

Unit: Power, Sovereignty and International Relations
State Sovereignty and Human Rights

Libyan Civil War (2011)

Date: 15 February – 23 October 2011

Result:

Death of Muammar Gaddafi and end of his rule over Libya

UN authorization of NATO military intervention

Assumption of interim control by National Transitional Council (NTC)

Factional violence leading to another civil war in 2014

The “Arab Awakening” of 2011 reached Libya on February 15, when security forces opened fire on a protest in Benghazi. Anti-government protests spread across Libya and quickly evolved into a violent movement to overthrow Muammar Gaddafi, who had ruled the country for 41 years. Although protests were erupting across the Arab world, the crisis in Libya seized the attention of the international community and became a focal point for action to prevent mass atrocities. In his speeches in February, Gaddafi used language reminiscent of the 1994 radio broadcasts calling for genocide in Rwanda; he referred to the protesters as “cockroaches” and “rats” and publicly told his forces to show “no mercy” to rebels and to “cleanse Libya house by house” until they surrendered. By that time, rebels had established a stronghold in Benghazi, and Gaddafi’s forces set their sights on overtaking the city. According to a report by Human Rights Watch on February 20, 2011, at least 233 people had been killed in the previous week, and government forces were indiscriminately targeting civilians.

On February 26, 2011, the Security Council responded by unanimously adopting Resolution 1970. Resolution 1970 asserted Libya’s “responsibility to protect” its population, imposed an arms embargo and travel ban on the Gaddafi family and members of the government, froze the family’s assets and referred the situation to the International Criminal Court (ICC). It marked the first time the Security Council had invoked the R2P framework since a 2006 resolution on the crisis in Darfur.

With rapid advances by Gaddafi’s troops and the call for a no-fly zone from the Arab League demonstrating consensus in the international community in favor of intervention, the U.S. administration soon voiced support for the intervention. The coalition supporting the no-fly zone in Libya soon comprised the U.S., France, Britain, the United Arab Emirates and Qatar. Although many continued to voice concerns about the potential consequences of an intervention, increasing pressure and non-military measures – including sanctions, an arms embargo, travel bans, asset freezes, a commission of inquiry and referral to the ICC – proved ineffective in deterring Gaddafi

from expressing intent to attack the population. On March 17, the UN Security Council adopted Resolution 1973, which sanctioned a no-fly zone and authorized states to take “all necessary measures... to protect civilians and civilian populated areas under threat.” China, Russia, India, Germany and Brazil abstained from the vote. The resolution was widely hailed as a groundbreaking decision; in a statement following the meeting, Ban Ki Moon announced that Resolution 1973 “affirms, clearly and unequivocally, the international community’s determination to protect civilians from violence perpetrated upon them by their own government.” Hence, despite above-mentioned concerns, the UN Security Council authorized an armed intervention to protect Libyan civilians.

With the UNSC Resolution legally authorizing the use of force in Libya, a coalition of states formed – including 15 NATO countries, Sweden, Jordan, Qatar and the United Arab Emirates – to implement the no-fly zone. As violence escalated, the coalition provided support to NTC forces in Benghazi, Misrata, Tripoli, Gaddafi’s hometown of Sirte and other areas held by Gaddafi forces. After intense diplomacy and a successful initial intervention that “rescued the people of Benghazi, obliterated Libya’s air defense system within 72 hours and deployed aircraft and naval vessels to enforce the UN resolution,” NATO took control of the coalition. This led to a hybrid coalition- and NATO-led operation, which some saw as necessary to combine the efforts of those who were able to attack Libyan forces on the ground with those who preferred to patrol the airspace and waters. Operation Unified Protector, as the overall intervention was named in Libya, had three key objectives: a) policing the arms embargo, b) patrolling the no-fly zone and c) protecting civilians.

Kurt Volker, former American ambassador to NATO, urged a maximalist interpretation of the UN resolution to remove Gaddafi from power and end the crisis. Although coalition leaders initially adopted a limited interpretation of the resolution, within two weeks NATO’s initial goal of protecting civilians evolved into regime change. The coalition rejected Gaddafi’s appeals for a ceasefire and continued to support the rebels and attack Gaddafi’s forces.

Over several months, NATO conducted air strikes on government-held areas and armed the rebels to allow their advance. After eight months of fighting, the rebels took Muammar Gaddafi’s hometown of Sirte. On October 20, rebel forces reportedly captured Gaddafi from a drainpipe and killed him. His death raised alarm among human rights groups as chilling videos emerged of the moments before his death, in which he was beaten, sodomized with a bayonet, and dragged onto the back of a truck after being shot. According to Human Rights Watch, Libyan authorities never carried out an investigation of the circumstance surrounding his death or evidence of mass killings of captured members of Gaddafi’s forces at the death site. Three days later, the regime was defeated, and the war ended. In all, the war lasted 36 weeks and led to an estimated death toll of between 8,000 and 11,500 people.

Syrian Chemical Attack (2013)

Date: 21 August 2013

Result:

Chemical attack on rebel-held areas of Damascus

Death toll between 281 and 1 429 people

No military intervention

The UN has confirmed that the worst chemical weapons attack in 25 years took place in eastern Damascus last month, involving specially designed rockets that spread sarin nerve agent over rebel-held suburbs of the Syrian capital. The report did not assign blame for the attack but the US, Britain and France said the details on the sarin, the rockets used and their trajectories all proved that Bashar al-Assad's regime was responsible. However, Russia argued that the western powers had "jumped to conclusions" and said claims of rebel use against their own supporters to provoke foreign intervention "should not be shrugged off".

There was also sharp disagreement about what kind of UN resolution was needed to implement the agreement struck by the US and Russia on Saturday in Geneva on dismantling the Assad regime's chemical weapons programme. The differences – on whether an initial resolution should include the threat of punitive measures for Syrian non-compliance – were a reminder that the Geneva agreement could still unravel before it is put into force.

Presenting the report, the UN secretary general, Ban Ki-moon, said: "This is the most significant confirmed use of chemical weapons against civilians since Saddam Hussein used them in Halabja in 1988. The international community has pledged to prevent any such horror from recurring, yet it has happened again." However, Ban did not say who was responsible for the attack, noting that was not in the mandate of the UN investigation. "It is for others to pursue this matter further to determine responsibility. We will all have our own thoughts on this," the secretary general said.

Presenting their arguments afterwards, western diplomats said the head of the UN investigation team, Åke Sellström, a Swedish scientist, had observed that the quality of the sarin used in the attack on western and eastern Ghouta suburbs on 21 August was higher than that used in the 1995 terror attack on the Tokyo underground or Saddam Hussein's attack on the Kurdish town of Halabja. Sellström also said the rockets used were professionally made. His report said they were fired from the north-west, and western officials said the details of the trajectories confirmed that they came from an area held by government troops. "All of that confirms in our view there is no remaining doubt that it was the regime that used the chemical weapons. It confirms that the regime was responsible," Mark Lyall Grant, the British envoy to the UN, said.

His American counterpart, Samantha Power, singled out evidence in the UN report on the caliber of rocket used, saying that in "thousands of videos" from the Syrian conflict there was no

indication that the rebels had such weapons. Nor was there any evidence that the rebels possessed sarin, she added. "The technical details of the report make clear that only the regime could have carried out this chemical weapons attack," Power said. The French ambassador, Gerard Araud, echoed her conclusions.

However, the Russian ambassador, Vitaly Churkin, complained: "Some colleagues jumped to conclusions when they said the attack was by government forces. We have not even had a chance to look at the report. We have just had a quick glance. The allegations that it was the opposition cannot be simply shrugged off."

The Sellström report noted the kind of rockets used and pointed out that they had been fired from the north-west in the early hours when the air was moving downwards, maximizing casualties. "Chemical weapons use in such meteorological conditions maximizes their potential impact as the heavy gas can stay close to the ground and penetrate into lower levels of buildings and constructions where many people were seeking shelter," it said. The report said that one of the rockets analyzed was an M14 rocket, which had been fired by a multiple rocket launcher. The second was a 330mm rocket.

Peter Bouckaert, a weapons specialist at Human Rights Watch, said: "The rocket systems identified by the UN as used in the attack – truck-launched 330mm rockets with around 50 to 60 liters of sarin, as well as 140mm Soviet-produced rockets carrying a smaller sarin-filled warhead – are both known to be in the arsenal of the Syrian armed forces. They have never been seen in rebel hands."