



## THE UN'S NEW NORM ON HUMANITARIAN INTERVENTION (R2P) AND JOHN PAUL II'S *EVANGELIUM VITAE*

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### ABSTRACT

The study provides a historical overview of the reform in the UN's new norm for humanitarian intervention or Responsibility to Protect (R2P). Its moral legitimacy is evaluated mainly in light of John Paul II's *Evangelium Vitae*'s "culture of life," and the Church's teachings on Just War and legitimate defense. The study uses a case-study approach to demonstrate and subsequently evaluate the concrete application of R2P in Libya during the humanitarian crisis and flagrant human rights violations which resulted against the Ghadafi regime and its response thereto in 2011. The study finds that while R2P can cause death and suffering (since it allows armed humanitarian intervention), this system still promotes *Evangelium Vitae*'s culture of life. This is because R2P considers humanitarian intervention not as means to violate state sovereignty or wage war but as duty to protect life and dignity of populations. The development of R2P and its basis showed that it ultimately seeks to promote human dignity in the activities of its member states. In the exhaustion of all peaceful means to end the conflict in Libya, R2P faithfully observed the criteria of authorization, the means of the force used, and proportionality. It also manifests solidarity because the UN-authorized intervention is done collectively by states cooperating with each other. Finally R2P promotes life because part of its goals include post-crisis management activities to help Libya and its citizens recover. Thus, the Libyan case was found to be justified.

**Keywords:** *Humanitarian Intervention, John Paul II, Peace, Political Theology, Responsibility to Protect*

### 1. INTRODUCTION

"You shall not kill." The Fifth Commandment has an absolute value when applied to *innocent human persons*. On the other hand, the John Paul II (JPII) recognizes that there are genuine paradoxes (*EV*, 55) particularly when the common good of justice is threatened. Legitimate defense is one form of justice (or more precisely a response to a threat to justice) mentioned in *EV*. It is defined as a right, duty, and responsibility for another's life, for the common good of the family and of the State (*EV*, 55).

In recent history, the UN adopted a change in 2005 which included reforming the system of humanitarian intervention. The proposal known as "R2P" (*responsibility to protect*) stresses the exhaustion of non-armed means but is open to the use of force to defend populations. Armed options may result in suffering, displacement, and death both of innocents and combatants. Given these paradoxes in the R2P system, this study aims to answer the question: "Does R2P, which allows *armed* humanitarian intervention, promote the culture of life (as understood by *EV*) even if it could lead to death in the process?"



## 2. MATERIALS AND METHODS

Doing theology means “reading the signs of the times.” The approach is inductive. Although tools of other disciplines are used, primacy is given to the Gospel message and its expression in the Catholic Church’s Tradition and Magisterium. This study embodies the inductive method by presenting the different realities involving the R2P norm, before reading and interpreting it from the lens of the Church’s teachings on the legitimacy of war.

The relevant literatures used in this study are collected from the University of Santo Tomas’ Miguel Benavidez and Ecclesiastical Faculties libraries and Ateneo de Manila University’s Rizal and Ralph Gehring libraries. Electronic journals and news articles not covered by the aforementioned are gathered from the World Wide Web.

## 3. RESULTS AND DISCUSSION

**Table 1.** Applying R2P in Libya

Elements of Responsibility to Protect (R2P)	Application in Libyan Case
Just cause: Protection of populations from wars, genocide, ethnic cleansing, and crimes against humanity.	Protection of civilians and civilian populated areas from the gross and systemic human rights violations (e.g. arbitrary detentions, enforced disappearances, torture, and summary executions) by the Ghadafi government (UN SCR 1973).
By Whom: Collective international responsibility only by states who are prepared to intervene (e.g., UNSC’s authorization of NATO) Authorization: Security Council and the General Assembly	This coalition (NATO) was composed of France, the United Kingdom, and the United States (NATO, 2015). Security Council passed resolutions 1970 (2011), 1973 (2011), and 2009 (2011) during the conflict and resolutions 2016 (2011), 2022 (2011) and 2040 (2012) for post-crisis management. All were mandated and enforced.
Means and objectives: a. When peaceful means are inadequate (does not require prior exhaustion of all peaceful means). b. Military intervention must satisfy just cause.	a. SCR 1970 condemned the violence and use of force against civilians and the gross and systemic human rights violation and addressed it through arms embargo and the freezing of the assets of the government. b. SCR 1973 added the no-fly zone to protect civilians from being targeted. SCR 2009 expressed concern on unlawful killings, use of violence, arbitrary arrests and detention of rebels, sexual violence against women, and use of children in armed conflict. The United Nations Support Mission in Libya (UNSMIL) was mandated to promote human rights as a topmost priority.
Conduct in War ( <i>Jus Ad Bellum</i> ) and circumstance: a. Forcible demobilization of soldiers and destruction of weapons.	a. Arms embargo, asset freeze, and precise/discriminative air strikes through weapons



b. Coercive/robust protection of civilians while maintaining humanitarian corridors and creating and protecting safe havens.

Period: According to the Security Council Resolutions (SCR)

Post-crisis management: According to the Security Council Resolutions (SCR)

equipped with laser and Global Positioning Systems (GPS).

b. Robust protection of civilians through precision targeting of Ghadafi camps that violated the arms embargo, the no-fly zone, and attacked rebel camps (BBC, 2011).

SCR 1973 authorized the intervention to begin on March 27, 2011. SCR 2016 (2011) ended the involvement in the conflict on October 31, 2011. Those accused of the violation of human rights and the international humanitarian law will be tried by the International Criminal Court (ICC). SCR 2022 terminated the mandate to protect civilians.

SCR 2040 (2012) extended the UNSMIL's mandate to 23 months which began in March 2012 to help in the transition of the National Transitional Coalition, the rebel-led government recognized by 60 states and the African Union.

The application of the R2P system in Libya was in line with JPPI's and CST's criteria on the legitimacy of war. The topmost priority (or just cause) was to prevent the deaths of civilians under the Ghadafi regime. In terms of authorization and enforcement, the use of force in the intervention in Libya was legitimate. The coalition (NATO) which was authorized by the UNSC to use force in the Libyan intervention followed the UNSC's mandates and resolutions. NATO did not use any WMDs but used *precision/guided weapons* equipped with laser and GPS systems.

The R2P system can be considered to promote the culture of life through its **cause** and **conduct**. It reflects the precision of the Catholic Just War Tradition. It is strictly applied only to defend threatened populations from large scale wars, genocide, ethnic cleansing, and other heinous crimes against humanity. Its use of force is *not intended to cause death* but *to protect the vulnerable* out of a sense of responsibility. Finally, it commits the UN to help rebuild both the physical and moral capacities of states in micro- and macro- levels.

#### 4. CONCLUSION

The survey of its development showed that the R2P system ultimately seeks to promote human dignity in the activities of states and the United Nations. Legitimate defense, specifically through the R2P system, *does not intend* but tries to minimize death. The Libyan case, which is believed to be the first test case of the R2P system, was found to be justified. This is because there was a need to protect the innocent and noncombatants from the atrocities of the Ghadafi regime. The criterion on authorization was satisfied since the UN—the perceived legitimate body in the maintenance of international peace—authorized the use of force in the intervention. As for the means, non-armed sanctions such as economic ones were first used. However, since these proved to be ineffective in stopping human rights violations, military means were allowed by the UN. Finally, proportionality was observed since indiscriminate weapons were not used.



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