

The Role of the United Nations Security Council in Managing Humanitarian Crises Between the Principle of Sovereignty and International Intervention: A Comparative Study of Syria and Libya

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Abstract:

This research addresses the dilemma of balancing the principle of state sovereignty with the imperatives of humanitarian intervention within the framework of contemporary international law. Through an analytical and comparative study of the United Nations Security Council's role in handling humanitarian crises—specifically in Syria and Libya—this paper highlights that sovereignty is no longer an absolute principle; rather, it has become circumscribed by international obligations, particularly in the field of human rights. The study discusses the legal framework governing the Security Council's functions and its mandates under the UN Charter, alongside an analysis of the concept of humanitarian intervention and the legal controversies it ignites. It further explores the "Responsibility to Protect" (R2P) principle as a modern development aimed at reconciling respect for state sovereignty with the necessity of civilian protection. On a practical level, the research reveals a stark disparity in the Council's positions. While it adopted decisive and binding resolutions during the 2011 Libyan crisis—authorizing military intervention to protect civilians—it failed to reach a similar consensus regarding the Syrian crisis due to political polarization and the exercise of the veto power, which severely limited its effectiveness. The research concludes that the Security Council's conduct reflects double standards in the application of international law, heavily influenced by the interests of major powers. This inconsistency undermines the Council's ability to provide just humanitarian protection, necessitating a reform of its operational mechanisms to enhance impartiality and effectiveness in addressing global crises.

Keywords: State Sovereignty, Humanitarian Intervention, UN Security Council, Responsibility to Protect (R2P), Syrian Crisis, Libyan crisis.

Introduction

The reconciliation between the principle of State sovereignty and the requirements of humanitarian intervention constitutes one of the most prominent dilemmas raised by contemporary international law, particularly in light of the increasing number of humanitarian crises and internal armed conflicts that threaten the lives of civilians on a widespread scale. While the United Nations enshrined the principles of sovereignty and non-intervention in the internal affairs of states as the cornerstone of the international system in its Charter, the evolution of international practice has yielded new trends that permit intervention in exceptional circumstances on humanitarian grounds. This, in turn, has sparked an extensive jurisprudential and legal debate regarding the legitimacy and limits of such intervention.

The United Nations Security Council (UNSC) is the primary body entrusted with the maintenance of international peace and security. It exercises extensive powers under Chapters VI and VII of the Charter of the United Nations, including the adoption of measures that may escalate to the use of military force. However, the Council's exercise of these powers has not been consistently uniform; rather, it has frequently been characterized by inconsistency and influenced by the political considerations of its permanent members. This, in turn, raises fundamental questions regarding the impartiality and effectiveness of the Council in addressing humanitarian crises.

The significance of this dilemma is clearly manifested when comparing the Security Council's stance on the Libyan crisis in 2011 with the Syrian crisis that erupted in the same year. In the Libyan case, the Council adopted a resolute position by issuing resolutions that authorized military intervention for the protection of civilians. Conversely, it failed to take a similar stance in the Syrian case due to the exercise of the veto power and the divergence of international interests. This disparity reflects a profound dilemma regarding the extent to which a balance is achieved between respect for state sovereignty on one hand, and the necessity of protecting human rights on the other.

Accordingly, this research seeks to examine the legal framework governing the Security Council's mandate in this field and to analyze the concepts of humanitarian intervention and the Responsibility to Protect (R2P). Furthermore, it aims to evaluate the Council's practical performance through a comparative study of the Syrian and Libyan cases, in order to assess the consistency of its conduct with the rules of international law, the degree of influence by political considerations, and whether this reflects double standards in the application of these rules.

Research Problem:

The research problem centers on the following question

To what extent has the United Nations Security Council succeeded in striking a balance between respect for State sovereignty and humanitarian intervention to protect civilians, as evidenced by a comparison of its positions on the Syrian and Libyan crises?

From this primary question, the following sub-questions arise:

1. What are the limits of the principle of sovereignty and non-intervention under the Charter of the United Nations?
2. What is the legal basis for humanitarian intervention and the principle of the Responsibility to Protect (R2P)?
3. Why did the Security Council adopt a resolute stance regarding intervention in Libya, while failing to take a similar position in Syria?
4. Does the Security Council's conduct reflect double standards in the application of the rules of international law?

Significance of the Research

The significance of this research stems from its contribution to enriching the jurisprudential debate regarding the relationship between the principle of sovereignty and humanitarian intervention—one of the most contentious issues in contemporary international law. Furthermore, the research highlights the limits of the Security Council's mandates under the UN Charter, particularly within the framework of Chapters VI and VII. It analyzes the legitimacy of international interventions and illustrates how legal rules are applied in international reality through the case studies of Syria and Libya, examining the impact of political considerations, such as the exercise of the veto power.

Objectives of the Research

This research aims to achieve the following:

1. Clarify the concept of sovereignty and the limits of the non-intervention principle in international law
2. Analyze the legal framework governing the Security Council's actions concerning intervention in humanitarian crises.
3. Examine the concept of humanitarian intervention and the principle of the Responsibility to Protect (R2P).
4. Evaluate the practical role of the Security Council by comparing its positions in the Syrian and Libyan crises.

Research Methodology

Given the nature of this research, the researcher employs several complementary methodologies to obtain the necessary information to address the research problem

Descriptive Method: By reviewing legal texts, specifically the UN Charter, and Security Council resolutions related to the Syrian and Libyan crises.

Analytical Method: By analyzing legal texts, particularly the UN Charter and relevant Security Council resolutions.

Comparative Method: By identifying and comparing the Security Council's stance in the Syrian and Libyan cases.

Research Structure

Section I: The Legal Framework for the Role of the Security Council between Sovereignty and Humanitarian Intervention

Subsection I: The Principle of State Sovereignty and the Limits of Non-Intervention

Subsection II: Humanitarian Intervention and the Mandates of the Security Council

Section II: The Practical Framework for the Role of the Security Council in Humanitarian Crises

Subsection I: The Security Council's Stance on the Syrian Crisis

Subsection II: The Security Council's Stance on the Libyan Crisis

Section I: The Legal Framework for the Role of the Security Council between Sovereignty and Humanitarian Intervention

The United Nations Security Council (UNSC) is considered one of the most vital international organs entrusted with the maintenance of international peace and security. In exercising its mandates, the Council relies on the provisions of the Charter of the United Nations, which seeks to strike a delicate balance between the principle of state sovereignty and the imperatives of intervention for human protection in situations of crises and conflicts.

This balance has generated an escalating jurisprudential and legal debate, particularly amidst the rise of humanitarian crises of an internal nature, which has raised questions regarding the limits of the Council's authority and the legitimacy of its intervention for humanitarian purposes. Accordingly, the study in this section is divided into two subsections: The Principle of State Sovereignty and the Limits of Non-Intervention (Subsection I), and

Humanitarian Intervention and the Mandates of the Security Council (Subsection II).

Subsection I: The Principle of State Sovereignty and the Limits of Non-Intervention

First: The Content of the Sovereignty Constraint in Light of International Law

The emergence of the concept of sovereignty in international relations is intrinsically linked to the inception and gradual historical evolution of human societies. These societies transitioned from primitive forms of social organization into more complex and stable political entities, eventually crystallizing within a defined territorial framework subject to a unified central authority.¹

Since the crystallization of the modern state, the concept of sovereignty has been inextricably linked to statehood, viewed as one of its fundamental pillars. Sovereignty has emerged as a multi-dimensional concept—comprising legal, political, and economic facets—that grants the state supreme authority within its territory (Internal Sovereignty) and full independence in its foreign relations (External Sovereignty). From a legal perspective, sovereignty signifies the state's exclusive authority over legislative, judicial, and executive powers within its borders without being subject to a higher authority. From a political perspective, it enshrines the state's right to choose its political system; and economically, it empowers the state to exercise control over its national resources.²

Concepts of sovereignty among legal scholars have varied in accordance with different schools of thought. However, primary credit is attributed to the jurist Jean Bodin³ as the first to introduce the concept of sovereignty, defining it as: "the supreme power and absolute authority within a specific territory." Definitions within international jurisprudence revolve around a central axis: sovereignty as the legal and political principle exercised by the State over its people and territory within its national boundaries, characterized by the absence of any superior authority prevailing over it within that territory.⁴

¹ Al-Kaka'i, Koran Mohammed. (2020). *The Correlation between the Concept of Sovereignty and the Evolution of International Relations*. PhD Dissertation. Department of Public Law, Faculty of Law, Islamic University of Lebanon. Khaldeh, Lebanon. p. 11 et seq.

² Al-Issa, Talal. (2010). Sovereignty between its Traditional and Contemporary Concepts: "A Study on the Internationalization of Sovereignty in the Present Era". *Damascus University Journal for Economic and Legal Sciences*. Vol. 26, No. 1, pp. 39-68. Damascus, Syria: Damascus University, p. 61 et seq.

³ Jean Bodin: A French jurist, philosopher, and professor of law at the University of Toulouse, France.

⁴ Abu Hani, Ali. (2012). *The Decline of the Principle of State Sovereignty under the New International Order*. *Journal of Scientific Research and Studies*. Vol. 6, No. 1, pp. 9-23. Medea, Algeria: Yahia Fares University, p. 11.

Sovereignty is intrinsically linked to the concept of state independence, as it is difficult to separate them both theoretically and practically. From this perspective, state independence is considered a manifestation of its sovereignty and a practical embodiment thereof within the sphere of international relations. Thus, it can be argued that independence represents the natural and necessary consequence of the existence of sovereignty, whereas sovereignty serves as the theoretical legal expression of this independence and the framework that grants it legitimacy and recognition within the international community.¹

The legal basis of sovereignty remains one of the most controversial topics in contemporary international jurisprudence. This is due to several considerations, foremost among them the profound evolution of international relations, which has necessitated the re-contextualization of sovereignty, particularly amidst the rise of interventions under humanitarian pretexts. Furthermore, the phenomenon of globalization, with its economic, political, and technological dimensions, has contributed to reshaping the traditional scope of sovereignty.²

Regarding the legal value of the principle of sovereignty on the international level, it is currently enshrined in numerous international documents that reaffirm the necessity for states to uphold sovereignty and national particularity as it constitutes a fundamental attribute of State authority and a basic requirement of the international community. Among these instruments are the Charter of the United Nations and the two International Covenants of 1966³, in addition to various international resolutions that have solidified the concept of sovereignty within international relations.⁴

The principle of non-intervention in the internal affairs of states is a direct corollary of the principle of sovereignty; indeed, it is regarded as one of its most significant manifestations in international law. The principle of non-intervention is organically linked to the concept of the internal affairs of states.⁵ This principle is defined as the prohibition of any state or international organization from interfering in the affairs of another state

¹ Somers, Werner. (2023). *The State of Taiwan from International Law to Geopolitics*, Series: Geopolitics and International Relations. Published by: Koninklijke Brill NV. Leiden: The Netherlands. P. 286.

² Al-Bahrani, Ayad Ashour. (2023). *The Role of the UN Envoy in Maintaining International Peace and Security*, 1st Ed. Iraq: Erbil. Hatric Publishing and Distribution. p. 106.

³ This refers to the International Covenant on Economic, Social and Cultural Rights (1966) and the International Covenant on Civil and Political Rights (1966). Common Article 1 states: "All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence."

⁴ These include UN General Assembly Resolution 626 (VII) of 1952 and Resolution 1803 (XVII) of 1962.

⁵ Jesus Candeias, Teresa de. (2024). *L'ingérence dans les affaires internes et la responsabilité de protéger à l'ONU*. Published by: Le Village de la justice. Paris, France.

without a legitimate legal basis, encompassing the prevention of any act that would infringe upon its sovereignty, political independence, or territorial integrity.¹

The principle of non-intervention is considered a peremptory norm (*jus cogens*) and a general rule of international law, owing to its intrinsic link to the protection of the international order itself. Any infringement upon this principle does not merely affect the aggrieved state but extends to threaten international peace and security. Consequently, the principle possesses a character of universal obligation, making it binding upon all states without exception. This principle is further distinguished by the duality of its legal sources, combining both customary and treaty-based natures. It originated as a political principle associated with the concept of absolute sovereignty within the classical international system, subsequently evolving into an established legal principle.²

The principle of non-intervention has been enshrined in numerous international conventions and instruments, most notably the Charter of the United Nations, as stipulated in Article 2, paragraph 7. Furthermore, the General Assembly has played a pivotal role in consolidating this principle through various resolutions. Chief among these is Resolution 2131 of 1965, titled the "Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty." In this declaration, the General Assembly reaffirmed the total commitment to the non-intervention of states, whether directly or indirectly, in the internal or external affairs of any other state, in furtherance of the purposes of the United Nations.³

Second: Restrictions on Sovereignty under the United Nations Charter

Despite the fundamental importance of the principle of sovereignty in the structure of international law, it is no longer absolute as it was under the classical international system. Rather, sovereignty has become circumscribed by a set of obligations imposed by contemporary international law, foremost among which are those enshrined in the Charter of the United Nations. The Charter represents a pivotal turning point in redefining the boundaries of national sovereignty within the framework of the organized international community.

¹ Shehab, Moufid. (2020). Under the UN Charter: The Principle of Non-Intervention in the Internal Affairs of States. Research published by the Eighth Day Foundation for Media and Studies. Cairo: Egypt.

² Guerro, Alexandre. (2022). The Legal Status of the Principle of Non-Intervention. *Moscow Journal of International Law*. No. 1. Published by: Moscow State Institute of International Relations. Russia. p. 18.

³ United Nations. (1965). Resolution 2131 (XX): Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty. UN Publications, Documentary Office. New York: USA. Available at: <https://2u.pw/alfR8>. Accessed on: March 1, 2026.

While the Charter affirms the principle of sovereignty by emphasizing the sovereign equality of all its members¹, it simultaneously establishes a series of restrictions that limit the absolute nature of this principle. These restrictions aim to achieve a balance between the independence of states and the imperatives of the maintenance of international peace and security.

The first of these restrictions is the prohibition of the threat or use of force in international relations. The Charter mandates that states refrain from the use of force against the territorial integrity or political independence of any state. This constitutes one of the most significant restrictions on sovereignty, as it limits a state's freedom to resort to military means to achieve its interests, establishing the principle of peace as the foundation for organizing international relations.²

The second restriction is the obligation to settle international disputes by peaceful means. States are required to resolve their conflicts through peaceful methods such as negotiation, arbitration, mediation, and judicial settlement. This obligation reflects a limitation on a state's freedom to choose the means it deems appropriate to protect its interests, affirming the subordination of its conduct to international legal standards aimed at preventing armed conflicts.³

The third restriction manifests in the submission of states to the authority of the Security Council within the framework of the Collective Security System. Under Chapter VII, the Charter grants the Security Council broad mandates to take necessary measures to address any threat to the peace, breach of the peace, or act of aggression, including the imposition of economic sanctions or the use of military force. This is a prominent manifestation of restricted sovereignty, as binding measures can be imposed upon a state without its consent, reflecting the priority of the collective interest of the international community over the unilateral will of states.

A further restriction emerges in the obligation to respect human rights and fundamental freedoms. The respect for human rights has become an integral part of a state's international obligations and is no longer a purely domestic affair. This development has narrowed the scope of the non-intervention principle, particularly in cases involving gross violations of human rights, thereby opening the door for the international community to intervene through various means, whether via UN mechanisms or through international pressure.⁴

¹ Article 2(1) of the Charter of the United Nations (1945) states: "The Organization is based on the principle of the sovereign equality of all its members."

² Article 2, paragraph 4 of the Charter of the United Nations.

³ Article 2, paragraph 3 of the Charter of the United Nations.

⁴ Preamble of the Charter of the United Nations.

Subsection II: Humanitarian Intervention and the Mandates of the Security Council

First: The Substance of Humanitarian Intervention

Humanitarian intervention is among the most contentious concepts in international relations and international law, having sparked—and continuing to spark—extensive debate among scholars on both the international and political levels. This controversy stems primarily from the overlap between legal and moral considerations, as well as the frequent exploitation of this concept by major powers to advance their own interests.¹ The various definitions can be synthesized as follows:

"Any military intervention by a state or a group of states, conducted outside the framework of international organization against a third state without the consent of its government, for the purpose of protecting the inhabitants of the targeted state from wide-scale violations of human rights—particularly the right to life and the right to physical integrity—perpetrated by or with the knowledge of that state's authorities".²

Accordingly, it can be concluded that the humanitarian intervention under study encompasses the following elements:

- The recourse to military force, carried out by a single state or a coalition of states.
- Conducted without the consent of the state being intervened in, aiming to halt violations of fundamental human rights.

However, the dilemmas associated with the legitimacy of humanitarian intervention—particularly regarding its conflict with the principle of sovereignty and the potential for its political instrumentalization—prompted the international community to develop a more balanced alternative approach, embodied in the principle of the Responsibility to Protect (R2P). This principle is predicated on redefining sovereignty not as an absolute right, but as a responsibility that the State bears toward its population.³

Under this principle, the State holds the primary responsibility to protect its citizens from mass atrocities, specifically: genocide, war crimes, and crimes against humanity. Should the State be unable or unwilling to fulfill this responsibility, the obligation shifts to the international community. The latter

¹ Lowe, Vaughan & Tzanakopoulos, Antonios. (2011). Humanitarian Intervention. Max Planck Encyclopedia of Public International Law. Berlin: Germany. Available at: <https://2u.pw/aQaup>. Accessed on: April 10, 2026.

² Al-Mohammad, Imad al-Din. (2007). Humanitarian Intervention in Light of the Principles and Provisions of Public International Law, 1st Ed. Cairo, Egypt: Dar al-Nahda Publishing and Distribution. p. 315.

³ United Nations. (2026). About the Responsibility to Protect. Published by: United Nations. New York: USA. Available at: <https://www.un.org/en/genocide-prevention/responsibility-protect/about>. Accessed on: April 10, 2026.

must first intervene through peaceful means, such as diplomacy, mediation, and sanctions. If these measures prove ineffective, the international community may resort to collective intervention, provided it is conducted through legitimate international frameworks—primarily the Security Council—and in accordance with the provisions of the UN Charter, specifically those regarding the maintenance of international peace and security.¹

Thus, the principle of the Responsibility to Protect constitutes a qualitative development in regulating the concept of humanitarian intervention. It seeks to reconcile the requirements of respecting state sovereignty with the necessity of protecting human rights from gross violations, while emphasizing the collective and institutional nature of any legitimate intervention to curb unilateralism and enhance international legitimacy.

Second: The Mandates of the Security Council in Humanitarian Intervention

The Security Council serves as the central instrument within the international system for activating humanitarian intervention under the framework of international legitimacy, based on the provisions of the Charter of the United Nations, particularly Chapters VI and VII. The distribution of competencies between these two chapters reflects a functional hierarchy in the Council's handling of crises, commencing with non-coercive preventive measures and culminating—where necessary—in binding coercive measures.

Under the framework of Chapter VI, the Security Council exercises a preventive role aimed at containing disputes and preventing their escalation by encouraging parties to resort to peaceful means, such as negotiation, mediation, and arbitration, in addition to its powers regarding investigation and the issuance of recommendations.² However, the legal nature of these measures remains non-binding, which limits their effectiveness in the face of gross violations of human rights, especially when the state concerned is a party to those violations or is unwilling to cooperate.³

Conversely, Chapter VII (Articles 39–51) constitutes the legal basis for humanitarian intervention, granting the Council broad discretionary power to determine whether a specific situation constitutes a threat to international peace and security. Practical application has witnessed a significant expansion in the interpretation of this concept to include internal humanitarian crises of a serious nature. Accordingly, the Council can impose

¹ ICISS. (2001). *The Responsibility to Protect*. Published by: International Commission on Intervention and State Sovereignty. Ontario: Canada. Available at: <https://idrc-crds.ca/sites/default/files/openbooks/960-7/index.html>. Accessed on: April 10, 2026.

² Article 33 of the Charter of the United Nations.

³ Articles 36–37 of the Charter of the United Nations.

binding measures ranging from non-military sanctions¹ to the use of military force, whether directly or by authorizing states or international coalitions.²

Consequently, a legal analysis of the Security Council's powers reveals a functional duality between the logic of prevention in Chapter VI and the logic of coercion in Chapter VII. This reflects an attempt to reconcile respect for state sovereignty with the imperatives of human rights protection. Nevertheless, the effectiveness of these powers in the realm of humanitarian intervention remains hostage to political considerations and the balance of power within the Council, which ultimately impacts the consistency of their application.

Section II: The Practical Framework for the Role of the Security Council in Humanitarian Crises

The significance of the Security Council's role is particularly evident in internal conflicts that escalate into complex humanitarian crises, as demonstrated by the Syrian and Libyan cases. In both instances, the Council's intervention—or lack thereof—constituted a central axis in the trajectory of these crises. This section seeks to analyze the practical framework of the Security Council's role in addressing humanitarian crises through the study of two prominent cases that represent different models of international response and effectiveness. Accordingly, the study is divided into two subsections: The Security Council's Stance on the Syrian Crisis (Subsection I) and The Security Council's Stance on the Libyan Crisis (Subsection II).

Subsection I: The Security Council's Stance on the Syrian Crisis

First: The Trajectory of the Syrian Crisis

With the spark of peaceful protests rejecting tyranny, the Syrian street was met with a machinery of suppression that spoke only the language of violence. The regime responded to peaceful demands with live ammunition and security detentions. As the confrontation escalated, the Syrian landscape gradually shifted from protest squares and civil movements demanding political reform and democratic change into an open arena for armed conflict. This space became contested by local forces with divergent interests, further entangled by regional and international interventions.

Due to this intricate web of involvement, the crisis reached a level of complexity that led the country into a convoluted struggle for power—a

¹ Article 41 of the Charter of the United Nations.

² Article 42 of the Charter of the United Nations.

trajectory dominated by military and political calculations at the expense of the people's aspirations for freedom and justice.

The actual spark of the movement in Syria occurred on Tuesday, March 15, 2011, when Syrian activists called for demonstrations under the banner "Day of Syrian Rage." This was triggered by the heightening tension and anger originating in the city of Daraa after Syrian security forces arrested several children for writing anti-regime graffiti. These calls met with a significant response, as Syrians took to the streets demanding justice and freedom on a modest scale. Demonstrations subsequently broke out in most Syrian regions and cities in solidarity with Daraa, including Damascus, Hama, Homs, and Aleppo. Syrian security forces met these protests with direct fire, leading to the expansion and rapid spread of the demonstrations.¹

With the escalating pace of protests and the regime's continued reliance on violent suppression and bloodshed as a primary approach, the nature of the armed confrontation evolved between 2012 and 2015. It shifted from traditional, limited clashes between the regime's army and armed opposition factions to a full-scale, organized armed conflict characterized by total war. During this period, the regime lost control over approximately 80% of Syrian territory.²

By the beginning of 2015, the Syrian conflict underwent a fundamental transformation from a local internal dispute to a multilateral conflict due to the direct and overt intervention of foreign powers, primarily Russia, in military operations to support the existing regime. This intervention manifested through intensive airstrikes, which altered the balance of power on the ground and enabled the regime to recapture several strategic areas (such as the Aleppo and Homs countrysides). The period from 2015 to 2019 is considered the bloodiest in the course of the Syrian conflict, witnessing the highest levels of destruction, mass displacement, and wide-scale humanitarian violations. The military and political landscape at this stage was characterized by complexity and a plurality of warring parties.³

Between 2019 and 2023, the conflict in Syria entered a phase of partial military stalemate. At this stage, the conflict evolved into what can be described as a war of influence, characterized by the intersection of various

¹ Essam, Amany & Mustafa, Salma. (2024). The Evolution of the Syrian Crisis and its Implications for the Syrian Interior. *Scientific Journal of Commercial Research and Studies*. Vol. 38, No. 4, pp. 121-151. Cairo, Egypt: Helwan University, pp. 125-126.

² Al Jazeera Centre for Studies. (2016). *The Syrian Revolution: Toward Armed Resistance and Fomenting International Conflict*. Research published by Al Jazeera Centre for Studies. Doha: Qatar. Available at: <https://studies.aljazeera.net/ar/article/457>. Accessed on: April 10, 2026.

³ Wimmen, Heiko. (2016). *Syria's Path from Civic Uprising to Civil War*. Published by: Carnegie Endowment for International Peace. Washington: USA. Available at: <https://carnegieendowment.org/research/2016/11/syrias-path-from-civic-uprising-to-civil-war>. Accessed on: April 10, 2026.

interests at both regional and international levels, alongside the persistence of the humanitarian and economic crisis.¹

By the beginning of 2024, the Syrian landscape witnessed a qualitative shift in the engineering of regional relations. Despite its structural fragility and deteriorating military capacity, the Syrian regime managed to breach a significant portion of the wall of isolation imposed since 2011. It capitalized on the dynamics of limited Arab rapprochement and Turkey's repeated attempts to normalize relations as part of its effort to reshape power balances. This diplomatic movement granted the regime a symbolic margin to bolster its external legitimacy. Conversely, opposition factions realized that adhering to a passive defense strategy would keep the balance of power tilted in the regime's favor, especially as regional powers were preoccupied with more pressing crises—namely the war in Gaza and the continuous escalation in Lebanon.²

Consequently, a new military structure emerged under the name "Military Operations Command," comprising a coalition of opposition factions with advanced organizational and armament capabilities. On November 27, 2024, it announced the launch of the "Deterrence of Aggression" operation as a large-scale military offensive. The operation was characterized by an unprecedented integration of intelligence work and military deployment, allowing the factions to achieve rapid breakthroughs in strategic locations.³ This included seizing control of vital facilities and major city centers—Aleppo, Hama, and Homs—leading to the rapid collapse of the regime's security apparatus and its loss of command over the front lines. By the dawn of Sunday, December 8, 2024, the Military Operations Command officially announced the victory of the revolution, the liberation of Syria, and the fall of the Bashar al-Assad regime, who fled to Moscow as a refugee.

Second: Security Council Intervention in Syria

Since the outbreak of the Syrian crisis in 2011, the UN Security Council (UNSC) has served as a central arena for international political tug-of-war. While member states sought to formulate a collective response to the deteriorating humanitarian situation, these efforts were prematurely hindered by a profound divergence in positions, particularly among the Permanent

¹ Jusoor for Studies. (2023). Map of Military Control Across Syria at the End of 2022 and the Beginning of 2023. Published by: Jusoor for Studies. Istanbul: Turkey. Available at: <https://2u.pw/RH10QTi>. Accessed on: April 10, 2026.

² Masar Center for Human Studies. (2024). The Collapse of the Syrian Regime: Influencing Factors and Positions of Key Arab States. Research published by Masar Center for Human Studies. Istanbul: Turkey. Available at: <https://almasarstudies.com/collapse-of-the-syrian-regime/>. Accessed on: April 10, 2026.

³ Department of Studies. (2024). Operation Deterrence of Aggression and the Collapse of the Syrian Regime Forces. Research published by the Arab Center for Research and Policy Studies. Doha: Qatar. Available at: <https://2u.pw/tw7Nej>. Accessed on: April 10, 2026.

Members (P5). This division negatively impacted the Council's efficacy and its ability to undertake decisive action.

In the initial stage of the crisis, several draft resolutions were proposed to condemn the excessive use of force against civilians and to call for coercive measures against the Syrian regime. However, these initiatives faced the repeated exercise of the veto power, primarily by Russia and China. Both states contended that such drafts constituted an intervention in the domestic affairs of the Syrian state and served as a prelude to regime change. This recurrent use of the veto led to a near-total institutional paralysis during the early years, preventing the adoption of deterrent measures or binding sanctions.

Despite this acute polarization, the Security Council managed—within a minimal threshold of consensus—to adopt several resolutions with humanitarian and political dimensions. These aimed to mitigate the crisis without fundamentally upsetting the balance of power within the Council. Among these was a resolution affirming the necessity of an immediate cessation of attacks against civilians, including indiscriminate shelling, and stressing the guarantee of safe, rapid, and unhindered access for humanitarian aid to all those in need. However, despite its binding nature, this resolution lacked clear enforcement mechanisms, which limited its practical effectiveness.¹

In the same vein, the Security Council authorized cross-border humanitarian assistance and delivery through conflict lines without the requirement of the Syrian government's consent. This constituted a significant exception to the principle of sovereignty in response to the dire humanitarian reality. This mandate was subsequently renewed multiple times, though its scope gradually contracted due to political pressures.²

Furthermore, the Council adopted its most prominent resolution, which serves as the fundamental reference framework for the political process. It called for a comprehensive ceasefire and the commencement of UN-facilitated negotiations between Syrian parties, leading to the establishment of a Transitional Governing Body, the drafting of a new constitution, and the holding of free and fair elections. Nevertheless, the implementation of this resolution remained hostage to complex international alignments and failed to achieve tangible progress, reflecting the Council's limited influence amidst continued divisions among its permanent members.³

¹ UNSC Resolution 2139, adopted on February 22, 2014.

² UNSC Resolution 2165, adopted on July 14, 2014.

³ UNSC Resolution 2254, adopted on December 18, 2015.

Despite their significance, these resolutions had a limited impact on the ground due to the absence of effective execution mechanisms and persistent political disputes. Moreover, attempts to refer the situation in Syria to the International Criminal Court (ICC) also failed as a result of the veto, thereby obstructing accountability for those responsible for gross violations of International Humanitarian Law.¹

It is observed that the Security Council, in its handling of the Syrian crisis, frequently prioritized the principles of sovereignty and non-intervention over the principle of humanitarian protection, notwithstanding the gravity of the violations committed. Political considerations and the strategic interests of major powers hindered the activation of the "Responsibility to Protect (R2P)" principle, which was intended to provide a basis for intervention in such cases.

Consequently, it can be argued that the Security Council's intervention in Syria was characterized by selectivity and deficiency. Its actions were largely confined to non-binding statements or weakly implemented resolutions, demonstrating a clear inability to take decisive measures to halt the conflict or protect civilians. This reflects the limitations of the current international order when humanitarian imperatives clash with the balance of political power.

Subsection II: The Security Council's Stance on the Libyan Crisis

First: The Trajectory of the Libyan Crisis

In all the Arab countries that witnessed political uprisings and revolutions, including Libya, events did not unfold as planned. In many regions, peaceful demonstrations evolved into mutual violence between the regime and protesters, international or regional intervention, political struggles between post-revolutionary elites, or civil wars between armed groups and various regular or irregular forces.

The early precursors of the movement in Libya began in late January 2011, within a regional context characterized by escalating waves of protest. Libyan activists from the domestic opposition issued a statement via social media calling for street demonstrations to voice grievances against corruption and poverty. The statement's core demands included: (The overthrow of the

¹ Russia exercised its veto power in the Security Council to block numerous resolutions regarding the Syrian file, most notably:

- A draft resolution regarding the immediate cessation of violence and support for the Arab League plan calling for Bashar al-Assad to step down (2012).
- A draft resolution to refer the crimes committed in Syria to the International Criminal Court (ICC) (2014).
- A draft resolution to extend the delivery of cross-border humanitarian aid via the Bab al-Hawa crossing (2023).

Gaddafi regime, the establishment of a constitutional state governed by the rule of law, and holding accountable the criminals responsible for the 1996 Abu Salim prison massacre in Tripoli). Consequently, peaceful protests commenced on February 14, 2011, accompanied by numerous arbitrary arrests and disproportionate confrontations between protesters and regime brigades. The protests originated in eastern Libya, starting in the cities of Al Bayda and Derna, before spreading to other cities, most notably Benghazi.¹ Soon, the peaceful movement encompassed the entirety of Libyan territory.

As the former Libyan regime refused to acknowledge the reality of the peaceful movement and resorted to violence against protesters, the landscape gradually shifted from peaceful demonstrations to armed movements and bloody urban warfare against Gaddafi's brigades on multiple fronts. Opposition forces seized control of several strategic cities (Misrata and Zintan), which quickly altered the landscape and intensified the violence.² This prompted the international community to internationalize the conflict in Libya, resulting in a foreign military intervention for civilian protection that tilted the military balance in favor of the revolutionaries.

With foreign airstrikes, Gaddafi's forces suffered losses that forced them to retreat. The advancement of opposition forces led to the collapse of the regime and the killing of Gaddafi on October 20, 2011, in the city of Sirte. Following his death, Libya entered a phase of armed confrontation characterized by the proliferation of various armed groups with diverse religious and political affiliations, leading to increased violence and instability nationwide. Since the conclusion of the initial combat phase against the former regime, a second phase of conflict erupted in 2012—a civil war for power among various Libyan factions. This conflict has persisted intermittently in the years following Gaddafi's fall, varying in intensity and ultimately leading to the collapse of the state.³

Second: Security Council Intervention in Libya

As the Libyan crisis took the path of a bloody armed conflict, international and regional organizations undertook the task of internationalizing the conflict to address the humanitarian crisis, protect civilians, and halt ongoing

¹ Lotfy, Youssef. (2020). *The Disintegration of the Libyan Scene: An Anatomy of Reality and Actors*. Cairo, Egypt: Capital Forum for Political and Social Studies. pp. 12-13.

² Hassan, Sanaa. (2024). *Problems of State-Building in Libya 2011–2022*. Research published by the Arab Democratic Center for Strategic, Economic, and Political Studies. Berlin: Germany. Available at: <https://democraticac.de/?p=99780>. Accessed on: April 10, 2026.

³ Sharkia, Ibrahim. (2013). *Reconstructing Libya: Achieving Stability through National Reconciliation*. Research published by the Brookings Institution. Doha: Qatar. pp. 3-4.

violations. Consequently, the Security Council issued resolutions that paved the way for military intervention in Libya.¹

The Security Council adopted Resolution 1970 during its 6491st meeting held on February 26, 2011. In this resolution, the Council expressed its grave concern over the situation in Libya, condemned the violence and the use of force against civilians, and deplored the gross and systematic violations of human rights.² The Security Council's intervention was grounded in Chapter VII of the UN Charter, which authorizes the Council to take appropriate measures not involving the use of armed force to maintain international peace and security.³

The following are the most significant provisions of the resolution:

A - Referral to the International Criminal Court (ICC): The Council decided to refer the situation in Libya to the ICC Prosecutor to investigate the events taking place in the country.⁴

B - Arms Embargo: The resolution mandates all Member States to immediately take the necessary measures to prevent the supply of all types of arms and related materiel to Libya, including ammunition and military equipment, as well as the provision of mercenary personnel.⁵

C - Asset Freeze and Travel Ban: The resolution requires all member states to freeze, without delay, all funds, physical assets, and other economic resources located on their territory that are owned or controlled by (the Gaddafi family)⁶, in addition to all member states taking the necessary measures to prevent members of (the Gaddafi family) from entering or transiting their territory.⁷

The Libyan crisis took a more complex turn due to the inability to restrain the conflicting parties and the absence of a suitable ground for a comprehensive national dialogue to end the crisis with minimal losses. Consequently, the Security Council had no choice but to take a decisive, effective, and rapid decision. Thus, Resolution 1973 was adopted during its 6498th meeting on March 17, 2011. This resolution came as a result of the Libyan authorities' non-compliance with Resolution 1970 and the realization that the latter had not played a sufficiently effective role in extinguishing the conflict or halting

¹ Al-Quraishi, Haider. (2018). *Military Intervention and its Impact on International Relations: Iraq and Libya as Models*. 1st Ed. Cairo, Egypt: Arab Center for Publishing and Distribution. p. 281.

² Paragraphs 1 and 2 of the Preamble of UNSC Resolution 1970 (2011).

³ Article 41 of the Charter of the United Nations (1945).

⁴ Paragraphs 4, 5, 6, 7, and 8 of UNSC Resolution 1970 (2011).

⁵ Paragraphs 9, 10, 11, 12, 13, and 14 of UNSC Resolution 1970 (2011).

⁶ The Gaddafi Family: Refers to individuals directly related to the former Libyan leader Muammar Gaddafi, who ruled Libya from 1969 to 2011, as well as certain political and military figures associated with the former Libyan regime.

⁷ Paragraphs 15, 16, 17, 18, 19, 20, and 21 of UNSC Resolution 1970 (2011).

the deterioration of the security and humanitarian situation,¹ despite containing a set of deterrent measures. Resolution 1973 was issued under Chapter VII of the UN Charter, which allows the Council to take such action by air or land forces as may be necessary to maintain or restore international peace and security.² The resolution was titled "Protection of Civilians" and included several key points:

A - Protection of Civilians: It authorized Member States that have notified the Secretary-General, acting nationally or through regional organizations, to take all necessary measures (even if this required military intervention) to protect civilians and civilian-populated areas under threat of attack in Libya. It explicitly excluded a foreign occupation force of any form on any part of Libyan territory.³

B - Establishment of a No-Fly Zone: The resolution established a comprehensive ban on all flights in the airspace of Libya to prevent the bombing of civilians. This ban applied to all military and commercial aircraft, with exceptions for flights providing medical assistance, humanitarian aid, or those designated for the evacuation of foreign nationals.⁴

C - Enforcement of the Arms Embargo: Reaffirming the provisions of Resolution 1970, the Council reminded all states, particularly those neighboring Libya, of the ban on the supply of all types of weapons and mandated the inspection of ports and vessels destined for or originating from Libya.⁵

NATO engaged in the intervention in Libya from the very first hours of the adoption of UN Resolution 1973. The international coalition launched Operation Odyssey Dawn, initiating aerial and naval bombardments against Libyan targets and sites.⁶ This intervention led to numerous repercussions across the Libyan landscape on multiple levels, including political, security, economic, and social dimensions. Furthermore, the effects extended to neighboring regional states due to their shared borders, as well as reaching

¹ Paragraphs 2 and 3 of the Preamble of UNSC Resolution 1973 (2011).

² Article 42 of the Charter of the United Nations (1945).

³ Paragraphs 4 and 5 of UNSC Resolution 1973 (2011).

⁴ Paragraphs 6, 7, 8, 9, 10, 11, and 12 of UNSC Resolution 1973 (2011).

⁵ Paragraphs 13, 14, 15, and 16 of UNSC Resolution 1973 (2011).

⁶ The military operation began under the leadership of the United States, France, the United Kingdom, Italy, Canada, and Spain, while Qatar was the notable Arab state that participated with its forces. The objective of the military intervention was to strike military bases, command and control centers, and major supply lines of Gaddafi's forces. The coalition forces executed a total of 17,939 airstrikes and launched approximately 470 naval missiles. These attacks contributed directly and fundamentally to the eventual capture of former Libyan leader Muammar Gaddafi, his son Al-Mu'tasim, and his defense minister Abu Bakr Yunis.

See: Lakhdar, Rabhi. (2015). International Intervention between International Legitimacy and the Concept of State Sovereignty. PhD Thesis. Department of Political Science, Faculty of Law and Political Science, Abou Bekr Belkaïd University. Tlemcen: Algeria. p. 308 et seq.

the international level through the global impact of Libya's internal dynamics.¹

In this context, the principle of the Responsibility to Protect (R2P) emerged as the theoretical and practical framework upon which the UN Security Council relied to justify its intervention in Libya. This principle was clearly prioritized over the traditional principle of state sovereignty. The Council redefined sovereignty not as an absolute right that precludes external interference, but as a responsibility borne by the state to protect its population from mass atrocities.

With the escalation of violence and the widening scope of violations committed by Muammar Gaddafi's regime against civilians, this was deemed a categorical failure to fulfill that responsibility. This failure conferred international legitimacy upon the international community's transition from peaceful measures to military intervention. Consequently, the intervention in Libya served as a practical model for operationalizing R2P, where humanitarian considerations and civilian protection were placed above the requirements of traditional sovereignty. This reflects a qualitative shift in the understanding of contemporary international law norms, even if this shift remains subject to legal and political debate regarding its boundaries and applications.

Conclusions and Recommendations

Conclusions:

1. The principle of state sovereignty in contemporary international law is no longer characterized as absolute; it has become circumscribed by human rights protection imperatives and obligations imposed within the framework of the international community.
2. The analysis demonstrates that the concept of humanitarian intervention does not rest upon a unified or clear legal framework, rendering it susceptible to political interpretations and selective application by major global powers.
3. The study reveals a stark disparity in the UN Security Council's positions between the Libyan and Syrian crises. Its intervention in the Libyan case was characterized by decisiveness and efficacy, contrasted by a state of stalemate and paralysis in the Syrian case.
4. It is evident that the exercise of the veto power constitutes one of the primary fundamental obstacles limiting the Security Council's effectiveness, particularly in matters pertaining to humanitarian crises.

¹ AL-GDEOU, Anas. (2025). NATO Military Intervention as a Mechanism for Crisis Settlement: The Libyan Crisis as a Model. Homs University Journal. Vol. 47, No. 6, pp. 11-36. Homs: Syria. Homs University. p. 21 et seq.

5. The findings indicate that the "Responsibility to Protect" (R2P) principle was not effectively activated in the Syrian crisis, despite the presence of legal and humanitarian justifications, due to the collision of political interests among international powers.

Recommendations:

1. Reforming the mechanism of the veto power within the Security Council, specifically in cases involving grave humanitarian crimes, to prevent the obstruction of resolutions and enhance the effectiveness of the international response.
2. Working toward the development of a more precise legal framework for the principle of humanitarian intervention by establishing clear, binding criteria that reduce politicization and limit manifestations of double standards in application.
3. Enhancing the operationalization of the "Responsibility to Protect" through more binding and effective mechanisms, ensuring rapid international movement and immediate response to humanitarian crises to prevent their escalation.
4. Seeking to bolster the Security Council's independence from the influence of the political interests of major powers, thereby supporting the impartiality of its decisions and enshrining the principles of justice in the application of international law.

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