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Abstract

Shadi Hamid, in "It's Time to Intervene," suggests that the international community—specifically, the United States, the United Nations, and NATO—must intervene in Libya because Muammar Gaddafi has declared that he is ready and willing to slaughter his own people if his survival depends on it. The author considered Gaddafi's speech otherwise "bizarre" and "incoherent."

Keywords

Human rights, Libya, United Nations, Responsibility to protect, Intervention

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Is it Really Time to Intervene in Libya?

by Christina Cerna

Shadi Hamid, in “It’s Time to Intervene,” suggests that the international community—specifically, the United States, the United Nations, and NATO—must intervene in Libya because Muammar Gaddafi has declared that he is ready and willing to slaughter his own people if his survival depends on it. The author considered Gaddafi’s speech otherwise “bizarre” and “incoherent.”

But what about the reaction of the international community, which normally means the US and Europe; has its reaction been anything but bizarre and incoherent? The [New York Times editorial page](#) criticized the Obama administration for “throwing out so many conflicting messages on Libya that they are blunting any potential pressure on the Libyan regime and weakening American credibility. It’s dangerous to make threats if you’re not prepared to follow through.” And French President Nicolas Sarkozy on March 10, 2011 recognized the Libyan opposition as “the legitimate representative of the Libyan people” (“le représentant légitime du peuple libyen”) while Alain Juppé, the French Minister of Foreign Affairs, was in Brussels participating in a meeting designed to forge a common European position on the matter. And then there are the [NATO Defense Ministers](#) who said that “further planning was needed to initiate and enforce any potential air exclusion zone in Libya and that this could only happen with a ‘clear mandate’ from the United Nations—likely to need US, Chinese and Russian support.”

The United Nations Security Council did act on February 26, 2011 at the urging of the Arab League, the African Union, and the Organization of the Islamic Conference, all of which expressed concern about the serious violations of human rights and international humanitarian law that are being committed in Libya. Security Council Resolution 1970, *inter alia*, recalled the Libyan authorities’ responsibility to protect its population, and acting under Chapter VII of the UN Charter demanded an “immediate end to the violence.” The Resolution urged the Libyan authorities to allow immediate access for international human rights monitors; to ensure the safety of all foreign nationals and to facilitate the departure of those seeking to leave; to ensure the safe passage of humanitarian and medical supplies and workers into the country; and to lift restrictions on all forms of media. The Resolution also refers the situation in Libya to the Prosecutor of the International Criminal Court, despite the fact that Libya is not a party to the Rome Statute and consequently has “no obligation under the Statute.” It imposes an embargo on the “direct or indirect supply, sale or transfer” of arms to the Libyan authorities and, significantly, it imposes a travel ban and assets freeze on named Libyan authorities, notably on Gaddafi, his family, and his security and intelligence heads. Also, the [EU leaders](#) have now all agreed that Gaddafi “must go,” but how far they are willing to go to ease him out of power is still a question.

Two pillars of the UN Charter are articles 2(4) prohibiting the use of force and 2(7), which enshrines the principle of non-intervention. Under Chapter VII of the UN Charter, the UN Security Council may take measures when there is a threat to the peace, breach of the peace, or act of aggression and shall make recommendations or decide what measures shall be taken to maintain or restore international peace and security.

Again, at the request of the Arab League, the African Union and the Organization of the Islamic Conference, alarmed at the serious violations of human rights and international humanitarian law in Libya, on March 17, 2011 the UN Security Council, acting again under Chapter VII of the UN Charter, adopted Resolution 1973, which demanded an immediate cease-fire and end to the violence against civilians and which authorized UN members to “take all necessary measures ... to protect civilians ... under threat of attack... while excluding a foreign occupation force of any form on any part of Libyan territory” and to establish a ban on all flights in the Libyan airspace in order to help protect civilians.

Hamid invokes the “Responsibility to Protect (R2P),” the responsibility of the international community to intervene in situations where mass atrocities are being committed. Gareth Evans and the International Commission on Intervention and State Sovereignty (ICISS), who coined “R2P,” revived the notion of humanitarian intervention in the face of repeated United Nations inaction. The international community should not sit back and watch the demand for freedom in Libya be quashed because the authorities have the money and the weapons to maintain themselves in power. But surely Libya is not the only country where massive human rights violations are occurring today. One has only to listen to the stories of the hundreds of thousands of foreign workers fleeing Libya for Tunisia and Egypt; these people would rather die than go back to Nigeria or Bangladesh or their other countries of origin.

In deciding which countries merit international intervention to protect people from atrocities, perhaps the only moral obligation to intervene can be found in a situation of genocide.

The goals of the international community continued to be incoherent as the West called for the removal of Gaddafi, while Amr Moussa, head of the Arab League, after the first [US-European led airstrikes stated](#): “[W]hat is happening in Libya differs from the aim of imposing a no-fly zone. What we want is the protection of civilians and not the bombardment of more civilians.”

As heartbreaking as watching the crushing of the civilian uprising in Libya on nightly television broadcasts may be, it is not genocide. Intervention was authorized to protect civilians but the West’s expressed goal of Gaddafi’s ouster goes beyond the language of the Security Council Resolution.

When it was noted that some people called on Jimmy Carter to bomb Iran in retaliation for the fifty-two Americans who had been taken hostage, Carter said, “We went through four years. We never fired a bullet. We never dropped a bomb. We never launched a missile.” Why? Carter responded that he “felt that our country should be, as a superpower, the champion of peace.” Before leaping into another quagmire like Iraq and Afghanistan, in its attempt to make the Middle East an oasis of democracy, the United States should think about Jimmy Carter’s words and seek ways to mediate an end to this conflict before it degenerates into an all out civil war.

The author of this Roundtable article, Ms. Christina M. Cerna, is a staff member in the General Secretariat of the Organization of American States' Secretariat for the Inter-American Commission on Human Rights. The opinions expressed in this note are the sole responsibility of the author in the author's personal capacity and are not to be interpreted as official positions of,

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