

# *The responsibility to protect the civilians of Gaza: building on international perceptions*

Article

Published Version

Creative Commons: Attribution-Noncommercial-No Derivative Works 4.0

Open Access

Crowley-Vigneau, A., Baykov, A., Zhang, T. and Morozov, V. (2025) The responsibility to protect the civilians of Gaza: building on international perceptions. *International Peacekeeping*, 32 (1). pp. 98-124. ISSN 1743-906X doi: 10.1080/13533312.2024.2427208 Available at <https://centaur.reading.ac.uk/120141/>

It is advisable to refer to the publisher's version if you intend to cite from the work. See [Guidance on citing](#).

To link to this article DOI: <http://dx.doi.org/10.1080/13533312.2024.2427208>

Publisher: Taylor & Francis

All outputs in CentAUR are protected by Intellectual Property Rights law, including copyright law. Copyright and IPR is retained by the creators or other copyright holders. Terms and conditions for use of this material are defined in the [End User Agreement](#).

[www.reading.ac.uk/centaur](http://www.reading.ac.uk/centaur)

**CentAUR**

Central Archive at the University of Reading

Reading's research outputs online



# The Responsibility to Protect the Civilians of Gaza: Building on International Perceptions

Anne Crowley-Vigneau, Andrey Baykov, Tinghao Zhang & Vladimir Morozov

**To cite this article:** Anne Crowley-Vigneau, Andrey Baykov, Tinghao Zhang & Vladimir Morozov (30 Dec 2024): The Responsibility to Protect the Civilians of Gaza: Building on International Perceptions, International Peacekeeping, DOI: [10.1080/13533312.2024.2427208](https://doi.org/10.1080/13533312.2024.2427208)

**To link to this article:** <https://doi.org/10.1080/13533312.2024.2427208>



© 2024 The Author(s). Published by Informa UK Limited, trading as Taylor & Francis Group



Published online: 30 Dec 2024.



Submit your article to this journal



Article views: 342



View related articles



View Crossmark data

## The Responsibility to Protect the Civilians of Gaza: Building on International Perceptions

Anne Crowley-Vigneau<sup>a,b</sup>, Andrey Baykov<sup>b</sup>, Tinghao Zhang<sup>c</sup> and  
Vladimir Morozov<sup>b</sup>

<sup>a</sup>Henley Business School, University of Reading, Reading, UK; <sup>b</sup>Department of Applied International Analysis, MGIMO University, Moscow, Russia; <sup>c</sup>School of International Studies, Peking University, Beijing, People's Republic of China

### ABSTRACT

This paper examines the relevance of applying the Responsibility to Protect (R2P) to the 'atrocity crimes' being committed in the Gaza Strip, in light of Israel's 2023 military operation, the October 7th attacks by Hamas and the history of the Israeli-Palestinian conflict. Drawing on 40 recent original expert interviews representing perspectives from both Western and BRICS countries, the research reveals a widespread demand to see the R2P applied to the civilians of Gaza and anger at the paralysis of decision-making at the UN Security Council. The double standards in the application of the R2P are found to further exacerbate global tensions. Wider consequences of the Palestinian plight are investigated, including the new menaces to the freedom of speech, the internal fracture in the West between populations and policy-makers, the reticence of the Arab world to support the Palestinians and the substantial threat to the perennity of the R2P.

**ARTICLE HISTORY** Received 2 July 2024; Accepted 4 November 2024

**KEYWORDS** The Responsibility to Protect; Gaza Strip; Israeli-Palestinian conflict; the United Nations; terrorism

## Introduction

The norm on the Responsibility to Protect emerged against the backdrop of 'mass atrocities'<sup>1</sup> which the international community was unable to avoid, the guilt of non-intervention experienced by major countries and the abuse of unilateral humanitarian interventions started under false pretexts.

**CONTACT** Anne Crowley-Vigneau  acrowleyvigneau@yahoo.fr

<sup>1</sup>Defined in the 2001 Report of the International Commission on Intervention and State Sovereignty and the 2005 World Summit Outcome Document (WSOD) A/RES/60/1 as acts of 'genocide, war crimes, ethnic cleansing and crimes against humanity'.

© 2024 The Author(s). Published by Informa UK Limited, trading as Taylor & Francis Group  
This is an Open Access article distributed under the terms of the Creative Commons Attribution-NonCommercial-NoDerivatives License (<http://creativecommons.org/licenses/by-nc-nd/4.0/>), which permits non-commercial re-use, distribution, and reproduction in any medium, provided the original work is properly cited, and is not altered, transformed, or built upon in any way. The terms on which this article has been published allow the posting of the Accepted Manuscript in a repository by the author(s) or with their consent.

An international consensus emerged that serious encroachments on human rights should be prevented but that any sort of action could only be taken multilaterally and validated within the UN institutional framework.

The conceptualization of the Responsibility to Protect<sup>2</sup> dates back to when the International Commission on Intervention and State Sovereignty coined the expression in a 2001 report. It was endorsed four years later by the UN General Assembly at the 2005 World Summit in which Heads of States voiced their support for the common responsibility to protect populations from genocide and other crimes against humanity. In 2009, a three pillar-strategy for its implementation was elaborated by the UN Secretary General: the first claims that each state is held responsible for the protection of its populations, the second – that the international community bears a responsibility for encouraging and assisting states in the protection of their populations and the third stipulates that the international community has a duty to consider or try to take action when a state is not protecting its populations.<sup>3</sup> The norm on the Responsibility to Protect has, however, not solved the problems it was created to deal with: although states still widely agree that there is a joint responsibility towards humankind to protect populations against war crimes, genocide, ethnic cleansing and crimes against humanity, the use of the Responsibility to Protect to justify controversial military campaigns on the one hand and the failure of the international community to intervene during serious cases of abuse on the other, have exposed some of the failings of the norm.

This paper investigates international expert perceptions on the applicability of the concept of the Responsibility to Protect to what has been qualified as a ‘slow-motion genocide’<sup>4</sup> unfolding in the Gaza Strip following the 2023 military operation conducted by Israel resulting from the Hamas October 7th attacks against Israeli civilians. The single case study is built on original interviews with forty R2P experts from ten countries and five relevant professional categories, which reflect the positions of both Western and BRICS countries. The findings suggest a high level of politicization in the application of the Responsibility to Protect and the existence of double-standards in the normative global order. The authors analyse the types of backlash democratic governments providing military aid to Israel may encounter from ignoring public opinion in their countries, as well as the reticence of Arab states to support the Palestinian diaspora in any other form than condemning Israel. Possible paths out of the crisis are outlined, with an analysis of the non-military ways the R2P could be applied to achieve a ceasefire through the use of the first two pillars.

---

<sup>2</sup>The legal grounding however dates back to the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide.

<sup>3</sup>Šimonović, “The Responsibility to Protect,” 365–96.

<sup>4</sup>Nijim, “Genocide in Palestine,” 165–200.



The remainder of this paper proceeds in five parts: a theoretical overview of the Responsibility to Protect is followed by a presentation of the context of the Gaza Strip and the tensions between Israel and the Palestinians. Part three is a review of the methodology employed for the case study. The presentation of the results illustrated by quotes precedes a discussion section which puts the findings in a larger interpretative context.

## The Responsibility to Protect

'The Responsibility to Protect' and humanitarian interventions<sup>5</sup> have been the object of numerous academic and political debates for several reasons: their enduring political importance over time, the lack of conceptual clarity and the controversial track record of past interventions.<sup>6</sup> The portrayed novelty of the Responsibility to Protect has been criticized by scholars who note that it is a reconfiguration of existing ideas that have a long history rooted in Just War theory.<sup>7</sup> Although the obligation of states to intervene to prevent atrocities was formulated in the 1948 Convention on Genocide,<sup>8</sup> it was only in the 1990s after the end of the Cold War that the idea of an obligation to collectively and forcibly intervene to protect vulnerable populations gained momentum.<sup>9</sup>

The legitimacy of interventions is conditioned by some authors to the approval of the UN Security Council<sup>10</sup> while others underline the conceptual and practical limitations of requiring a consensus among rivalling Great Powers to protect human rights.<sup>11</sup> The UN's failure to prevent humanitarian crises (Bosnia, Rwanda and Sudan etc.) and a number of botched missions including Libya have led the international community to question its ability to respond effectively to human rights infringements. The abuse of unilateral humanitarian interventions (e.g. Iraq) and the use of the R2P to justify controversial military campaigns (e.g. Saudi Arabia and Yemen) have further discredited the notion of humanitarian intervention. The cost and the level of commitment required to ensure successful R2P interventions, including the need to rebuild societies, were previously

---

<sup>5</sup>There are significant differences between the two concepts: The Responsibility to Protect is wider in scope than humanitarian intervention, has been the object of a multilateral political commitment within the UN (2005 WSOD), emphasises the importance of prevention of grave violations of human rights and seeks to uphold when possible state sovereignty. Humanitarian interventions are presented as one way to carry out the Responsibility to Protect and refer to outside intervention, often through coercive means, to stop or end humanitarian crises (Paris, "The 'Responsibility to Protect' and the Structural Problems", O'Connell, "Responsibility to Peace").

<sup>6</sup>Dembinski, Gromes, and Werner, "Humanitarian Military Interventions," 605–29.

<sup>7</sup>Staunton and Glanville, "Selling the Responsibility to Protect," 14.

<sup>8</sup>United Nations, "Convention on the Prevention and Punishment."

<sup>9</sup>Dunne and Staunton, *The Oxford Handbook*, 898.

<sup>10</sup>Roth, "Was the Iraq War," 84–92.

<sup>11</sup>Kolb, "Note on Humanitarian Intervention," 119–34.

underestimated, as well as the risk of state failure and emergence of festering grounds for international terrorism.<sup>12</sup>

The R2P also suffers from its perception as a brainchild of the West, a post-colonial endeavour to rectify societal and governmental disfunctions in the global South.<sup>13</sup> The R2P is described by critical scholars as a neocolonial instrument to further the political interests of the West and provide a legal gateway for Western countries to influence other states.<sup>14</sup> Even peacekeeping has been described as a ‘cultural inversion’.<sup>15</sup> The Third World Approaches to International Law (TWAIL) call for greater participation of the developing world in global decision-making to ‘decolonize’ the R2P, improve its acceptability and ensure it can rally global support.<sup>16</sup> Alongside the post-colonial criticism of the R2P, a pacifist critique argued that it was counter-productive to use force in the pursuit of humanitarian goals, with O’Connell noting that R2P should stand for ‘Responsibility to Peace’.<sup>17</sup> The feminist perspective highlighted the androcentric quality of the R2P and the neglect of the role gender plays in conflict mitigation and humanitarian action. Pluralist and Realist scholars emphasize the risks linked to universalizing ethical codes and opening the door to foreign intervention.<sup>18</sup>

The third pillar of the R2P allowing military intervention in a sovereign state is indeed the most controversial and has been the object of significant debates. Some experts have suggested sovereignty evolved in public perceptions from ‘a right to be left alone’ to a duty to prove that a state lives up to its responsibilities to protect its own citizens.<sup>19</sup> However, faced with heightened opposition, discourse surrounding the R2P has evolved towards a focus on the first two pillars and the implementation of prevention mechanisms, leading to a survival of the concept, albeit in a truncated form.<sup>20</sup> China and Russia’s fears that the R2P could be used to promote regime change against them or undermine their interests in third countries remain vivid, leaving the R2P at a standstill at the UN.<sup>21</sup>

The failure to invoke the Responsibility to Protect is also central to the academic debate, with some noting the ‘moral failure’ of the R2P will lead to its downfall, particularly in a case like Gaza in which the international community cannot claim ‘it didn’t know what was happening’.<sup>22</sup> Others

<sup>12</sup>Bose and Thakur, “The UN Secretary-General,” 343–65.

<sup>13</sup>Barnes, “Decolonising Research Methodologies,” 379–87.

<sup>14</sup>Bellamy, “R2P and the Use of Force,” 277–80.

<sup>15</sup>Rubinstein, “Peacekeeping and the Return,” 462.

<sup>16</sup>Hindawi, “Decolonizing the Responsibility to Protect,” 38–56.

<sup>17</sup>O’Connell, “Responsibility to Peace,” 71–83.

<sup>18</sup>Pape, “When Duty Calls: A Pragmatic Standard,” 415–36.

<sup>19</sup>Draude, *The Agency of the Governed*, 725.

<sup>20</sup>Bellamy, “R2P and the Use of Force,” 277–80; Crowley-Vigneau, Baykov, and Wohlforth, “Realist Constructivism,” 44–62.

<sup>21</sup>Chen and Yin, “China and Russia in R2P Debates,” 787–805.

<sup>22</sup>Moses, “Gaza and the Political and Moral Failure,” 211–15.

underline that the normative power of the R2P to change behaviour was overestimated from the start,<sup>23</sup> and that the focus on the R2P doctrine itself had in fact distracted the international community from the atrocity crimes being committed.<sup>24</sup> Teitt<sup>25</sup> notes that while the R2P often fails in its implementation, this is not because of its ‘moral untouchability’ but because of the political power play on the international stage which impedes action. Some argue for the preservation of the R2P, as abandoning it will not help to solve the persistent problem of mass atrocity violence<sup>26</sup> and call upon states to strengthen implementation efforts of the R2P for atrocity prevention.<sup>27</sup> Jacob<sup>28</sup> also shows how atrocity prevention is the way to ground the R2P implementation agenda in existing policy frameworks and how its institutionalization in the UN system has structured the current understanding of the R2P. Hemchi<sup>29</sup> discredits the idea that the R2P may not be legally applicable to Gaza by noting that even if Palestine is recognized as a state by the majority of countries worldwide, it is not an interstate conflict (for which the R2P is seen by some as inapplicable) because Gaza is an occupied territory over which Palestine does not exercise sovereignty. Hehir<sup>30</sup> calls the international community to consider the spirit and purpose of the R2P, which is the protection of civilians, rather than limit itself to a ‘narrow technical interpretation’.

## Context of the Gaza Strip

The Gaza Strip has been at the centre of the Israeli-Palestinian conflict for 60 years and faced numerous military interventions leading to loss of life, destruction, trauma and multiple waves of refugees.<sup>31</sup> Recent history is marked by Hamas completely seizing power in the Gaza Strip in 2007, as a result of an armed confrontation between the main Palestinian organizations. Since then, there have been two Palestinian territories – the West Bank and the Gaza Strip – which became divided not only geographically, but also politically. The situation in Gaza is frequently misrepresented in the academic literature which remains highly polarized, with one side emphasizing the human cost of the confinement of Palestinians to urban enclaves resulting from a blockade qualified as ‘gazafication’<sup>32</sup> and the other emphasizing the pressing need to remove the extremist threat from Gaza and greater Israel.

<sup>23</sup>Hobson, “The Moral Untouchability,” 368–85.

<sup>24</sup>Hehir, “The Responsibility to Protect Debate,” 1–6.

<sup>25</sup>Teitt, “R2P in Uncertainty,” 191–6.

<sup>26</sup>Illingworth, “Not the ‘Fairest Norm of Them All’,” 181–90.

<sup>27</sup>Jacob, “R2P as an Atrocity-Prevention Framework,” 16–34.

<sup>28</sup>*ibid.*

<sup>29</sup>Hemchi, “On the Depraved Legal Debate,” 60–9.

<sup>30</sup>Hehir, “The Responsibility to Protect Debate,” 1–6.

<sup>31</sup>D’Andrea, “Growing Up on the Edge,” 1–16.

<sup>32</sup>Baconi, “Gaza and the One-State Reality,” 77–90.

A section of the literature investigates the threat Hamas represents to Israel and the sophisticated infrastructure it has developed in the Gaza Strip, including a complex network of tunnels which are used to launch attacks and transport weapons.<sup>33</sup> This position argues that Palestinians have themselves been taken hostage by Hamas, an organization that claims to seek to advance the interests of the population but is responsible for the poverty experienced in the Gaza Strip. The Hamas Charter of 1988 originally asserted an Islamic world view and called all Muslims to the jihad, or holy war, against Israel, while promoting a strong antisemitic discourse and the need for a liberation campaign.<sup>34</sup> Hamas denies the Holocaust and rejects western tolerance ideas, thus opening a gateway to the potentiality of a new holocaust, even more dangerous than the previous one, as motivated by religious principles according to some authors.<sup>35</sup> Israeli scholars argue that Palestinians seeking peace with Israel are persecuted by Hamas as traitors and that loss of life of Palestinian civilians does not concern the organization.<sup>36</sup> The revision of the Hamas Charter in 2017 however opens the door for a two-state solution and notes that the organization's 'conflict is with the Zionist project not with the Jews because of their religion'.<sup>37</sup>

The other side of the academic debate consists of scholars who condemn what they call Israel's 'defensive aggression' and the military assaults of Gaza that lead to a significant death toll among civilians.<sup>38</sup> The blockade is described as a siege that prevents humanitarian organizations from providing much needed help in this highly populated area where civilians suffer from the lack of food, energy and water.<sup>39</sup> The repeated destruction of infrastructure due to bombings and the lack of funds for rebuilding has led over the last 20 years to a severe degradation of living conditions. Although most of the Israeli settlers who were illegally residing in the Gaza Strip were forcibly evacuated in 2005 as part of an agreement for Israeli disengagement approved by the Knesset, many international organizations believe the Gaza Strip to have remained since that time under military occupation by Israel.<sup>40</sup> In this perspective, Hamas is represented as a political faction that has been radicalized by the hardships and abuse of the Palestinian people by Israel, which is accused of ethnic cleansing and genocide.<sup>41</sup> The psychological damage inflicted on the civilian population of Palestinians has been documented by medical experts, who reveal high levels of mental illness

<sup>33</sup>Ahmed, "Israel–Gaza Conflict," 34–7.

<sup>34</sup>*The Covenant of the Islamic Resistance Movement*.

<sup>35</sup>Spoerl, "Palestinians, Arabs, and the Holocaust," 14–47.

<sup>36</sup>Ahmed, "Israel–Gaza Conflict," 34–7.

<sup>37</sup>*The Covenant of the Islamic Resistance Movement*.

<sup>38</sup>Manduca et al., "An Open Letter for the People in Gaza," 397–8.

<sup>39</sup>Winter, "The Siege of Gaza," 308–19.

<sup>40</sup>Sanger, "The Contemporary Law of Blockade," 397–446.

<sup>41</sup>Nijim, "Genocide in Palestine," 165–200.

among children.<sup>42</sup> The United Nations noted in a report as early as 2012 that the Gaza Strip would become uninhabitable by 2020 and two million people were still living there in 2023 before the Hamas attacks.<sup>43</sup>

The October 2023 attack conducted by Hamas on Israeli territory took place on the day of Simchat Torah, following the festival of Sukkot. It came 50 years after the Yom Kippur War and is referred to as 'Black Saturday' on the Israeli side and as Operation Al-Aqsa Flood by Hamas and the Palestinian side. The incursion began with rockets launched early morning and the Gaza-Israel barrier was breached, with attacks being carried out on military bases and on civilians, including a music concert near Re'im which led to an estimated 1200 deaths.<sup>44</sup> Hostages were also taken by Hamas to Palestinian territories, approximately 250 Israeli people including children and civilians with dual nationalities. The attacks have been denounced and the methods used condemned, particularly the wide reports of rape and torture. Israel responded to the Hamas attacks by launching a large-scale bombing of the Gaza Strip and by cutting it off from supplies of food, water and gas.<sup>45</sup>

The UN Secretary-General Antonio Guterres spoke out on 6th December 2023 about the humanitarian disaster unfolding in Gaza and called on the Security Council to acknowledge its responsibilities in averting a worsening of the situation by voting in favour of a ceasefire.<sup>46</sup> He condemned the attacks on civilians by Hamas in unequivocal terms. He also noted, taking a strong political stance, that

the attacks by Hamas did not take place in a vacuum. The Palestinian people have been submitted to 56 years of suffocating occupation. They have seen their land steadily devoured by settlements and plagued by violence; their economy stifled; their people displaced and their homes demolished.<sup>47</sup>

The non-governmental organization Amnesty International accused Israel of committing war crimes and a strong movement broke out globally in support of the Palestinians. Israel reacted harshly to Guterres's statement and insisted on both an apology and on him handing in his resignation.<sup>48</sup>

The goals of Israel's campaign in Gaza remain unclear and vary from 'moving the lawn' or disarming Hamas, to putting the territory under Israel's complete control.<sup>49</sup> The May 2024 strikes in the humanitarian zone of Rafah after a UN Court Order ordering an immediate halt to

---

<sup>42</sup>Smith, "The Responsibility to Reflect," 25.

<sup>43</sup>See Balousha and Berger, "The U.N. Once Predicted Gaza."

<sup>44</sup>Samuel, "The Israel-Hamas War," 3–9.

<sup>45</sup>*Ibid.*

<sup>46</sup>See UN News, "Humanitarian Ceasefire Only Way."

<sup>47</sup>See United Nations, "Secretary-General's Remarks."

<sup>48</sup>Hitman and Itsikovich, "The Winner Does Not Take All," 24–36.

<sup>49</sup>Pipes, Inbar, and Sherman, "Is Disarming Hamas," 44.

Israel's military offensive mark a further escalation of the crisis. The uncompromising and unapologetic nature of the Israeli government, the complete lack of plans for governing post-war Gaza, coupled with a shift of Israeli public opinion to the right, explain the dismal prospects for peace. The 'ethnonationalist and militaristic' path down which Netanyahu has led Israel, with judicial reforms aimed at making the government more autocratic, has kick-started a discussion about 'Israel's self-destruction' resulting from its unwillingness to cohabit with the Palestinians.<sup>50</sup> The main international mechanisms for resolving questions relating to the Palestinian-Israeli conflict are at a standstill: the Quartet of Middle East Mediators consisting of the United States, the EU, Russia and the UN stopped working in 2022 with the start of the hostilities in Ukraine. Before that, the mechanism had already been severely criticized for inaction on several occasions.

The legal and academic community has also been vocal in expressing concern about mass atrocities being committed in Gaza. A 2023 public statement, which has now rallied 790 scholars and legal practitioners, warned the global community that the siege of Gaza and forced evacuation of fragile civilians into overpopulated areas represented a significant rise in violence and presented risks of escalating into a genocide.<sup>51</sup> The initial belief among scholars that Israel was carrying out a military response, while trying to avoid civilian casualties, against an enemy that had violated international law, is increasingly shifting towards the reluctant acceptance that Hamas is not the only or main target of Israel's military incursion.<sup>52</sup> While some commit to using the term 'genocide', such as Shaw who noted the situation in Gaza is 'inescapably genocidal',<sup>53</sup> others prefer to refer to 'genocidal violence' (pre-empting criticism that the situation does not present all the characteristics of a genocide), speak of 'genocidal intent'<sup>54</sup> or call for going beyond the debates on terminology to protect the people of Gaza before the situation worsens further.<sup>55</sup> While some evoke 'genocidal mirroring' between Israel and Palestine, with both sides aspiring to annihilate the other, the focus has tipped towards the humanitarian situation in Gaza, with a growing number of scholars calling upon states to fulfil their obligations under the Genocide Convention.<sup>56</sup>

<sup>50</sup> Benn, "Israel's Self-Destruction," 44.

<sup>51</sup> See *Public Statement: Scholars Warn of Potential Genocide in Gaza*. Retrieved from <https://twairl.com/wp-content/uploads/2023/10/Gaza-public-statement-and-signatories.pdf>

<sup>52</sup> Levene, "Gaza 2023: Words Matter, Lives Matter More," 1–7.

<sup>53</sup> Shaw, "Inescapably Genocidal," 1–5.

<sup>54</sup> Sultany, A Threshold Crossed: On Genocidal Intent and the Duty to Prevent Genocide in Palestine," *Journal of Genocide Research* 1–26.

<sup>55</sup> Levene, "Gaza 2023: Words Matter," 1–7.

<sup>56</sup> Di-Capua, "Genocidal Mirroring in Israel/Palestine," 1–15.

## Methodology

The study investigates the perceptions of the international expert community on whether there is a collective global duty to protect the civilians living in the Gaza Strip. Our goal is not to analyse the legal applicability of the R2P to Gaza but to determine whether a diverse group of experts, reflecting some perspectives of the international community, think it should be applied. This paper aims to provide a political, international and balanced analysis of a topic which is the object of much controversy. A qualitative research design was adopted as the phenomena explored is not measurable or quantifiable, and the authors believe that it is the perceptions of reality that define how countries deal with the case of the protection of human rights in the Gaza Strip. This single case study is used to investigate a specific situation which stands apart from the other historical uses of the Responsibility to Protect in several ways: first, because it is Western countries that are showing some reticence to it being applied to the Gaza Strip rather than China or Russia (which traditionally are the permanent Security Council members to veto intervention propositions), and, second, because of the scale of popular mobilization worldwide either to justify the rights of Israel to combat Hamas or to reaffirm the need to protect the human rights of the Palestinians.

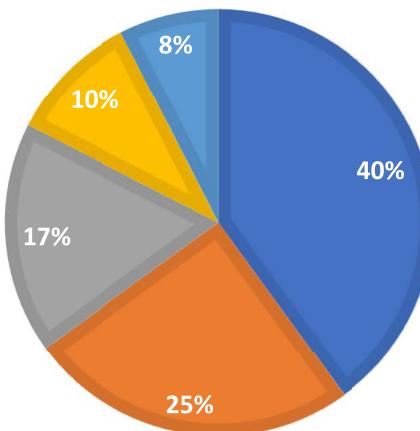
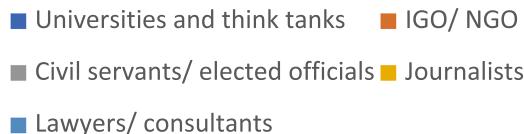
The study draws upon 40 interviews carried out by the authors with experts from different fields with expertise on human rights and the R2P. The original sample of respondents used as a pilot (12) comprised members of the International Coalition for the Responsibility to Protect with whom one of the co-authors made first contact during events organized by the Global Centre for the Responsibility to Protect.<sup>57</sup> Further respondents were contacted based on recommendations from previous interviews following the snowball method, which provided the opportunity to diversify the sample.

The sample comprises researchers and academics working for universities and think tanks (16), IGO and NGO workers (10), civil servants of national governments (including diplomats) and elected officials (7), journalists (4) and lawyers/ consultants (3) (see Figure 1). All respondents were required to meet at least one of the following criteria (and three interviews of the original sample of 43 were discarded as a result):

- no less than 3 academic articles published in Q1 journals (Scopus ranking) over the past five years (2019–2023) on Human Rights topics
- no less than 10 articles published on Human Rights related issues in 2022–2023 in national newspapers

---

<sup>57</sup>Two of these events were: 'Strengthening atrocity prevention through technical assistance and capacity building' (27 March 2023); 'Digital Technologies and Atrocity Prevention' (29 June 2023).

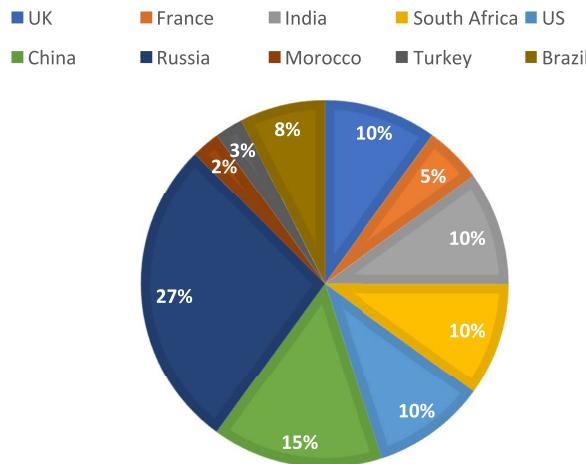


**Figure 1.** Split of respondents by profession.

- on the field experience in human rights protection in conflict zones as part of a state-led or UN-led mission at any point in the past
- significant participation in policy-making in the field of human rights at any point in the past as part of an international or national expert committee
- lobbying for the R2P at international conferences through public performances or presentations over the last 5 years

Purposive sampling allowed the authors to ensure diversity in the nationalities of the respondents, with the final sample comprising 2 respondents from France, 4 from India, 4 from South Africa, 4 from the US, 6 from China, 11 from Russia, 4 from the UK, 1 from Morocco, 1 from Turkey, 3 from Brazil (see [Figure 2](#)). The sampling aims to reflect and compare the perspectives of the West (represented by the US, the UK and France as they have visibility due to their permanent seats on the UN Security Council) and of the 'global South', with a special focus on the historical members of BRICS which represent some of the developing states with the most political clout on the international stage at this time. The sampling does not aim to be statistically representative of the global population but to highlight a diversity of perspectives. The list of interviews is available in Appendix 1.

The interviews were semi-structured and sought to discover the individual analysis of the expert respondents rather than the official positions of



**Figure 2.** Split of respondents by nationality.

their states. Interviews were conducted between the 10th of October 2023 and the 9th of March 2024, and aimed to reflect an evolution of opinion following the attacks of October 7th and Israel's 2023 and ongoing operation in the Gaza Strip. Ethical best practices were respected in obtaining and processing the findings of the interviews including respecting the anonymity of participants. The research design was approved by a University's Ethics in Research Committee. The authors used coding as a qualitative data analysis strategy to identify overarching themes that shed a new light on how, when and with what consequences the R2P has been neglected in the case of the Gaza Strip. The information provided during interviews was fact-checked and triangulated with secondary sources.

## Findings

The findings, based on perceptions gathered from experts, suggest that the majority of respondents believe the R2P should be applied to the case of the Gaza Strip and that the failure to address human rights issues in the Israeli-Palestinian conflict will inflict lasting damage on the concept itself, undermining the possibility of future collective interventions elsewhere. They emphasize the hypocrisy surrounding the application of the R2P and the refusal to adopt measures to contain countries that are US allies. Respondents highlight the underlying causes and consequences of Western support to Israel and the types of backlash democratic governments providing military aid to Israel may encounter from ignoring public opinion in their countries. Possible solutions are outlined, including the non-military ways the R2P could be applied to achieve a ceasefire through the use of the first

two pillars. Interviews also shed a light on the role played in the conflict by racial divides and the ways in which the Gaza Strip hotbed could lead to a lasting fracture between the West and the rest of the world, as well as within Western society, affecting different spheres of political and social life.

### ***Double Standards in the Application of the R2P***

The findings of the case reveal that the majority of respondents believe the R2P should be applied to the situation in the Gaza Strip. An Expert in Relief Development, at the NGO Save the Children noted:

Over 15 000 people have been killed in Gaza, children are being forcibly displaced into smaller areas with no infrastructure, humanitarian aid is being weaponised, 50% of the population is suffering from starvation: if we can't agree on a responsibility to protect in this case, then we never will be able to.

The comparative human toll of the Israeli military operation is emphasized by respondents with a Lawyer at Lomonosov State University noting: 'More civilian lives were lost in one month of the Gaza operation than in years of fighting in Ukraine. Why is no one talking about the responsibility to protect Palestinians?'. The findings also reflect a widespread condemnation of the refusal of governments to apply the concept of R2P to the Palestinians in the Gaza Strip, in spite of the presence of civilians and the great number of casualties among children. A Director of Activism and Education Recruitment at Amnesty International noted: 'Where have the cheerleaders of the responsibility to protect gone now that the Gaza Strip is suffering serious civilian casualties? We are facing a humanitarian collapse with aid convoys not getting through.' A Professor from the University of Hong Kong voiced concerns about new types of 'invisible' crimes intended at wiping out Palestinian presence in the Gaza Strip, such as the bombing of homes, to ensure that people do not return: 'Domicide, the deliberate destruction of people's homes, is a serious crime that leaves children and their families with no place to go in the Gaza strip.'

A number of the experts interviewed spoke out about what they perceive as a biased attitude of the US which supports Israel as its ally and recognizes its security concerns, but fails to do the same for other countries. A foreign correspondent based in Russia argued that:

The US persistent veto on a ceasefire in Gaza over several months at the Security Council proves what we already knew, that the R2P was always just a means to meddle in the business of other countries and never about the protection of human rights.

A Doctoral Student at Peking University corroborated this idea, noting: 'If there was ever a time to recognise the R2P, it would be now and in Gaza. But it is hardly even mentioned, we can't even agree on so much as a

ceasefire? The double standards are linked by half of respondents to the US promoting its material interests.

When asked about the ways in which they expect the R2P could be applied in Gaza, many respondents do not condone a military operation but support an increase of pressure on Israel to end its military campaign. Among the 40 respondents, 31 opposed a collective military interference in Gaza, stating: that all other means to rectify the situation had not be exhausted (15 respondents), that it would not improve the humanitarian situation (11 respondents), that they were against military interventions in all cases (6), that it was not feasible against a nuclear power (5) and that it would put the Gaza strip at prey to other foreign interests (2).<sup>58</sup> The possibility of a peace-keeping operation was mentioned only by two respondents. A Fellow at the South African Institute of International Affairs says:

We do not recommend a UN military intervention in Gaza to confront Israel of course, but for pressure to be put to stop Palestinian casualties, to stop the bombing of the safe zones. The US refuses to apply even the two first pillars of the R2P when it concerns the actions of an ally.

A journalist from the Rio Times suggested that the US is and will continue playing a political game, supporting Israel through all possible means while condemning in the media the most deadly attacks:

It is an illusion to imagine for one minute that Israel is doing something that the US government has not given the ok to [...] they have a common plan to remove Hamas from Gaza with the political tactics being that Israel bears the reputational cost while the US surfs the tide of public opinion as best it can, occasionally giving Netanyahu a visible tap on the wrist.

### ***Global Fractures in Light of the Gaza Strip Controversy***

The findings suggest that beyond the dual standards and the refusal to apply the R2P to the Gaza Strip, Western and non-Western societies are undergoing new challenges as the controversy surrounding the alleged human rights infractions of Israel evolves. Some respondents underline the prominence of racism in how the Gaza situation is managed, while others emphasize the challenges emerging to the freedom of speech. An Expert in Relief Development of the non-governmental organization 'Save the Children' suggests that racist premises underscore all interactions between Israel and Palestine.

The 3 to 1 ratio in the exchange of prisoners, one Israeli for three Palestinians, and the fact that everyone thinks it is normal, tells us exactly that some lives are worth more than others. Of course, it plays to the advantage of the Palestinians in this case, but it also reveals something darker and deeper.

---

<sup>58</sup>The total comes to 39 and not 31 because several respondents expressed two or more reasons.

The right to freedom of speech, to comment on Israel's current military incursion and American foreign policy in the Middle East more generally, has been questioned by an American scholar and an Indian diplomat who underline the taboo character that the conflict between Israel and Palestine has taken on. 'In the US, from what I gather, the debate is rather closed. There is such a quick leap made from being against Israeli settlements on the West Bank to being antisemitic. [...] Even some Rabbis are being called antisemitic, which beats a bit the purpose, doesn't it?' noted an Advisor at the Indian Ministry of External Affairs. In this case, the fracture goes beyond the US and affects the global Jewish community, with some of its members condemning Israel's actions.<sup>59</sup>

Respondents also underline a triple rift which is being reinforced by the Gaza Strip human rights controversy: first, between the West and 'the rest', second, within the Western bloc and third within the societies of Western countries. The first line of fracture is most visible through UN voting with the vast majority of resolutions for a ceasefire at the Security Council being blocked by the US and occasionally its allies (except a few cases of abstention which allowed for a short truce in the fighting), whereas non-binding motions for a ceasefire at the UN General Assembly not subject to the veto system pass regularly with a majority despite US opposition (for example in the 12 December 2023 vote on a ceasefire 153 countries voted in favour, 23 abstained and 10 voted against). The three resolutions passed by the UN Security Council on 'the Palestinian question' between 16 October 2023 and 29 May 2024 (see Appendix 2 for a timeline of the meetings and their outcomes) have effects that are limited in time and scope (for example a ceasefire limited to two weeks of the Ramadan period). The split between the US and its allies on the one side and the rest of the world has become highly politicized and led to vocal criticism of a unipolar Western-led world. A Researcher from the University of Cape Town noted: 'My grandmother used to say choose your battles, you can't win them all. Here, the US has made a very polarising choice which doesn't appear to serve its self-interest'. The opinion that the US is complicit in human rights infractions in Gaza is shared by the majority of respondents with a more virulent position expressed by a Volunteer at the TEMA Foundation in Turkey who noted: 'Israel gets 70% of its weapons from the US, so who is responsible for the civilians killed, I want to know?'. BRICS representatives voiced clearly the growing opposition to the US's influence in the Middle East. A Program Coordinator at the Central Emergency Response Fund summarized it by saying 'it feels like a simmering pot of discontent where increasingly powerful countries representing more than half of the world's population and GDP are calling for an end of support to Israel'.

---

<sup>59</sup>See the Jewish Voice for Peace, 'Israelis Demand Ceasefire.'

The second line of fracture is between the US and the UK on the one side and its other Western allies on the other. While the UK frequently votes at the Security Council and the General Assembly in line with the US, other European countries such as France are starting to express more reservations and are abstaining or supporting ceasefire motions. The conflict has led to a wider recognition of Palestine as a state, with Spain and Norway making an official announcement on 28 May 2024, widening the divide on the issue within the European Union. A researcher at the French Institute INSEE noted: 'It has come to the stage that it is politically very damaging to support Israel's military campaign and few US allies can weather out this crisis without expressing support for the Palestinians'. Likewise, a Junior Economist at the US Federal Reserve remarked: 'Anglo-Saxon countries are ignoring concerns expressed by European partners about the long-term viability of their support for Israel.'

The third line of fracture is within Western countries themselves between the political class which traditionally offered unequivocal support to Israel and the population which is increasingly in favour of containing Israel's military incursion. An analyst at the World Bank noted:

Israel receives support from the West without conditions or accountability. Public opinion polls in the EU show large support for banning arms trade with Israel. Demonstrations are becoming overwhelming in support of Palestinians. This is a breaking point not just of the R2P but for Western politics and society.

Even the consensus of politicians over the Israeli-Palestinian conflict is breaking up, with left-wing parties being torn in two between those who still back Israel and those that call for a ceasefire. 'The UK Labour party is haemorrhaging votes at a time when it was predicted to win the [2024] general election and this is because Starmer has refused to call for a ceasefire in Gaza. [...] a third at least of Labour, including the Mayor of London, is now vocal about the need for a new position' noted a journalist at the Independent. The case of Germany is also telling according to a researcher at the UN University Institute for Environment and Human Security:

after the holocaust it has always had a sense of responsibility towards Israel, but even in Germany the tables are turning, possibly due to the pressure of the country's large immigrant communities that have been actively demonstrating despite legal restrictions.

Beyond this triple rift, but also representative of a global fracture point, a minority of respondents note that there is also a responsibility to protect the state of Israel. An American lecturer from Princeton University suggests that Israel has a core duty to protect its own citizens against attacks and to eradicate groups that endanger its existence and could develop into an international threat if left to fester:

Hamas took control of the Gaza Strip in 2007 and openly calls for the destruction of Israel. Hamas has been recognised as a terrorist organisation by many states and has embedded itself in the civilian population of Gaza. Israel has no choice but to protect itself. It has a responsibility to protect its own citizens and the rest of the world.

The respondent's position is that Israel does not disregard the civilians of Gaza but that they would be better protected and could have a new start in life only after the removal of Hamas.

These ideological inconsistencies and fracture lines could accelerate the value changes underway in Western societies, cause some degree of instability but also make their policymakers more representative of the diversity of the populations within them.

### ***Prospects for a Peace Settlement***

There is also a shared perspective among respondents that the prospects for a peace settlement are bleak. A journalist at The Rio Times expressed regret that 'the current violence deployed on both sides has led to the impossibility of peace in the next decade'.

Some respondents highlighted the responsibility of the US as a world power that could have imposed a two-state solution by forcing its ally to return to its initial state borders while others note it is in Israel's interests to seek out a peaceful solution and cut back on its ambitions to expand the territory of Israel. A Programmes Coordinator at Islamic Relief Worldwide remarked that 'The great failure of the dominant great power is that it didn't force the parties to create a Palestinian State decades ago. This would have been in the interests of all parties. Now the prospects of it happening are bleak.' A high-ranking Chinese diplomat added a realist note to this idea by saying:

It is in Israel's interests too to seek out a two-state solution because at the end of the day the demographic growth of the Palestinians, despite the raids and awful living conditions, will lead to their de facto spread across the contested territory.

A number of respondents expressed surprise at the limited reaction of Arab countries in support of the Palestinians. Although their governments vote in favour of ceasefire measures at the UN General Assembly and their media (for example Al Jazeera) widely accuse Israel of genocidal intentions, few concrete diplomatic or other actions have been taken. An Associate Professor at MGIMO University noted:

There is a remarkable absence of popular action to defend the rights of the Palestinians but also a certain degree of caution in the position of the Arab states. The most Jordan could do was to recall its ambassador from Israel. This is despite the fact that the majority of the Jordanian population are

ethnic Palestinians, including the wife of King Abdullah 2 of Jordan, Rania. There has been no oil embargo against Israel.

Other Arab countries such as the UAE, Morocco and Bahrain did not withdraw their ambassadors from Israel and over the last few months support for the Palestinians has further dampened. The proposal that Egypt or other neighbouring countries could allow Palestinians fleeing Rafah to seek refuge on their territory was promptly rejected. As noted by a French Member of Parliament: 'Egypt reacted extremely negatively to the slightest possibility of squeezing Palestinian refugees from the Gaza Strip into Egypt, and it immediately threatened the EU with an influx of refugees'.

While the R2P is being used by a handful of NGOs and scholars on both sides of the Israeli-Palestinian conflict to justify their positions, states are largely avoiding referring to a concept that burdens them with a new responsibility. The political backing of Israel by the US is more steadfast than of the Palestinians by the Arab world, notwithstanding the increase of mistakes committed by Israel including the targeting of aid convoys and 'safe zones'. Non-Arab Iran with its 'axis of resistance' and Turkey, which implemented a trade ban on Israel, appear as the most committed supporters of the Palestinians. However, these countries that have ostensibly taken sides and are assisting their allies by all available means, are hindering a solution to the war by providing weapons and attempting to legitimise violence through discourse. As noted by a Professor at the University of Chicago: 'The more money we [the US] funnel into Israel and Iran into Hamas, the less likely we are to reach a peaceful solution'.

There has also been avoidance of invoking the R2P at the UN; however, failure to address such a situation could have serious short and long-term consequences. As a Commissioner at the UN Refugee Agency remarks,

The R2P idea was not doing too well before Gaza but now it is difficult to imagine how it could ever be regenerated, how world powers could ever appear credible when they say they want to intervene in a country to protect human rights.

One scholar noted that the R2P is too politicized and that instead of looking for a guilty party, the international community should jointly push for the implementation of the two-state solution. The R2P could be used in a 're-designed' version, specifically with a focus on the first two pillars through which the international community could pressure both sides for a resolution of the conflict. In this vision, powerful states also help weaker states build up the capacity to prevent human rights abuses. 'Our responsibility to protect is not about stigmatising one side but about forcing both sides to accept a two-state peaceful solution. And forcing not militarily but diplomatically, as each side is highly dependent of its partners in the international

community' summed up the Fellow working at the South African Institute of International Affairs.

## Discussion Section

The findings suggest that the R2P is at a complete standstill at the UN and that the few resolutions adopted by the Security Council failed to address the key humanitarian concerns related to the Gaza Strip, particularly the need for a lasting ceasefire. Both Western and Arab governments have failed the Palestinian civilian population: the former by enabling Israel's military operation in the Gaza Strip and the latter by rejecting any prospect of providing refuge to the Palestinian diaspora. The problem partly stems from the widespread refusal to admit that there are any innocent parties caught up in the crossfire. The language of counter-terrorism is a strong instrument in the hands of those conducting military operations as there are de facto two international norms coming up against each other, the R2P on the one side and international counter-terrorism on the other. Israel's 2023 intervention in Gaza also illustrates the phenomenon of 'casualty displacement warfare' in which the protection of armed forces is privileged over the preservation of civilian lives in combat zones, delegitimising what is considered by some as a 'just war' through excessive 'collateral damage'.<sup>60</sup>

The extent to which illegal networks are embedded in a population makes it difficult to measure the amount of force than is legitimate when responding to attacks. The language used by Israeli politicians and the media to refer to the Palestinians<sup>61</sup> reveals an increasing trend towards dehumanization, which according to the literature, has frequently been used in the past to justify genocidal violence.<sup>62</sup> Discourse is also constructed to portray all people in the Gaza Strip as militants, which deprives them of their status of 'civilians' and their rights according to international law. Victims are framed as perpetrators and presented as willingly providing shelter and food to Hamas. This is so much the case in the Israeli-Palestinian conflict that the expert literature that does raise the question of the R2P in Gaza frequently limits itself to the children of Gaza.<sup>63</sup> Women are sometimes included as part of the vulnerable population but men never are and this reveals the refusal to accept the possibility of adult men having a neutral status, which itself is conducive to the radicalization of Palestinian men. The fact that most of the Palestinian population of Gaza is 'trapped in

<sup>60</sup>Renic and Kaempf, "Violence Re-Directed," 228.

<sup>61</sup>Khan, Laila, and Tinua, "Monsters in Gaza," 805.

<sup>62</sup>Lang, "Questioning Dehumanization," 73–95. De Ruiter, "To Be or Not to Be Human," 73–95.

<sup>63</sup>For example, Horton, "Offline: Israel–Gaza—What Comes Next," 1511. Bjertness, "Save the Remaining People," 2072–3.

between' and subject to violence from both sides is largely overlooked. Attempts to reframe the situation in the Gaza Strip through the voices of the medical community have started with studies of the psychological trauma and vulnerability of people growing up in that area. Human rights organizations, including Amnesty International, Human Rights Watch and Doctors Without Borders are also sounding alarm bells about the collective global responsibility for the 35 thousand Palestinian fatalities (as of May 2024) since the beginning of Israel's operation in Gaza. These medical initiatives reflect a larger attempt to depoliticize the conflict, face up to the human cost of the ongoing confrontations and make sure no one can use the common pretext of having 'not known what was happening'.

The findings of this study also show clearly the two weights, two measures perspective on the R2P, which is invoked in some cases of human rights violations and deliberately cast aside in others. The decisive factor for intervention is often not the scale of the humanitarian disaster but the country that is carrying it out and its relationship with leading powers in the international system. The US has shown it is ready to overlook human rights infringements and risk serious reputational damage in order to preserve a special relationship with Israel, its key ally in the Middle East. While there was little backing among respondents for a UN military intervention to contain Israel, there was almost complete support (all respondents save one) for Israel to be pressured by the US into accepting a ceasefire and a two-state solution. The analysis in the findings suggests, however, that the US will only rationalize its partnership with Israel and change its position on the Gaza Strip as a result of strong internal pressure from its population. Opposition to the US government's unconditional support of Israel is growing among US citizens as polls reveal that 39% of Americans think the US should be a neutral mediator in the conflict against 32% who believe the US should support Israel while the rest remain undecided.<sup>64</sup> Equally significant is the way in which President Biden circumvented Congress in December 2023 in order to allow for an emergency sale of ammunition worth \$106 million to Israel, at a time when some Democratic lawmakers were calling for aid being made contingent on commitments by Prime Minister Netanyahu's government to reduce civilian casualties in Gaza.<sup>65</sup> The approval of an Aid package in April 2024 did not signify a consensus on the question of Gaza in US politics, as the Democrat Party remains torn over the

<sup>64</sup>Poll results presented in: "US Public Support for Israel Drops; Majority Backs a Ceasefire, Reuters/Ipsos Shows" Dated November 15th 2023. Accessed on 11 December 2023. <https://www.reuters.com/world/us-public-support-israel-drops-majority-backs-ceasefire-reutersipsos-2023-11-15/>.

<sup>65</sup>"State Department Circumvents Congress, Approves \$106 Million Sale of Tank Ammo to Israel" CBS News, Dated 9th December 2023. Accessed on 11 December 2023. <https://www.cbsnews.com/news/state-department-approves-tank-ammo-sale-to-israel-bypasses-congress/>.

Israel-Hamas war and vulnerable to losing the support of millennials and American Muslims. The significance of the Israel lobby in US politics<sup>66</sup> has once again come to the fore as the US faces public condemnation for making itself complicit in potential war crimes being committed in the Gaza Strip, not only by aborting any international protective action, but also by actively arming Israel. The 2023 war has also created a rift between Israel and Western societies, challenging the idea that they draw on similar understandings of democracy and sovereignty, thus increasing the stigmatization of Israel.<sup>67</sup>

The perspective that the ongoing war against Hamas will dismantle the organization and allow for a more peaceful Middle East is fallacious as it does not resolve the long-standing problem that radical elements are likely to arise again in a territory with undefined borders which is not recognized by significant swaths of the international community. Non-Palestinian groups and organizations are declaring themselves with renewed vigour in contested territories and Israel appears on the verge of opening a second front in the north of the country, where Hezbollah became more active. The Houthis from Yemen have begun to pose a threat, declaring unconditional support for the Palestinians in general and Hamas in particular. The risk of escalation results not just from the empowerment of radical organizations but also from the dissatisfaction of Israel's neighbours, which under specific conditions, could lead to a widening of the fighting. The lack of sympathy of Arab States for the plight of the Palestinians revealed by the findings does not imply an increase in their acceptance of Israel. The April 2024 air strike by Israel on an Iranian consulate building and Iran's response launch of 170 drones, 30 cruise missiles and 110 ballistic missiles on Israel reflect the possible spillover effect of the Israel war.

The failure to apply the R2P to the Gaza Strip has led to a wider questioning of the legitimacy of UN and its main organs. Calls by Arab states for a reform of the UN Security Council have gained momentum in the face of the double standards in the application of international humanitarian law. The tit-for-tat refusal by the US, the UK and sometimes France on the one side, and China and Russia on the other, to approve resolutions and ceasefire motions initiated by their political rivals has led to a standstill which is considered unacceptable by the majority of the world community. There is a global perception that there is a responsibility to protect the civilians in Gaza, which emanates more strongly from the people than from opportunistic governments seeking to expand their influence in the Middle East.<sup>68</sup> The level of accountability

<sup>66</sup>See Mearsheimer and Walt, *The Israel Lobby*, 387.

<sup>67</sup>Hatuel-Radoshitzky and Jamal, "Theorizing State Stigmatization," 214–36.

<sup>68</sup>Andrea, "An Opportunistic Russia in the Middle East," 163–81.

of governments to their citizens, particularly in the Western world where it is expected, is a decisive factor in determining the outcome of the conflict.

## Conclusion

The case of Israel's 2023 intervention in the Gaza Strip following the Hamas attacks reveals a duality of discourse on the Responsibility to Protect, with Israel supported by the United States pleading its right and responsibility to protect the citizens of Israel from deadly attacks and a significant part of the international community condemning the human cost of Israel's large-scale bombing of the Gaza Strip. Although the R2P norm was initially used by both sides, pressure is mounting, as of May 2024, to reach an agreement on a ceasefire and put an end to the dire humanitarian situation faced by the Palestinians of Gaza. This study is an illustration of the failure to apply the Responsibility to Protect to a situation that endangers civilians in a significant way.

This paper contributes to the expert literature a political, international and balanced analysis of a topic which is highly polarizing and frequently analysed in strictly legal terms or in the form of argumentative opinion pieces. The consultation of forty experts of ten nationalities and from five different professional spheres allowed the authors to contrast various perspectives but also shed light on common grounds, such as the agreement that the R2P should be applied to Gaza. The solutions to overcoming the deadlock in dealing with the situation in Gaza are political rather than legal and this article shows the underlying political motivations, fears and allegiances of states and people that lead to the maintenance of a confrontational status quo in the international system. The authors also show how applying the R2P to Gaza is an opportunity to reframe the discussions on a ceasefire and a two-state solution. Populations that are internationally recognized as the victims of serious human rights violations have a window of opportunity to reactivate proposals that have stagnated.

The paper also shows how the R2P is applied differently to various parts of the world depending on their relationship with the dominant powers in the international system. It suggests that the failure to address human rights issues in the Israeli-Palestinian conflict will inflict lasting damage on the concept itself, undermining the possibility of future collective interventions elsewhere. The case also highlights the contradictions and fractures Western societies are facing as a result of their governments' support for Israel's military campaign. Some possible solutions are outlined, including the non-military ways the R2P could be applied to achieve a ceasefire. This would, however, necessitate a change in US policy in the Middle East, which may be catalysed by the strong public opinion pressure the government is experiencing for the country not to be complicit in war crimes.

## Acknowledgements

The authors would like to thank the editor and three anonymous reviewers for their helpful and constructive comments.

## Disclosure Statement

No potential conflict of interest was reported by the author(s).

## Bibliography

Ahmed, Q., A. Y. Avidan, A. Ciechanover, D. Shechtman, D. Zajfman, U. Reichman, and P. Lavie. "Israel–Gaza Conflict." *The Lancet* 384, no. 9945 (2014): 34–7.

Baconi, Tareq. "Gaza and the One-State Reality." *Journal of Palestine Studies* 50, no. 1 (2021): 77–90. doi:[10.1080/0377919X.2020.1842002](https://doi.org/10.1080/0377919X.2020.1842002).

Balousha, Hazem, and Miriam Berger. "The U.N. Once Predicted Gaza Would Be 'Uninhabitable' by 2020. Two Million People Still Live There." *The Washington Post*, January 1, 2020. <https://www.washingtonpost.com/world/2020/01/01/unpredicted-gaza-would-be-uninhabitable-by-heres-what-that-actually-means/>.

Barnes, B. R. "Decolonising Research Methodologies: Opportunity and Caution." *South African Journal of Psychology* 48, no. 3 (2018): 379–87.

Bellamy, Alex J. "R2P and the Use of Force." *Global Responsibility to Protect* 14, no. 3 (2022): 277–80. doi:[10.1163/1875-984X-20220011](https://doi.org/10.1163/1875-984X-20220011).

Benn, Aluf. "Israel's Self-Destruction: Netanyahu, the Palestinians, and the Price of Neglect." *Foreign Affairs* 103 (2024): 44.

Bjertness, E., M. S. Bjertness, C. B. Nyquist, M. Kromberg, K. Elessi, and L. Lien. "Save the Remaining People of Gaza—Save the Children." *The Lancet* 402, no. 10417 (2023): 2072–3.

Bose, Sumantra, and Ramesh Thakur. "The UN Secretary-General and the Forgotten Third R2P Responsibility." *Global Responsibility to Protect* 8, no. 4 (2016): 343–65.

Charlesworth, Hilary. "Feminist Reflections on the Responsibility to Protect." *Global Responsibility to Protect* 2, no. 3 (2010): 232–49.

Chen, Z., and H. Yin. "China and Russia in R2P Debates at the UN Security Council." *International Affairs* 96, no. 3 (2020): 787–805.

*The Covenant of the Islamic Resistance Movement (Hamas Charter), 2017 Revision.* Accessed November 14, 2024. <https://www.middleeasteye.net/news/hamas-2017-document-full>.

Crossley, Noëlle. "Is R2P Still Controversial? Continuity and Change in the Debate on 'Humanitarian Intervention'." *Cambridge Review of International Affairs* 31, no. 5 (2018): 415–36. doi:[10.1080/09557571.2018.1516196](https://doi.org/10.1080/09557571.2018.1516196).

Crowley-Vigneau, A., A. Baykov, and W. Wohlforth. "Realist Constructivism: A New Perspective on Norm Theory." *International Trends / Mezhdunarodnye Protsessy* 21, no. 2 (2023): 44–62. doi:[10.17994/IT.2023.21.2.73.3](https://doi.org/10.17994/IT.2023.21.2.73.3).

D'Andrea, W., A. Aboagye, K. A. Lee, S. Freed, B. Joachim, V. Khedari-DePierro, and L. Bergholz. "Growing Up on the Edge: A Community-Based Mental Health Intervention for Children in Gaza." *Research on Child and Adolescent Psychopathology* 52, no. 5 (2024): 833–48.

Dembinski, Matthias, Thorsten Gromes, and Tobias Werner. "Humanitarian Military Interventions: Conceptual Controversies and Their Consequences for

Comparative Research.” *International Peacekeeping* 26, no. 5 (2019): 605–29. doi:[10.1080/13533312.2019.1659733](https://doi.org/10.1080/13533312.2019.1659733).

De Ruiter, Anne. “To Be or Not to Be Human: Resolving the Paradox of Dehumanisation.” *European Journal of Political Theory* 22, no. 1 (2023): 73–95.

Di-Capua, Youssef. “Genocidal Mirroring in Israel/Palestine.” *Journal of Genocide Research* 26, no. 1 (2024): 1–15. doi:[10.1080/14623528.2024.2361978](https://doi.org/10.1080/14623528.2024.2361978).

Draude, Anke. *The Agency of the Governed in the Global South*. London: Routledge, 2020.

Dunne, Tim, and Edward Staunton. *The Oxford Handbook of the Responsibility to Protect*. Oxford: Oxford University Press, 2016.

Ghiselli, Andrea. “An Opportunistic Russia in the Middle East: A View from China.” *Cambridge Review of International Affairs* 37, no. 2 (2024): 163–81.

Gunning, Jeroen. *Hamas in Politics: Democracy, Religion, Violence*. London: Hurst Publishers, 2023.

Hatuel-Radoshitzky, Michal, and Amal Jamal. “Theorizing State Stigmatization: A Comparative Perspective on South Africa and Israel.” *International Relations* 36, no. 2 (2022): 214–36.

Hehir, Aidan. “The Responsibility to Protect Debate: An Enduring Black Hole.” *Journal of Intervention and Statebuilding* 18, no. 2 (2024): 1–6.

Hemchi, M. “On the Depraved Legal Debate Over the Responsibility to Protect in Gaza.” *Al-Muntaqa: New Perspectives on Arab Studies* 7, no. 1 (2024): 60–9.

Hindawi, Pison C. “Decolonizing the Responsibility to Protect: On Pervasive Eurocentrism, Southern Agency and Struggles Over Universals.” *Security Dialogue* 53, no. 1 (2022): 38–56.

Hitman, Gideon, and Alex Itsikovich. “The Winner Does Not Take All: Lessons from the Israel-Hamas Conflict.” *Middle East Policy* 30, no. 3 (2023): 24–36.

Hobson, Christopher. “The Moral Untouchability of the Responsibility to Protect.” *Journal of Intervention and Statebuilding* 16, no. 3 (2022): 368–85. doi:[10.1080/17502977.2021.2015146](https://doi.org/10.1080/17502977.2021.2015146).

Horton, Richard. “Offline: Israel–Gaza—What Comes Next?” *The Lancet* 402, no. 10412 (2023): 1511.

Illingworth, Ryan. “Not the ‘Fairest Norm of Them All’ but Still Needed: On Hobson and Criticism of the Responsibility to Protect.” *Journal of Intervention and Statebuilding* 18, no. 2 (2024): 181–90. doi:[10.1080/17502977.2024.2304457](https://doi.org/10.1080/17502977.2024.2304457).

Jacob, Charlotte. “R2P as an Atrocity-Prevention Framework: Concepts and Institutionalization at the Global Level.” In *Implementing the Responsibility to Protect*, edited by Martin Mennecke, and Charlotte Jacob, 16–34. London: Routledge, 2019.

Jewish Voice for Peace. “Israelis Demand Ceasefire.” Accessed August 15, 2024. <https://act.jewishvoiceforpeace.org/a/israelis-demand-ceasefire>.

Khan, Laila, and David Tinua. “‘Monsters in Gaza’: Fighting Human Animals and the Language of Dehumanization in Contemporary Conflicts.” *Journal of International Media Studies* 12, no. 4 (2024): 805–26.

Kolb, Robert. “Note on Humanitarian Intervention.” *International Review of the Red Cross* 85, no. 849 (2003): 119–34.

Lang, Johannes. “Questioning Dehumanization: Intersubjective Dimensions of Violence in the Nazi Concentration and Death Camps.” *Holocaust and Genocide Studies* 24, no. 2 (2010): 225–46.

Levene, Mark. “Gaza 2023: Words Matter, Lives Matter More.” *Journal of Genocide Research* 26, no. 1 (2024): 1–7. doi:[10.1080/14623528.2024.2301866](https://doi.org/10.1080/14623528.2024.2301866).

Manduca, Paola, Iain Chalmers, Derek Summerfield, Mads Gilbert, and Swee Ang. “An Open Letter for the People in Gaza.” *The Lancet* 384, no. 9941 (2014): 397–8.

Mearsheimer, John, and Stephen M. Walt. *The Israel Lobby and U.S. Foreign Policy*. New York: Farrar, Straus, and Giroux, 2007.

Moses, Jeremy. “Gaza and the Political and Moral Failure of the Responsibility to Protect.” *Journal of Intervention and Statebuilding* 18, no. 2 (2024): 211–15. doi:10.1080/17502977.2024.2304987.

Nijim, Mohanad. “Genocide in Palestine: Gaza as a Case Study.” *The International Journal of Human Rights* 27, no. 1 (2023): 165–200.

O’Connell, Mary Ellen. “Responsibility to Peace: A Critique of R2P.” In *Critical Perspectives on the Responsibility to Protect*, edited by Philip Cunliffe, 71–83. London: Routledge, 2011.

Pape, Robert A. “When Duty Calls: A Pragmatic Standard of Humanitarian Intervention.” *International Security* 37, no. 1 (2012): 41–80.

Paris, Roland. “The ‘Responsibility to Protect’ and the Structural Problems of Preventive Humanitarian Intervention.” *International Peacekeeping* 21, no. 5 (2014): 569–603.

Pipes, Daniel, Efraim Inbar, and Martin Sherman. “Is Disarming Hamas Israel’s Best Policy?” *Middle East Quarterly* (2023).

Renic, Nebojsa C., and Sebastian Kaempf. “Violence Re-Directed: Due Care and the Moral Challenge of Casualty Displacement Warfare.” *International Relations* 37, no. 2 (2023): 228–50.

Roth, Kenneth. “Was the Iraq War a Humanitarian Intervention?” *Journal of Military Ethics* 5, no. 2 (2006): 84–92.

Rubinstein, Robert A. “Peacekeeping and the Return of Imperial Policing.” *International Peacekeeping* 17, no. 4 (2010): 457–70. doi:10.1080/13533312.2010.516652.

Samuel, Michael T. “The Israel-Hamas War: Historical Context and International Law.” *Middle East Policy* 30, no. 4 (2023): 3–9.

Sanger, Andrew. “The Contemporary Law of Blockade and the Gaza Freedom Flotilla.” *Yearbook of International Humanitarian Law* 13 (2010): 397–446.

Selim, Mohamed E. “The Survival of a Nonstate Actor: The Foreign Policy of the Palestine Liberation Organization.” In *The Foreign Policies of Arab States*, edited by Bahgat Korany, and Ali El-Din Hillal Dessouki, 260–309. London: Routledge, 2019.

Shaw, Martin. “Inescapably Genocidal.” *Journal of Genocide Research* 26, no. 1 (2024): 1–5. doi:10.1080/14623528.2023.2300555.

Šimonović, Ivan. “The Responsibility to Protect.” *UN Chronicle* 53, no. 4 (2016): 18–20.

Smith, James G. “The Responsibility to Reflect: Learning from Past Humanitarian Military Interventions.” *Journal of Humanitarian Assistance* 1 (2006): 25.

Spoerl, Joseph S. “Palestinians, Arabs, and the Holocaust.” *Jewish Political Studies Review* 26, no. 1/2 (2014): 14–47. <https://www.jstor.org/stable/44289822>.

Staunton, Edward, and Luke Glanville. “Selling the Responsibility to Protect: The False Novelty but Real Impact of a Norm.” *International Studies Review* 24, no. 3 (2022): viac014. doi:10.1093/isr/viac014.

Teitt, Sarah. “R2P in Uncertainty: A Response to Hobson.” *Journal of Intervention and Statebuilding* 18, no. 2 (2024): 191–6. doi:10.1080/17502977.2024.2318899.

United Nations. “Convention on the Prevention and Punishment of the Crime of Genocide.” 1948. <https://www.un.org/en/genocideprevention/documents/atrocity->

[crimes/Doc.1\\_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf](crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf).

United Nations. “Secretary-General’s Remarks to the Security Council – on the Middle East.” October 24, 2023. Accessed January 2, 2023. <https://www.un.org/sg/en/content/sg/speeches/2023-10-24/secretary-generals-remarks-the-security-council-the-middle-east%C2%A0>.

United Nations Documentation Library. “Quick Guide to Security Council Meetings 2024.” <https://research.un.org/en/docs/sc/quick/meetings/2024>.

UN News. “Humanitarian Ceasefire Only Way to End Gaza ‘Nightmare’: Guterres.” 2023. Accessed December 29, 2023. <https://news.un.org/en/story/2023/12/1145067>.

Welsh, Jennifer M. “Norm Contestation and the Responsibility to Protect.” *Global Responsibility to Protect* 5, no. 4 (2013): 365–96.

Winter, Yves. “The Siege of Gaza: Spatial Violence, Humanitarian Strategies, and the Biopolitics of Punishment.” *Constellations* 23, no. 2 (2016): 308–19.

World Summit Outcome Document. A/RES/60/1. United Nations, 2005. [https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A\\_RES\\_60\\_1.pdf](https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_60_1.pdf).

## Appendices

### Appendix 1. List of Interviews

Interview number	Interview date	Place of work	Nationality	Interview language
1	10 October 2023	Researcher, INSEE	French	French
2	10 October 2023	Associate Professor, Russian University	Russian	Russian
3	11 October 2023	Analyst, World Bank	Indian	English
4	14 October 2023	Researcher, University of Cape Town	South Africa	English
5	16 October 2023	Junior Economist, Federal Reserve	US	English
6	17 October 2023	Politician, Bahujan Samaj Party	Indian	English
7	20 October 2023	Chinese Diplomat	Chinese	English
8	20 October 2023	Post-Doctoral Fellow, Tsinghua University	Chinese	English
9	26 October 2023	Associate Professor, Chinese University of Hong Kong	Chinese	English
10	27 October 2023	Journalist, Russia Today	Moroccan	French
11	29 October 2023	Professor, Russian university	Russian	Russian
12	30 October 2023	Member of French Parliament	French	French
13	1 November 2023	Diplomat, Russian Ministry of Foreign Affairs	Russian	English
14	1 November 2023	Analyst, World Bank, Middle East and North Africa unit	Brazil	English

(Continued)

Continued.

Interview number	Interview date	Place of work	Nationality	Interview language
15	5 November 2023	Consultant, Moscow Consulting Group	Russian	English
16	8 November 2023	Lecturer, Russian University	Russian	English
17	8 November 2023	Editor, Academic journal	Russian	English
18	20 November 2023	Director of Activism and Education Recruitment, Amnesty International	UK	English
19	26 November 2023	Professor, University of Chicago	US	English
20	28 November 2023	Expert in Relief Development, Save the Children	South Africa	English
21	28 November 2023	Associate Professor, University of Hong Kong	Chinese	English
22	1 December 2023	Journalist, The Rio Times	Brazil	English
23	4 December 2023	Associate Professor, Russian university	Russian	Russian
24	5 December 2023	Head of Department, Russian Ministry of Foreign Affairs	Russian	Russian
25	20 December 2023	Fellow, South African Institute of International Affairs	South African	English
26	20 December 2023	Volunteer, TEMA Foundation	Turkey	English
27	21 December 2023	Lawyer, Lomonosov State university	Russian	Russian
28	23 December 2023	Doctoral Student, Peking University	Chinese	Chinese
29	23 December 2023	Russian International Affairs Council	Russian	Russian
30	6 January 2023	Lecturer, Princeton University	US	English
31	8 January 2024	Programmes Coordinator, Islamic Relief Worldwide	UK	English
32	10 January 2024	Commissioner, UN Refugee Agency	US	English
33	11 January 2024	Advisor, Indian Ministry of Foreign Affairs	Indian	English
34	11 January 2024	Analyst, World Bank	Indian	English
35	15 January 2024	Journalist, Moscow Times	Russian	English
36	24 February 2024	Aid worker, Cape Town Refugee Centre	South Africa	English
37	26 February 2024	Lawyer, Demarest	Brazil	English
38	1 March 2024	Program Coordinator, Central Emergency Response Fund	Chinese	English
39	8 March 2024	Journalist, The Independent	UK	English
40	9 March 2024	Researcher, UN University Institute for Environment and Human Security	UK	English

## **Appendix 2. UN Security Council Meetings and Outcomes on 'the Palestinian Question' 16 October 2023 to 29 May 2024**

Meeting record	Date	Press release	Security Council outcome/ vote
S/PV.9631	20 May 2024	SC/15701	–
S/PV.9617	24 April 2024	SC/15679	–
S/PV.9608 (Resumption 2)	25 April 2024	SC/15681	–
S/PV.9608 (Resumption 1)	18 April 2024	SC/15669	–
S/PV.9608	18 April 2024	SC/15669	–
S/PV.9607	17 April 2024	SC/15668	–
S/PV.9596	5 April 2024	SC/15653	–
S/PV.9588	26 March 2024	SC/15643	–
S/PV.9586	25 March 2024	SC/15641	S/RES/2728(2024) on ceasefire in the Gaza Strip during Ramadan
S/PV.9572	11 March 2024	SC/15621	–
S/PV.9556	22 February 2024	SC/15600	–
S/PV.9552	20 February 2024	SC/15595	Draft resolution S/2024/173 vetoed by United States
S/PV.9540	31 January 2024	SC/15575	–
S/PV.9534 (Resumption 1)	24 January 2024	SC/15570	–
S/PV.9534	23 January 2024	SC/15569	–
S/PV.9531	12 January 2024	SC/15564	–
S/PV.9522	29 December 2024	SC/15549	–
S/PV.9520	22 December 2024	SC/15546	S/RES/2720(2023) on delivery of humanitarian relief and establishment of a Senior Humanitarian Coordinator to Gaza
S/PV.9513	19 December 2024	SC/15539	–
S/PV.9499	8 December 2024	SC/15519	Draft resolution S/2023/970 vetoed by United States
S/PV.9498	8 December 2024	SC/15518	–
S/PV.9489	29 November 2024	SC/15506	–
S/PV.9486 (closed)	27 November 2024	none issued	Communiqué
S/PV.9484	22 November 2024	SC/15503	–
S/PV.9479	15 November 2024	SC/15496	S/RES/2712(2023) Resolution passed on humanitarian pauses on Gaza and immediate release of hostages
S/PV.9472	10 November 2024	SC/15487	–
S/PV.9462	30 October 2024	SC/15473	–
S/PV.9453	25 October 2024	SC/15464	Draft resolution S/2023/792 vetoed by China, Russian Federation Draft resolution S/2023/795 was not adopted
S/PV.9451 (Resumption 1)	24 October 2024	SC/15462	–
S/PV.9451	24 October 2024	SC/15462	–
S/PV.9443	18 October 2024	SC/15451	–
S/PV.9442	18 October 2024	SC/15450	Draft resolution S/2023/775 was not adopted Draft resolution S/2023/776 was not adopted Draft resolution S/2023/773 vetoed by United States
S/PV.9439	16 October 2024	SC/15445	Draft resolution S/2023/772 was not adopted

Source: Author compilation from the United Nations Documentation Library.