken by NATO can be summarized as the intervention in Afghanistan subsequently to the September 11 attacks, Air Blockade to Libya and the Intervention to the Syrian Civil War.

## **B-HUMANITARIAN INTERVENTIONS**

### **I. DEFINITION**

Humanitarian Interventions can be described through examples such as establishment of protected areas for Kurds in Northern Iraq, Establishment of No-Fly Zones in Northern Iraq for Shiites, The efforts to mitigate the humanitarian disaster and starvation and the effort to form some kind of political order and structure in Somalia, the UN effort of disarming and mediation in order to re-establish a state structure in Cambodia.

Humanitarian Interventions are interventions carried out by states or group of states in which the primary motive is not territorial or strategic but rather provide aid and improvement to Humanitarian crises.

Realist International Theory dominant throughout the 17<sup>th</sup> to 20<sup>th</sup> century and the main framework of what the International Political Sphere has been built recognizes a fundamental principle that states always act in accordance with their own interests or “National” Interests. The establishment of UN and other IGOs has been a starting point diminishing the Self-Interest principle as a discourse of international politics. Humanitarian Interventions as a result remain as a member of the set of phenomena that prove the Self-Interest principle to be false at all cases both in terms of Interests and Legal framework although it is important to bear in mind that The codification and practice of International Law and the Powers vested in the UNSC by the very Norms of International Law has started a shift in the International Political discourse taking a more Neo-Liberal stand.

### **II. LEGAL & POLITICAL FRAMEWORK**

The legal Framework that consist Humanitarian Interventions is a wide range of different components of International Law that are; International Humanitarian Law, International Human Rights Law, International Refugee Law, International Criminal Law. All these componets form up to create the Humanitarian Intervention framework and guideline the bulk of the principles derived from International Humanitarian law.

## 1. International Humanitarian Law(IHL):

The most fundamental aim of IHL is to both regulate the conduct of hostilities or rather regulate armed conflict as well as to protect the fundamental humanitarian rights of victims of international or non-international armed conflict; by regulating the methods and means of warfare such as, determining the applicable weapons and targets along with defining the statuses of victims of armed conflict such as civilians, injured persons, prisoners of war ,combatants and so on and so forth; as well as their respective rights under these definitions in order to be able to protect the very victims of armed conflict.

Within the context of defining or determining the status of armed conflict victims IHL has created a “Principle of Distinction” laying the framework for the determination of individuals and groups within the aforementioned definitions, as well as action prohibited or granted regarding these definitions during Armed Conflict.

The principle of distinction is making the distinction of civilian targets and military targets beforehand a military operation. This distinction may be done as determining both military targets from civilian areas or military personnel also defined as combatants from civilians. The problem with making this distinction today lays in the fact that the line between civilians and military targets are extremely vague and at this point the principle of distinction brings in the principle of proportionality meaning that before a military operation occurs it is expected from the commanders in charge of the operation to make the distinction of military target along with the military strategic significance of the situation as well as the inevitable civilian casualties proportionality to the military advantage. Some targets such as dual purpose targets to name some; roads, railways and bridges may be subject to military operations under the conditions in which the significance of the military advantage would be absolutely out of question compared to the civilian casualties of the operation at the moment the operation is planned to be carried out.

The other distinction that has to be made is the usage of the civilian targets for military purposes in which a civilian target may be turned in to, and operated as a significant military establishment.

The principle of distinction also applies for individual or groups of people as military or civilian targets and the dilemma of benefit or in correct terminology Utilization is one of the most controversial areas of IHL and thus Humanitarian Interventions.

## 2. International Human Rights Law(IHRL):

Human Rights and Human Rights law are by definition erga omnes meaning responsibilities towards all and are a major part of Customary International Law. Bearing this in mind some

criticism has been made on the cultural difference aspect of human rights stating that they have been and are western values that has been imposed upon the rest of the world, but it is important to keep in mind that every human rights treaty especially the Universal Declaration of Human rights has been signed and ratified freely by all states of the world meaning that there is a universality aspect to human rights thus cultural differences are of no importance at this point but rather a problem of applying the international human rights law to domestic legal systems. This argument is founded on the fact that the modern state has been a western concept and today is embraced by the world thus the modern states most fundamental value is to respect human rights and is founded on the notion that one of the most basic purposes of a state is to represent its population rather than subjugating it meaning that human rights are a universal notion and that the question is rather an application of international norms to domestic legal systems rather than culture since applying these norms only focus on limiting the power of the state over individuals as well as limiting the relative power of individuals upon each other.

Erga Omnes as a Latin phrase means “obligations towards all” meaning that the obligations of Human Rights Law bestowed upon states do not apply only to the citizens and members of each state but in its essence are obligations towards the whole of humanity. Any violation of such obligations means a violation and crime carried out against the whole of humanity thus it is expected for states to carry out and provide the basic human rights for each and every individual regardless of their nationality, ethnicity, religion or color meaning that Human Rights Obligations that states have are towards the whole of humanity.

The State Limiting aspect of IHRL can be found in the horizontal obligations or Positive Obligations of IHRL. Horizontal obligations are a subdivision under the Positive obligations of states regarding Human Rights. Positive Obligations mean demanding an action or situation to be avoided such as prevention of torture by states. This type of obligation is on a vertical plane meaning that the obligation is placed upon the state a higher legal entity in order to avoid a human rights violation towards individuals or persons or organizations meaning lower legal entities in contrast to a State. On the other hand, Horizontal Obligations refer to the yet again states obligations to prevent such human rights violations to be carried out by legally equal entities such as two individuals or two groups etc. Horizontal obligations in its core are obligations of a state to prevent human rights violations to be carried out by persons and groups and the obligation of the state to take the necessary precautions to avoid such circumstances and in cases of such violations to show due diligence.

### 3. International Criminal Law(ICL):

International Criminal Law is a newly established concept of International Law and has been introduced to the world subsequently to the Holocaust carried out by the Nazi Germany with the Nuremberg Principles. The relevant ones are the definition of core international crimes.

The Core International Crimes are;

Genocide, Crimes against Humanity, War Crimes, Aggression

The most fundamental aspect that differs these crimes from other international crimes such as terrorism or torture or high jacking and human trafficking is the fact that they have been directly criminalized by International law rather than constituted as crimes within domestic judicial systems. International law directly criminalizes and prosecutes these four core international crimes through the Various Tribunals and International courts. Examples of such cases are the Nuremberg Tribunals the Tribunal for former Yugoslavia, the Tribunal for Rwanda and the most recent The International Criminal Court. But it is important to keep in mind the term concurrent jurisdiction while forming action that involves international courts or tribunals since The concurrent jurisdiction term means that the ICC ICTY and ICTR all share jurisdiction with the national courts of the persons that are being prosecuted respectively and the point in which ICC defers from the latter two is the point that has been stated within the ICC statute that puts out the ICC as having COMPLEMENTARY JURISDICTION meaning that unlike ICTY and ICTR the ICC does not have primacy over the national courts of the cases it is attending to thus it cannot request national courts to comply with its trial process or rule as well as the ICC cannot take cases regarding states that are not a ratified party to the Rome Statute also the Statute of the ICC unless directly referred to by the UNSC.

### **III. CASE STUDIES**

Case studies regarding Humanitarian Intervention are somewhat seen in after the Détente period or the breakup of the Soviet Union; the two are although related and somewhat gave way to each other Humanitarian Efforts can be argued to be largely sponsored by or under the UN dome but our subject of analysis is Humanitarian Interventions and the area of use of force is dominated by the UNSC.

Some of these Interventions included NATO notably the interventions to Yugoslavia and Bosnia as well as the Intervention to the Syrian Civil War are a few to name. The intervention to Ruanda

can be another example but in which NATO was not a major actor or the entirety of the alliance was not included

## **C-RESPONSIBILITY TO PROTECT(R2P)**

### **I. INTRODUCTION**

Under the Current Charter art. 2(4) definition on the use of force any action independent of their intention such as a humanitarian aspect unless supported by a UNSC chapter VII Enforcement measures resolution in short UNSC Authorization would be illegal. But under the concept of Humanitarian Intervention the case is morally vague since Humanitarian Interventions are organized in order to prevent further inhuman circumstances created by states in cases where the UNSC fails to intervene with a humanitarian situation caused by an internal or international conflict states argue the moral duty and the erga omnes rules of the customary international law to justify their unauthorized action.

In short although without UNSC authorization any type of use of force even humanitarian interventions cannot be seen as legal or in accordance with international law but may be seen as morally legitimate.

It is important to notice that R2P is not legal and not a law of any written or customary form and that it has been formulated and used since 2005 as a **Doctrine** intended to legitimize an unauthorized intervention.

### **II. STRUCTURE AND APPLICATION**

The differences between Humanitarian Intervention and R2P can be stated under 4 key points.

- 1) R2p unlike Humanitarian Intervention has three principle guidelines or principles A state in failure of its duties to ensure the security and protection of its citizens or A state knowingly discriminating and applying uneven force on its citizens, A fair warning by the International Community to the subject State, The exhaustion of all diplomatic channels and Countermeasures, thus any state willing to use R2P enforcement will have to provide and prove that the first two principles of R2P has been exhausted in order to justify their enforcement action.
- 2) The process of proving the three principles of R2P enforcement has been exhausted and proven to be true the transparency of the process and the providing of evidence will and does create more solid ground for R2P legitimization.
- 3) Although Humanitarian interventions emerge form a lack of action from the UNSC any situation that is likely to transform in to a R2P situation will involve the UNSC from early stages thus the principle based approach of the R2P will most likely allow the R2P

enforcement to receive some sort of authorization from the UNSC rather than the UNSC due to its political tendencies vetoing chapter VII enforcement measures.

4) The most important distinction could be stated as the enforcement process within the R2P approach being as a last resort although Humanitarian Interventions share a similar last resort approach for enforcement actions the R2P enforcement actions can only be taken under the circumstances in which the first two principles of the R2P approach has failed to detonate the situation thus preventing the usage of the humanitarian issue as a pretext for states own agendas.

### **III. CASE STUDIES**

The Intervention to Libya and in a sense within the discourse of R2P the intervention to the Syrian Civil Conflict can be the two examples of deployment of the R2P Doctrine. The Libyan example will be held under close light further on this Guide in order to clarify the use of the R2P doctrine

#### **D- INTERVENTION TO LIBYA**

##### **I. SHORT HISTORY OF LIBYA – RISE OF GADDAFI**

Muammar Gaddafi was a young army officer when he had been proclaimed as the “Brother Leader and Guide of the Revolution” this revolution was nothing but the Coup d’état against the then King Idris of Libya. Subsequently to the revolution Gaddafi on the birthday of Muhammad the prophet in 1973 announce his Five-Point Address a guideline and framework for the new “Great Socialist People’s Libyan Arab Jamahiriya” which would be established in 1977. The Five Point address of 73’ suspended all existing law and replaced it with the law of Sharia, It established a “peoples militia” in order to protect the revolution similar to the “Revolutionary Guard of the Iranian Revolution” He surveyed the government, workers and the education and publicly executed any whom had opposed the Sharia Law and made these public executions re-broadcasted on government TV.

In 1977 with the establishment of Great Socialist People’s Libyan Arab Jamahiriya Kaddafi passed his power to the Great Peoples Committee’s although scholars have largely disagreed and claimed that the new state formation had given Kaddafi Great Power some examples of this can be seen that all dissidents where severely punished by Gaddafi himself in sentences varying to capital punishment, other instances of Kaddafi’s extensive power over Libya can be seen in his war efforts with the Egyptians, the financing of peoples Armed forces in Chad leading to the Chad-Libyan conflict and the invasion of a porportion of Chad by Libya. Kaddafi continued his

<sup>4</sup>efforts of financing various groups around the world in accordance with his political strategy he even sacrificed thousands of lives when he had invoked the war with Tanzania in his efforts to save his longtime friend Idi Amin

It would be an understatement to say that Libya performed well and developed under Kaddafi's lead the country the "Income per capita within the country had risen to \$11,000"<sup>5</sup>, the human development index of Libya became the Highest in Africa which were all made under a no-debt policy meaning Libya had never borrowed from foreign creditors. Other achievements of Kaddafi in Libya was "rising the literacy rate from 10% to 90% along with the rise of life expectancy from 57 to 77 years as well as the establishment of a welfare system that allowed access to free education, free healthcare and free housing". Kaddafi also established employment opportunities for migrant workers, financial support programs for university scholarships and employment programs and oversaw the construction of the Great Manmade River that provided access to clean water all along the Country.

## **II. CURRENT SITUATION**

In February 2011 Libya was a scene of a fully-fledged riot that would find its way all the way to Tripoli the fortress of Kaddafi the riot nevertheless was a direct result or largely influenced by the Arab Spring phenomenon, especially the cases of Egypt and Tunisia had given the spark to the revolt.

The scope and intensity of the revolt can be understood by only looking at a few actions taken by the Kaddafi Government. On the morning of 21 February 2011 Gaddafi's oldest son and a prominent figure of his government had warned the public about their disobedience in both sharing their belief that this movement would only end with the separation of the state into 15 independent emirates along with disruption and even the possible collapse of the well performing economic and welfare programs. His words carried a sense of solidarity but a strong warning and a confident display of power as he accepted that they as the government had their fair share of mistakes and spoke of government plans to a constitutional convention in order to re-establish the state apparatus in a more plausible or favorable way while he also warned the public that in the failure of peaceful dispersion of the protests there were going to be rivers of blood.

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<sup>4</sup> Azad, Sher (22 October 2011). "Gaddafi and the media". Daily News. Retrieved 22 October 2011

<sup>5</sup> "African Countries by GDP Per Capita > GDP Per Capita (most recent) by Country". NationMaster. Retrieved 24 July 2011.

The following week was the first step to an organized challenge to the Kaddafi Government due to the fact that on February 27 the National Transitional Council was established in order to establish control and administer the areas of the state that is under rebel control. The following week on March 10 France had accepted the Council as the legitimate representative of the Libyan People.

One of the controversial points of the Libyan situation is that Kaddafi in March 2008 had announced a policy proposal to combat the corruption and failure of state bureaucracy, a root cause of revolt in the neighboring states of Egypt and Tunisia. He had proposed a direct distribution of the oil revenue to the public bypassing all state bureaucracy and abolishment of all ministries besides defense, internal security and foreign affairs. The belief was that as long as the oil profits ran through the state it would create the grounds for corruption thus it should be directly distributed to the people of Libya.

It was of common knowledge that the country depended on oil revenue by large the 99% of the government income and %80 of the state GDP was consisted of this very oil revenue but a 13% unemployment rate, the high index for corruption in 2010 a 2.2 ranking the state to a 146<sup>th</sup> position out of 178 and the largely un attended underdeveloped and ignored eastern part of the country and given the fact that ONE THIRD of the country was estimated to live under the poverty line, connected with the fact of a %90 literacy rate and immense state contribution to higher education and attendance to higher education in Libya may constitute the framework for the Libyan Uprising.

The committee will start on the date of 20 January 2011 following the first acts of protests and Kaddafi's meeting with members of press, journalists and political activist warning them of being held responsible in a possible act of riot or creation of an environment of chaos.

### **III. STRATEGIC POINTS**

The climate in the Libyan conflict is one of many debate today the intervention by NATO and the UNSC is being highly debated on the premises of "just causation" and "right intent to intervene" as the two categories suggest before making any movement for a possible order, communique or directive please consider the situation in Libya extensively and make a clear analysis of whether the situation in Libya to the best of your knowledge carry correlation to the legal and political framework provided by the R2P doctrine.

The International Commission on Intervention and State Sovereignty lays a foundation for policy formulation regarding possible military interventions to sovereign states on the grounds of a test. "This test requires that there be circumstances of actual or apprehended (a) "large-scale loss of

life,” with or without genocidal intent, which is the product of deliberate action or neglect, or (b) “large-scale ethnic cleansing,” whether carried out by killing, forced expulsion, or acts of terror or rape.”<sup>6</sup>

The burden of making this decision of intervention or implementation of the R2P principles and formulating strategy to tackle the situation in Libya, following precise deliberation of evidence and debate falls in to your hand as NATO and please be advised that you as delegates of NATO have the unique chance to change contemporary world history and politics with the decisions and policies you implement.

#### **IV. LEGAL FORMULATION GROUNDWORK FOR POSSIBLE INTERVENTION**

The Libyan conflict in its core was a civilian uprising against the Libyan government that has been repressed by the use of excessive force by general Kaddafi’s government thus the situation has been monitored both by the International Community and the UNSC leading to the International Community to take necessary actions to put an end to the violence and apply serious pressure to ensure the protection of civilians in the conflict and finally with the UNSC resolution 1973 the establishment of a non-fly zone over Libyan airspace which stated that the parties to the conflict have a responsibility to protect civilians basically exhausting the first two principles of the R2P approach where the Libyan government ignored its responsibility thus the International help provided by the establishment of a no-fly-zone by the UNSC failed to solve the issue ultimately leaving no choice for the International Community to use the 3rd principle of the R2P approach which are enforcement measures to carry out their responsibility.

The analysis was formulated as a guideline for you delegates of NATO in order to base your policies and decisions on a legal framework the analysis above is a personal view of my own regarding the Libyan situation in legal terms and covers briefly all relevant international legal involvement up until 17 March 2011 the adoption of UNSC Resolution 1973 that allowed the establishment of a “No fly-zone” and use of any means necessary to protect Libyan Civilians and as sated before you hold the opportunity of changing this outcome to your view since the committee will started as aforementioned 20 January 2011.

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<sup>6</sup> International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Ottawa: International Development Research Centre, 2001), p. XII; and James Pattison, *Humanitarian Intervention and the Responsibility to Protect: Who Should Intervene?* (Oxford: Oxford University Press, 2010), pp. 20–24.