NATO, Civilians, and the Responsibility to Protect: An analysis of NATO's severity of response as a measure of civilian suffering

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Abstract

This paper was originally written for Professor Alexander Moens' POL 484, *NATO Field School, Simulation and Experiential Learning Program*. The assignment asked students to write a research paper not to exceed 3000 words on questions pertaining to defence policy, military affairs, NATO, international crisis management, multilateral cooperation, Alliance relations, defence spending, peace and security, multinational operations, NATO-UN or NATO-EU/AU cooperation, etc. Papers were expected to incorporate original research, and include an introduction, literature review, theoretical framework, methodology, and references. This paper uses Chicago citation style.

Introduction

In 2005, the United Nations General Assembly unanimously adopted the doctrine of Responsibility to Protect (R2P), a political commitment recognizing the obligation of sovereign states to prevent and protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity.[1] Corollary to this commitment was the international agreement to help states exercise this responsibility by diplomatic and non-violent means. Although this principle was largely rooted in pre-existing international agreements, it has nevertheless created a novel framework by which humanitarian interventions may be evaluated. In recent years, the perceived legitimacy of the North Atlantic Treaty Organization (NATO) as enforcers of R2P has increased, especially as all other measures have

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[1] "United Nations Office on Genocide Prevention and the Responsibility to Protect." United Nations. Accessed June 08, 2018. http://www.un.org/en/genocideprevention/about-responsibility-to-protect.html.

largely been deemed insufficient.[2] Although the authority of the UN as the primary actors in humanitarian operations has not been challenged, it has in recent years become evident that the UN lacks the military capacity, and the Security Council consensus, to fully enforce peacekeeping missions in volatile areas. As such, when states fail their populations, a considerable degree of the responsibility to protect falls upon NATO's shoulders. Although the North Atlantic Treaty of 1949 makes no international commitment to the safeguarding of states and populations outside of NATO's borders[3], it is not unprecedented for NATO to act on request of the UN during cases of large-scale humanitarian crisis. As such, it becomes imperative to evaluate NATO's effectiveness and decision-making in these situations: *is NATO's severity of response impacted by civilian suffering?* In this essay I will consider NATO-led operations commencing after the enactment of R2P, and situate the findings within the normative question concerning NATO's status as a legitimate enforcer of the doctrine.

Literature Review
Criticisms of NATO's humanitarian expeditions have been plentiful prior to the enactment of R2P, and have only been intensified by the controversial results of Operation Unified Protector in Libya.[4] Since then, doubts of NATO's ability to deliver on its end-state solutions have only multiplied, unmitigated by the paucity of other international actors capable of delivering reliable solutions to large-scale humanitarian crises. While most agree that R2P has achieved relative normative success, the majority also concurs that the question of who holds legitimate right to enact the doctrine is extremely contestable.[5] Andrea Carati argues that "NATO cannot be a solution to the problem of who should intervene, even though its interventions can be occasionally consistent with R2P principles," and further highlights the inconsistencies between NATO's mission statements of protecting

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[2] NATO. "The Responsibility to Protect." NATO. Accessed June 08, 2018.
https://www.nato.int/docu/review/2002/Managing-Crisis/Responsibility-protect/EN/index.htm.
[3] NATO. "The North Atlantic Treaty." NATO. Accessed June 08, 2018.
https://www.nato.int/cps/ic/natohq/official_texts_17120.htm.
[4] Cock, Chris De. "Operations Unified Protector and the Protection of Civilians in Libya." *Yearbook of International Humanitarian Law* 14 (July 26, 2012): 213-35.
[5] Bellamy, Alex J. "From Tripoli to Damascus? Lesson Learning and the Implementation of the Responsibility to Protect." International Politics 51, no. 1 (2014): 23-44.

civilians and end results.[6] Other criticisms follow in a similar construction, targeting the discrepancy between stated objectives and manifest outcomes, and additionally, systemic inadequacies in NATO's design as an international military alliance to enact humanitarian missions.[7] However, there is a neglect of consideration towards the intent of a mission, the decision-making processes behind it, and the relationship between force employed and the risk of civilian casualty. Such an evaluation will impact our perception of NATO's status as a legitimate actor enforcing R2P, and influence our understanding of limitations in global peacekeeping as a whole.

Theoretical Framework

In my research, I will consider the severity of NATO's responses to volatile and violent situations as a function of quantity of civilian suffering, expecting a positive correlation between these two variables. As an institution partially deriving its legitimacy of intervention through the doctrine of R2P, and possessing core values reflective of it, it follows that NATO would react in a manner demonstrative of such values. If there exists in fact a positive relationship in NATO-led missions after 2005 between severity of response and risk of civilian suffering, we can expect to observe that the greater the loss and displacement of civilian life, the more serious the response. If alternatively, there is a negative relationship, we can expect to observe that the greater the loss and displacement of civilian life, the less serious the response. If there is in fact no correlation between these two variables, then there should be no connection between severity of response and civilian casualty, and neither can be reliably used as predictors of the other. The scope of this paper will be merely to establish a correlational relationship, and will not seek to make higher burden claims towards causality.

Methodology

Under my research, I will divide NATO's responses into three continuous categories of severity, ranging from low severity response, moderate severity response, to high severity response, which are calculated with consideration to factors including presence of ground troops, quantity of forces, quantity of heavy

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[6] Carati, Andrea. "Responsibility to Protect, NATO and the Problem of Who Should Intervene: Reassessing the Intervention in Libya." Global Change, Peace & Security 29, no. 3 (2017): 293-309.
[7] Zilkiq, Adelina. "Kosovo - a "Humanitarian Intervention": A Case Study about Kosovo and Nato's Intervention on 24 March, 1999." 2012.

equipment, and duration of operations. While it would have been preferable to obtain consistent data for cost of operations, NATO's burden sharing model calls for member states to individually address costs incurred during deployment from use of personnel and equipment, and the specifics of such information are often classified. Additionally, the costs subject to common funding involve mostly administrative costs, which cannot be taken as an appropriate factor in NATO's severity of response. Civilian suffering will be divided into two subcategories: number of casualties and number of displaced peoples.

While NATO has since the 1990s engaged in R2P-esque operations in the pursuit of humanitarian security, beginning with the Operation Allied Goodwill in 1992[8], the cases after the ratification of R2P are particularly impactful, as the newly instituted normative framework contributed to the strengthened perception of NATO as a legitimate actor in humanitarian crises. As such, the exclusive analysis on NATO operations beginning after 2005 is justified.

The limitations on this research design are to be factored into the generalizability of the results – in particular, this kind of evaluation on NATO's behaviour neglects to consider (i) the support missions that NATO engages in exclusively for the purpose of humanitarian aid, which do not involve military action, such as the earthquake relief mission in Pakistan in 2005, and assistance efforts in the aftermath of Hurricane Katrina[9], and (ii) the numerous conflicts involving humanitarian crises within NATO's sphere of operation, in which NATO has deliberately chosen not to respond. With regards to the first limitation, while it does impact considerations towards NATO's overall telos, it should be emphasized that the scope of my research concerns uniquely NATO-led missions, and explicitly excludes actions in which NATO merely plays a supporting role. This is because missions in which NATO holds a primary role better indicators of NATO's moral direction, as when in a supporting role, NATO is restricted by the aims of its collaborators and hence cannot entirely manifest its own objective. The second limitation will be addressed with a separate analysis of possible explanatory models for why NATO chooses to not respond, which will be situated in the overall guiding framework of enforcing R2P.

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[8] Pike, John. "NATO Operations." Nato's Operations Past and Present. Accessed June 08, 2018. https://www.globalsecurity.org/military/world/int/nato-ops.htm.
[9] NATO. "Operations and Missions: Past and Present." NATO. Accessed June 08, 2018. https://www.nato.int/cps/su/natohq/topics_52060.htm?selectedLocale=en.

Case Selection

Five operations thus far have been both NATO-led and commenced after the enactment of the R2P doctrine: Operation Allied Provider (2008), Operation Allied Protector (2009), Operation Ocean Shield (2009-2016), Operation Unified Protector (2011), and Operation Resolute Support (2015-ongoing).[10] Operation Allied Provider, Allied Protector, and Ocean Shield all took place in waters in and surrounding the Gulf of Aden and targeted increased levels of piracy activities that threatened international trading routes and initially, the delivery of UN humanitarian goods. NATO exited the Gulf of Aden in 2016 with the conclusion of Operation Ocean Shield, and reported this operation to be a success.[11] More controversially, NATO engaged in the Libyan crisis in March of 2011 following the popular uprising against the Gadhafi regime, under UN Resolutions 1970 and 1973. Seven months later, following the success of rebel forces in capturing and killing Gadhafi, NATO retreated from Libya, claiming to have reached its objectives.[12] In 2015, Operation Resolute Support, a non-combat training mission providing assistance and advice to Afghan security forces and government institutions, succeeded the International Security and Assistance Force (ISAF, 2003-2014) as NATO's primary operation in Afghanistan.[13]

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[10] Ibid.

[11] NATO. "Counter-piracy Operations (Archived)." NATO. Accessed August 08, 2018. https://www.nato.int/cps/em/natohq/topics_48815.htm.

[12] NATO. "NATO and Libya (Archived)." NATO. November 9, 2015. Accessed June 08, 2018. https://www.nato.int/cps/ic/natohq/topics_71652.htm.

[13] Support, Resolute. "NATO Resolute Support | Home." NATO Resolute Support | Afghan National Army Trust Fund. Accessed August 08, 2018. https://rs.nato.int/.

Chart 1. Severity of Response

Operation	Duration	Presence of Ground Troops	Quantity of forces	Heavy Equipment	Severity of Response
Operation Allied Provider *(2008)*	3 months	No	Data not available	7 naval assets[14]	low severity response
Operation Allied Protector *(2009)*	6 months	No	Data not available[15]	10 naval assets[16]	low severity response
Operation Ocean Shield *(2009-2016)*	89 months	No	800 troops	32 naval assets[17]	moderate severity response
Operation Unified Protector *(2011)*	7 months	No	8000 troops	260 air assets 21 naval assets[18]	high severity response
Operation Resolute Support *(2015-present)*	44 months *(ongoing, commitment continues to 2020)*	Yes	16 000 troops [19]	Data not available	high severity response

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[14] NATO. "Counter-piracy Operations (Archived)." NATO. Accessed August 08, 2018.
https://www.nato.int/cps/em/natohq/topics_48815.htm.
[15] It can be assumed that the number of NATO troops deployed in both Operation Allied
Protector and Operation Allied Provider do not exceed 800, as both operations were comparable
to Operation Ocean Shield in mission statement and objectives
and involved considerably less naval assets than Operation Ocean Shield.
[16] NATO. "Counter-piracy Operations (Archived)." NATO. Accessed August 08, 2018.
https://www.nato.int/cps/em/natohq/topics_48815.htm.
[17] Ibid.
[18] NATO. Public Diplomacy Division. "Operation Unified Protector Final Mission Stats." News
release, November 02, 2011. Accessed August 8, 2018.
[19] NATO. "Resolute Support Mission in Afghanistan." NATO. Accessed August 09, 2018.
https://www.nato.int/cps/su/natohq/topics_113694.htm.

The categories of severity of response were measured based on a combined consideration for duration of operations, presence of ground troops, quantity of forces, and quantity of heavy equipment, giving reasonable attention to the lacuna in data. While the categories themselves may be arbitrary as standalone data, my purpose is to compare NATO responses against themselves and determine if NATO adjusts its severity of response as a function of human suffering. As such, it is merely important to note that Operation Allied Provider and Operation Allied Protector are comparable in severity of response due to similar duration of operations and quantity of heavy equipment, that Operation Ocean Shield is more severe due to its extended duration of commitment and increased use of heavy equipment, and that Operation Unified Protector and Operation Resolute Support are the most severe responses due to quantity of forces. For more comprehensive academic discourse to take place, additional raw data regarding NATO's operations are necessary.

Chart 2. Measurements of Human Suffering

Operation	Target location of humanitarian support	Total Population	Year[20]	Total Displaced Persons	Casualties	Total *(to the nearest hundred thousand)*
Operation Allied Provider	Somalia	8.9 million	2008	1.1 million	16,210 (since December 2006, no data exists for 2008 alone)	~ 1.1 million[21]
Operation Allied Protector	Somalia	9.12 million	2009	1.3 million	2,041	~1.3 million [22]
Operation Ocean Shield	Somalia	9.12 million	2009	1.3 million	2,041	~1.3 million [23]
Operation Unified Protector	Libya	6.2 million	2011	435,000	21,490[24]	~0.5 million [25]
Operation Resolute Support	Afghanistan	33.7 million	2015	2.5 million	3,545	~ 2.5 million[26]

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[20] The data here measures the number of persons displaced and number of casualties occurring during the year in which the NATO operation commenced, as it would be data for the year in which NATO analyzed and considered their severity of response.

[21] "The Human Rights Crisis in Somalia." Human Rights Watch. April 17, 2015. Accessed August 8, 2018. https://www.hrw.org/news/2008/03/30/human-rights-crisis-somalia.

[22] "World Report 2009: Rights Trends in Somalia." Human Rights Watch. July 29, 2011. Accessed August 8, 2018. https://www.hrw.org/world-report/2009/country-chapters/somalia.

[23] Ibid.

[24] Variation in this estimate ranges from 2000 (World Health Organization) and 30,000 (National Transitional Council)

[25] Daw, Mohamed A., Abdallah El-Bouzedi, and Aghnaya A. Dau. "Libyan Armed Conflict 2011: Mortality, Injury and Population Displacement." *African Journal of Emergency Medicine*5, no. 3 (2015.

[26] "Afghan Casualties Hit Record High 11,000 in 2015 – UN Report | UN News." United Nations. Accessed August 09, 2018. https://news.un.org/en/story/2016/02/522212-afghan-casualties-hit-record-high-11000-2015-un-report.

Chart 3. NATO's Severity of Response as a Function of Civilian Suffering
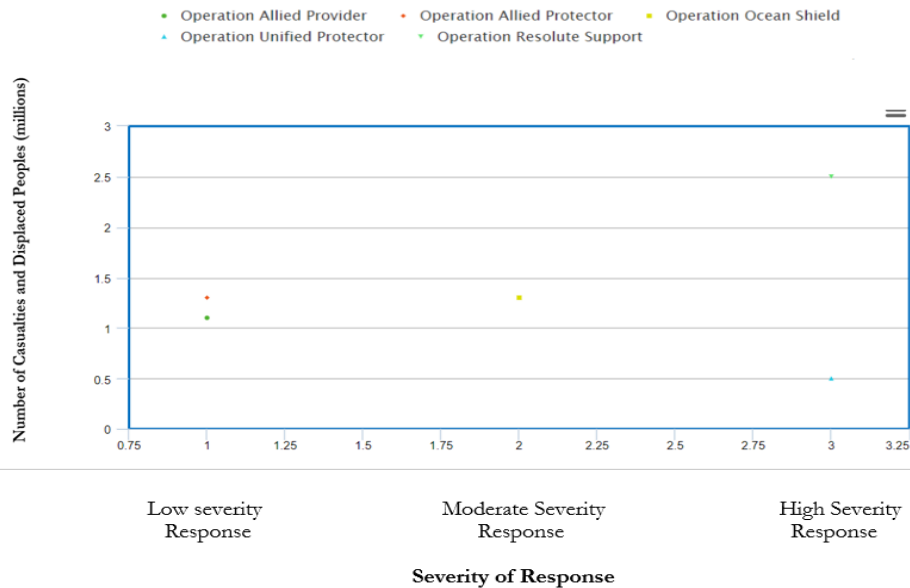
Analysis

Based on this data, we can conclude that factors of civilian suffering bear little to no effect on NATO's severity of response, and that no correlation, either positive nor negative, can be drawn from these variables. This departs from my hypothesis of a positive relationship. If it had been true that civilian suffering as defined in this paper were a primary consideration for NATO, then neither Operation Ocean Shield nor Operation Unified Protector would have involved such high figures in personnel and heavy equipment, and the Somalian crisis would have been addressed with much more severity, as it was the most critical humanitarian crisis at the time of Operation Allied Provider.[27] Additionally, as NATO's operations in the Gulf of Aden involved only maritime forces and did not interfere in the Somalian civil war (1990-present) at the ground level, it cannot be fairly established that NATO's operations were in fact targeting the civilian crisis in that region. Of the three NATO anti-piracy missions analyzed, only Operation Allied Provider directly addressed the Somalian crisis by acting as a security force escorting the delivery of UN humanitarian goods. Both Operation Ocean Shield

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[27] "The Humanitarian Crisis in Somalia." ODI HPN. Accessed August 8, 2018. https://odihpn.org/magazine/editors-introduction-the-humanitarian-crisis-in-somalia/.

and Operation Allied Protector served uniquely to control and eliminate piracy in key international trading routes, and while regional stability contributes to global security, it cannot be claimed outright that these missions led to significant, intentional impact within Somalia, albeit that they did tangentially secure the delivery of humanitarian goods.

It may be claimed in objection that NATO's responses, while they do not correspond linearly to factors of human suffering, are in fact directly proportional and appropriate in the resolution and containment of conflict – that NATO reactions are adequate and sufficient to resolve civilian crises, which is independent of calculations of displaced persons and casualties. Such a claim would negate the significance of my research altogether. I reject this claim - if it were true, then NATO's operations would directly target the causes of human suffering, which would likely resemble a strong presence of ground troops in Somalia in conjunction with their anti-piracy missions. Furthermore, we would also observe a significant and lasting utility in regions of NATO's involvement – the lack of these results indicates that NATO's actions are in fact not ideally suited to humanitarian crises.

Additionally, claims that NATO's responses do in fact impactfully consider factors of human suffering may fall silent when confronted with the reality that NATO is exceptionally selective with the security threats to which it responds – electing notably to remain silent in worldwide humanitarian crises such as the ongoing Rohingya genocide, the Nigerian famine, and the civil war in the DRC.[28] Interpreted generously, it would be reasonable to claim that NATO's resources are finite, and partitioning them across all worldwide crises would generate little utility. Nevertheless, it would likely be more reasonable to understand NATO's decision to engage in a conflict to be the meta-level effect of individual national interests, and conclude that NATO takes action only when perceived benefits align at the member state level. Furthermore, as NATO operates under the framework of a regional alliance, there may also be little political appetite in operating in areas too removed from their borders.

Conclusion
With the adoption of the doctrine of Responsibility to Protect in 2005, the concept of sovereignty was transported from the state to the international

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[28] "Ten Humanitarian Crises to Look out for in 2018." IRIN. March 02, 2018. Accessed August 09, 2018. http://www.irinnews.org/feature/2018/01/01/ten-humanitarian-crises-look-out-2018.

community at large, but did not place a clear onus on a specific actor, leaving ambiguous the question of which agent is the most legitimate enforcer of R2P. The prevailing unstated admission holds that the UN, while it may in the future develop capacities sufficient for the execution of R2P, currently leaves vacant the place of an effective actor. Amongst regional alliances capable of undertaking peacekeeping operations, NATO, given US membership, has the greatest military capacities and hence may appear as an appropriate solution to the paucity of legitimate enforcers. However, given NATO's significant military and political clout, it has little imperative to answer to a higher ethical authority, and hence little incentive to act upon R2P as the international community understands the doctrine. Given the findings of my research, it is evident that factors of human suffering do not contribute impactfully to NATO's decision-making process, and although its missions may be analyzed under a framework of R2P and even considered successful, it is uncertain that NATO operates with appropriate attention to the doctrine so as to be considered its legitimate enforcer. This is not to posit that NATO is not nevertheless an agent of goodwill and peacekeeping on the international stage – for it remains the case that NATO's mission objectives do support the establishment of global stability. Additionally, as a military alliance, NATO has limited capacity to act in regions where the primary need is for humanitarian assistance. Notwithstanding, the conceptualization of NATO as a legitimate enforcer of the R2P doctrine is inconsistent with NATO's decision-making process and its lack of prioritization of factors of human suffering. Albeit that NATO's objectives clearly pursue international security, given its disregard for factors of human suffering, it cannot be fairly conceptualized as an ideal enforcer of R2P.

Works Cited

Bellamy, Alex J. "From Tripoli to Damascus? Lesson Learning and the Implementation of the Responsibility to Protect." International Politics 51, no. 1 (2014): 23-44.

Carati, Andrea. "Responsibility to Protect, NATO and the Problem of Who Should Intervene: Reassessing the Intervention in Libya." Global Change, Peace & Security 29, no. 3 (2017): 293-309.

Cock, Chris De. "Operations Unified Protector and the Protection of Civilians in Libya." Yearbook of International Humanitarian Law 14 (July 26, 2012): 213-35.

Daw, Mohamed A., Abdallah El-Bouzedi, and Aghnaya A. Dau. "Libyan Armed Conflict 2011: Mortality, Injury and Population Displacement." *African Journal of Emergency Medicine*5, no. 3 (2015).

NATO. "Counter-piracy Operations (Archived)." NATO. Accessed August 08, 2018. https://www.nato.int/cps/em/natohq/topics_48815.htm.

NATO. "NATO and Libya (Archived)." NATO. November 9, 2015. Accessed June 08, 2018. https://www.nato.int/cps/ic/natohq/topics_71652.htm.

NATO. "Operations and Missions: Past and Present." NATO. Accessed June 08, 2018. https://www.nato.int/cps/su/natohq/topics_52060.htm?selectedLocale=en.

NATO. Public Diplomacy Division. "Operation Unified Protector Final Mission Stats." News release, November 02, 2011. Accessed August 8, 2018.

NATO. "Resolute Support Mission in Afghanistan." NATO. Accessed August 09, 2018. https://www.nato.int/cps/su/natohq/topics_113694.htm

NATO. "The Responsibility to Protect." NATO. Accessed June 08, 2018. https://www.nato.int/docu/review/2002/Managing-Crisis/Responsibility-protect/EN/index.htm.

NATO. "The North Atlantic Treaty." NATO. Accessed June 08, 2018. https://www.nato.int/cps/ic/natohq/official_texts_17120.htm.

Support, Resolute. "NATO Resolute Support | Home." NATO Resolute Support | Afghan National Army Trust Fund. Accessed August 08, 2018. https://rs.nato.int/.

"Ten Humanitarian Crises to Look out for in 2018." IRIN. March 02, 2018. Accessed August 09, 2018. http://www.irinnews.org/feature/2018/01/01/ten-humanitarian-crises-look-out-2018.

"The Human Rights Crisis in Somalia." Human Rights Watch. April 17, 2015. Accessed August 8, 2018. https://www.hrw.org/news/2008/03/30/human-rights-crisis-somalia.

"The Humanitarian Crisis in Somalia." ODI HPN. Accessed August 8, 2018. https://odihpn.org/magazine/editors-introduction-the-humanitarian-crisis-in-somalia/.

Pike, John. "NATO Operations." Nato's Operations Past and Present. Accessed June 08, 2018. https://www.globalsecurity.org/military/world/int/nato-ops.htm.

"United Nations Office on Genocide Prevention and the Responsibility to Protect." United Nations. Accessed June 08, 2018. http://www.un.org/en/genocideprevention/about-responsibility-to-protect.html.

"World Report 2009: Rights Trends in Somalia." Human Rights Watch. July 29, 2011. Accessed August 8, 2018. https://www.hrw.org/world-report/2009/country-chapters/somalia.

Zilkiq, Adelina. "Kosovo - a "Humanitarian Intervention": A Case Study about Kosovo and Nato's Intervention on 24 March, 1999." 2012

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