

Brazil and intervention after MINUSTAH: R2P/RwP, peace operations and global goals

As MINUSTAH inevitably winds down and the watershed period in Brazil's engagement in peace operations comes to an end, the country faces important decisions regarding how, indeed whether, it will maintain its presence on the agenda global peacekeeping agenda. MINUSTAH has raised important and vexing questions for the country as its historical traditions clash with the responsibilities and prerequisites of the international status it actively seeks. This paper outlines changes in Brazil's engagement with intervention norms—specifically the responsibility to protect and Brazil's response thereto, the “responsibility while protecting”; the country's dilemmas over the UN's increasing recourse to Chapter VII as the legal basis of PKOs; and the interrelationship between these principles—key aspects of a global player's identity—and its continuing rise from a regional to a globally active power.

Kai Michael Kenkel
Instituto de Relações Internacionais
Pontifícia Universidade Católica do Rio de Janeiro

Paper prepared for presentation at the
FLACSO-SA Joint International Conference
“Global and Regional Powers in a Changing World”
23-25 July 2014, Buenos Aires

As Brazil has navigated, over the course of the past decade, its transition from a regional power with a continental horizon to a globally involved emerging power, tensions have arisen between its historical traditions and its new responsibilities. The country has sought to balance its new roles with the foundations of its diplomatic traditions, rooted in South American security culture. Perhaps the most important area where this debate has taken on significant contours is the issue of the relationship between global responsibility and the use of force to participate in collective security measures, particularly United Nations peace operations.

The present paper analyzes how Brazil has sought to reconcile the varied poles toward which it has been driven in crystallizing out its profile as a global player. In the area of intervention, the foremost foci—and central elements of this analysis—are the “responsibility while protecting” (RwP) initiative and the country’s ongoing participation in United Nations peace operations. The paper has a more conceptual focus regarding the country’s role in interventions, focusing on a detailed analysis of the RwP concept note and its reception before laying out the country’s current contributions of blue helmets and potential future trends therein.

The (RwP) initiative has become a key contribution to the international debate on the responsibility to protect (R2P) and intervention in general, as well as a guiding element of Brazil and other emerging powers’ engagement with intervention, collective security, global governance and normative aspects of recent changes the balance of global influence. As it is coupled with a further chapter dealing with domestic aspects of Brazil’s engagement with R2P and RwP, the purpose of this chapter will be to analyze only briefly the events and orientations that lie at the origin of the Brazilian concept note, before undertaking a detailed examination of its contents and the subsequent academic and diplomatic reaction.

Launched on 9 November 2011, domestically the “responsibility while protecting” note¹ represents the culmination to date of Brazil’s engagement with questions of intervention and of the normative manifestation of its quest for a larger role in global politics. Internationally, it marks the first serious attempt to bring a developing-world voice to the table in light of the increasing gap between increased acceptance of R2P’s principles and growing discontent over the manner of its implementation. That discontent is symbolized for many who hold it in NATO’s 2011 intervention in Libya, Operation Unified Protector, and the split between NATO members and emerging powers in the United Security Council vote on Resolution 1973² which it was intended to implement.

This paper will present a brief synopsis of previous Brazilian engagement with issues of intervention, couched in the country’s overall foreign policy motivations, together with a short history of the institutionalization of R2P within the United Nations Security Council and General Assembly. This is followed by discussion of the effects of the Libyan operation on the global R2P conversation. The focus of the chapter is on the content of the note itself and on a structured presentation of the analytical and diplomatic reactions to it, both critical and supportive. Finally, the chapter offers some considerations on the current state of the RwP proposal and its future as a bridge-building concept in the global debate on intervention.

¹ Permanent Mission of the Federative Republic of Brazil to the United Nations, “Responsibility while protecting: elements for the development and promotion of a concept”, 9 November 2011, United Nations Document A/66/551-S/2011/701, accessed 9 March 2014, <http://www.un.int/brazil/speech/Concept-Paper-%20RwP.pdf>.

² United Nations Security Council, Resolution 1973 “The situation in Libya”, 17 March 2011, United Nations Document S/RES/1973, accessed 9 March 2014, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N11/268/39/PDF/N1126839.pdf?OpenElement>.

Brazil, intervention, and the institutionalization of R2P at the UN

Since the advent of renewed debate over humanitarian intervention in the post-Cold War era, the issue has been a thorny one for Brazilian diplomacy. The changes wrought in Western states' understanding of the relationship between sovereignty and human rights in the wake of the United Nations' failure to prevent mass killings in Srebrenica, Somalia and particularly Rwanda opened an increasing gap between the fundamental tenets underpinning established powers' thinking on the issue and those held by many developing powers, whose adherence to a view enshrining the inviolability of borders as an important existential guarantee remained unchanged.

Over the course of the last decade, Brazil has incrementally moved from a regional to a global economic and diplomatic horizon. This has brought with it a series of tensions between the norms prevalent at each of these levels; R2P and participation in United Nations (UN)-led interventions such as MINUSTAH, the UN peace operation in Haiti, have played a pivotal role as the linchpin for these growing pains.³ Brazilian diplomats' navigation

³ In the interest of brevity in this section, the author's previous work, on which it is based, can be used to provide details on this topic. On Brazilian and South American security and intervention culture and its relation to emerging power ambitions, see "Stepping out of the shadow: South America and peace operations," *International Peacekeeping* 17 (2010): 584-597; and "South America's emerging power: Brazil as peacekeeper," *International Peacekeeping* 17 (2010): 644-661. These contributions are reformulated in "Diversity within a common culture: South America and peace operations," 1-22; "Out of South America to the globe: Brazil's growing stake in peace operations," 85-110; and "Conclusions: Securing South America's Peace Operations Acquis Post-MINUSTAH", 188-202, all in *South America and Peace Operations: Coming of Age*, ed. Kai Michael Kenkel (London: Routledge, 2013). On how the ensuing focus on development and root causes rather than acute military force has given peacebuilding practice a prominent place in Brazilian contributions to the debate, see "Brazil's peacebuilding in Africa and Haiti," *Journal of International Peacekeeping* 17 (2013): 272-292.

of these tensions can be mapped neatly using waypoints offered by their reactions to the operationalization of R2P at the UN.⁴

Though it is one of the most frequently elected non-permanent members of the UN Security Council, prior to the submission of the RWP concept note Brazil did not play a prominent role neither in the debates on UN interventions nor in the operations themselves. The country's representatives often either abstained from voting on resolutions related to intervention or shared the preference, common among developing states during the Cold War, on non-intervention in internal affairs over human rights concerns. The emphasis, as pointedly put by Ramesh Thakur, was on "justice among rather than within nations".⁵

Accordingly, the advent of R2P was greeted with significant skepticism by the makers of Brazilian foreign policy. Their resistance to the concept as initially formulated by the International Commission on Intervention and State Sovereignty (ICISS) hinged, among other points, on three main concerns: the acceptability and efficacy of the use of military force; the criteria of right authority (which it sought to see limited to the Security Council, whose own aptness was cast into question in the absence of reform to include Southern states and Brazil itself); and a fear, based on a deep historically rooted mistrust, of misuse of R2P by Western powers to cloak aggressive interventionism.

Together with other developing powers such as India, and alongside but distinct from historical opponents of human rights advances at the UN

⁴ On reactions to R2P see Kai Michael Kenkel, "Brazil and R2P: Does taking responsibility mean using force?" *Global Responsibility to Protect* 4 (2012): 3-29; and the earlier "Global player" ou espectador nas margens? A 'Responsabilidade de Proteger': Definição e Implicações para o Brasil." *Revista da Escola de Guerra Naval* 12 (2008); pp. 6-57. (English version published in the same journal as "Global player, or sitting on the fence? The 'responsibility to protect:' definition and implications for Brazil").

⁵ Ramesh Thakur, *The Responsibility to Protect: Norms, Laws and the Use of Force in International Politics* (New York: Routledge, 2011), 144.

such as Cuba, Sudan, Venezuela and China⁶, Brazil was not receptive to the inclusion of R2P in the 2005 World Outcome Document. Nevertheless, a critical mass of support for the principle resulted in the inclusion of a narrowed form of R2P—limited to the four crimes of genocide, war crimes, ethnic cleansing and crimes against humanity—in paragraphs 138 and 139 of the Document.⁷

However, growing rhetorical support for R2P at the UN, as well as its increasing institutionalization within the Organization—such as the appointment of Special Advisers to the Secretary-General for Genocide Prevention (2004) and R2P itself (2007) and its inclusion in Security Council Resolutions, including those mandating UN peace operations⁸--created a dilemma for Brazilian policymakers. R2P's new weight within the UN placed two foundational principles of the country's foreign conduct at odds: firm support for multilateralism and global governance, and therefore the UN's normative *acquis* (now, ultimately, including R2P) and its historical attachment to a more conservative, statist interpretation of sovereignty that did not link the right to non-intervention to human rights concerns.

The public debates in the General Assembly on intervention and related issues that took place between the World Summit and the issuance of R2P show an increasing effort by Brazil's representatives to bridge this gap; in its most mature form this effort took the form of harnessing the emergent principle to Brazil's quest for increased global representation and its policy

⁶ See the treatment in Alex J. Bellamy, *Global Politics and the Responsibility to Protect: From words to deeds* (London: Routledge, 2011), 43ff.

⁷ United Nations General Assembly, "World Summit Outcome", 24 October 2005, United Nations Document A/RES/60/1, accessed 9 March 2014, <http://www.un.org/womenwatch/ods/A-RES-60-1-E.pdf>.

⁸ Prior to the issuing of the R2P concept note, these include S/RES/1653, 1674 and 1706 (UNMIS) in 2006; 1894 in 2009; 1970, 1973 and 2016 in 2011, all on Libya; as well as 1978 and 1996 (2011). See Global Center for the Responsibility to Protect, "UN Security Council Resolutions Referencing R2P", 15 April 2013, accessed on 9 March 2014, <http://www.globalr2p.org/resources/335>.

strengths in conflict resolution without force, such as peacebuilding and poverty reduction,⁹ to give the country increased entrepreneurship as a norm “taker” rather than “giver”.¹⁰ Another prominent example of the desire to take a normative lead in aligning developing countries’ tradition with the Northern-led intervention debate was the principle of “non-indifference”, a concept with origins on the African continent adapted by then-Foreign Minister Celso Amorim.¹¹

This trajectory of increased participation in UN intervention debates—spurred by the personal interest of then-Foreign Minister Antonio de Aguiar Patriota, who subsequently became the country’s Permanent Representative to the UN in August 2013—created the impetus that resulted in the “responsibility while protecting” in the wake of the Libyan intervention. Brazilian acceptance of R2P, albeit reluctant, is indicative of the overall

⁹ On how the ensuing focus on development and root causes rather than acute military force has given peacebuilding practice a prominent place in Brazilian contributions to the debate, see Kai Michael Kenkel, “Brazil’s peacebuilding in Africa and Haiti.” *Journal of International Peacekeeping* 17 (2013): 272-292.

¹⁰ A defining characteristic of emerging power conduct has been the desire to exercise normative leadership, or at least not to be seen consistently as what Jeffrey Checkel and subsequently Amitav Acharya have termed a “norm-taker”. Jeffrey Checkel, “Norms, Institutions and National Identity in Contemporary Europe”, ARENA Working Paper, 98/16 (Copenhagen: Advanced Research on the Europeanization of the Nation-State, University of Oslo, 1998). Cited in Amitav Acharya, “How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism”, *International Organization* 58 (2004): fn 5, 241. This is particularly true in the case of Brazil; the country has explicitly sought to exercise normative entrepreneurship and to stake a claim to ideational leadership in the global South and in its region; see Thorsten Benner, “Brazil as a norm entrepreneur: the ‘Responsibility While Protecting’ initiative”, GPPi Working Paper (Berlin: Global Public Policy Institute, March 2013). On leadership and followership as elements of emerging power conduct, see Stefan A. Schirm, “Leaders in need of followers: Emerging powers in global governance”, *European Journal of International Relations* 16, No. 2 (2010): 197–221.

¹¹ Paul D. Williams, “From Non-Intervention to Non-Indifference: the origins and development of the African Union’s security culture”, *African Affairs* 106 (2007): 253-279; Breno Hermann, *Soberania, não intervenção e não indiferença: reflexões sobre o discurso diplomático brasileiro* (Brasília: Fundação Alexandre de Gusmão, 2011), 195-228; Paula Wojcikiewicz Almeida, “From Non-indifference to Responsibility while Protecting: Brazil’s Diplomacy and the Search for Global Norms”, Global Powers and Africa Programme Occasional Paper 138 (Johannesburg: South African Institute for International Affairs, April 2013), 5-9.

advance of the R2P debate to a new stage in both the diplomatic and analytical ambits; the discussion has overcome normative disagreements and moved into debates on operationalization. Phil Orchard has described this evolution eloquently in a sophisticated review:

As all five of these works demonstrate, the main debates of the past decade around the R2P—most importantly, on the need to justify its existence—are over. Instead, we see a growing need to understand the R2P doctrine more concretely in both academic and policy terms, as well as to grasp how the doctrine fits with the linked issues of humanitarian intervention and state-building. ...

In essence, these works represent an emerging second generation of scholarship on the R2P, one that is concerned more with its implementation than with its origins. And here is the second theme that unites these works: that this project remains a nascent one, with many complex questions remaining.¹²

The RwP initiative is further situated within a debate between several of R2P's main advocates over how to overcome questions about the legitimacy of R2P's operationalization. James Pattison has identified one of the main axes of this debate as the issue of criteria to initiate third-pillar intervention, with Alex Bellamy and Gareth Evans as the main exponents of either side:

There are two schools of thought surrounding the case for criteria, both of which largely endorse the prevailing view. On the one hand, there is a more sceptical school of thought (which includes one of the world's most distinguished R2P scholars, Alex Bellamy) that worries that formal criteria for military intervention are unlikely to be developed and would add little to resolve current issues. It is, therefore, not worth investing political capital in developing criteria; this effort would be better spent elsewhere. On the other hand, there is a more optimistic school of thought (which includes perhaps the most eminent R2P advocate, Gareth Evans) that proposes that guidelines on intervention could do much to take R2P forward. This includes tackling the deadlock surrounding R2P post-Libya and Syria, improving decision-making on the use of force, and ultimately leading to more interventions when required. In a

¹² Phil Orchard, "Review article: The evolution of the responsibility to protect: at a crossroads?", *International Affairs* 88 (2012): 378. The notion that intervention debates traverse phases, with the initial stage of progression being from normative disagreement to operationalization, is also taken up in Herfried Münkler, "Humanitäre militärische Interventionen. Eine politikwissenschaftliche Evaluation", in *Humanitäre Intervention: Ein Instrument außenpolitischer Konfliktbearbeitung. Grundlagen und Diskussionen*, eds. Herfried Münkler and Karsten Malowitz (Wiesbaden: VS Verlag für Sozialwissenschaften, 2008), 89-113.

somewhat similar vein, Brazil and China have developed the “responsibility while protecting” (RwP) and “responsible protection” (RP) notions, respectively. Both of these proposals make the case for guidelines for intervention in order to improve the justifiability of interventions, largely in response to the NATO intervention in Libya, which (amongst other things) was alleged to have gone beyond the mandate given to it by UN Security Council Resolution 1973.¹³

The Libya effect: divergent viewpoints on the utility of the use of force

NATO’s 2011 intervention in Libya, known as Operation Unified Protector, serves as a watershed for both academic analysis of R2P’s advance as a normative principle, and the political and diplomatic process of its institutionalization. In addition, it served to inscribe the intervention issue as a larger locus of normative contestation between established and emerging powers. In alignment with Orchard’s characterization, it marks the moment at which growing recognition of R2P’s normative pull, evidenced in near-consensus over Pillars I and II¹⁴, came to be accompanied by growing divisions between groups of states over how it was to be interpreted and implemented.

NATO’s actions on the ground, the details of the negotiation process of the relevant authorizing Resolutions in the United Nations Security Council (including the body’s specific composition at the time), and in particular the link between the two—how NATO implemented Resolution 1973—later crystallized the debate into what amounted to a contestation over the implementation of R2P between major NATO powers (the United States, United Kingdom, France and Canada) and a grouping of “emerging powers”

¹³ James Pattison, “The Case for Criteria: Moving R2P Forward after the Arab Spring”, in *Into the Eleventh Hour: R2P, Syria and Humanitarianism in Crisis*, eds. Robert W. Murray and Alasdair McKay (Bristol: E-International Relations, 2014), 27. Pattison himself has proposed the likely efficiency of an intervention as a primary criterion for its ultimate legitimacy.

¹⁴ See Oliver Stuenkel, “The BRICS and the Future of R2P: Was Syria or Libya the Exception?”, *Global Responsibility to Protect* 6 (2014): 3-28.

known as the BRICS (permanent members Russia and China, as well as India, Brazil and South Africa).

Though UNSC Resolution 1973 refers explicitly to the Libyan government's responsibility to protect its citizens in its fourth preambulatory paragraph, several authors have questioned the centrality of R2P itself to UNSC members' deliberations with regard to Libya at the time.¹⁵ Indeed the mention of R2P itself is the result of a larger trajectory within the debate over intervention that came to head over the Libyan issue, with R2P serving as one formulation of the balance to be struck between intervention and sovereignty, and between NATO and emerging powers' preferences.¹⁶

In its operative section the sixth paragraph sets up a no-fly zone, while its eventually most contentious provision is established in the fourth section: it

Authorizes Member States that have notified the Secretary-General, acting nationally or through regional organizations or arrangements, and acting in cooperation with the Secretary-General, to take all necessary measures, notwithstanding paragraph 9 of resolution 1970 (2011), to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory, and requests the Member States concerned to inform the Secretary-General immediately of the measures they take pursuant to the authorization conferred by this paragraph which shall be immediately reported to the Security Council.¹⁷

Resolution 1973 was adopted with ten positive votes, none against, and five abstentions: those of Russia, China, India, Brazil and Germany. Several of the abstaining states opted for this route given that did not wish to stop some type of action from being taken given the steadily worsening security situation in Benghazi, but did not wish to see the "all necessary measures" increase to include overt pursuit of regime change—the

¹⁵ Justin Morris, "Libya and Syria: R2P and the spectre of the swinging pendulum", *International Affairs* 89 (2013): 1272.

¹⁶ See Aidan Hehir, "The Permanence of Inconsistency: Libya, the Security Council, and the Responsibility to Protect", *International Security*, Vol. 38, No. 1 (Summer 2013), 139-140; 146.

¹⁷ United Nations, S/RES/1973.

overthrow of Muammar Gaddafi.¹⁸ Similarly, the previous unanimous adoption of Resolution 1970¹⁹ several days earlier had implicitly condoned the use of force in future collective security measures regarding the crisis.²⁰ According to some diplomats involved in the process, the consultation process during the drafting of Resolution 1973 did not grant powers outside the P-3 (United States, United Kingdom and France) did not grant the remaining members of the Council, permanent and non-permanent, the customary level of participation, seeing them rather presented with a Resolution “to be taken or left”.²¹ Despite assurances in the text and during the negotiation process that regime change was not the intended purpose of NATO action at the time of pre-vote debate on the Resolution, several members were left with the impression of having been misled about the sponsors’ intentions once Gaddafi’s overthrow became an overt goal of NATO action.²²

The emerging powers’ ensuing mistrust was profound, and was based on events both on the ground and in New York. Even according to one of the most vocal advocates of the robust use of force in the name of R2P, ICISS co-chairman Gareth Evans, there was a

¹⁸ Personal communication with diplomats directly involved in the process. More than one Brazilian diplomat has pointed out that Brazil customarily does not vote against Security Council Resolutions, particularly when no permanent member does so, making abstention in fact the strongest practicable form of disapproval of a tabled Resolution. Brazilian representatives later pointed out that the country’s abstention “should in no way be interpreted as condoning the behavior of the Libyan authorities or as disregard for the need to protect civilians and respect their rights.” See Paul D. Williams and Alex J. Bellamy, “Principles, Politics, and Prudence: Libya, the Responsibility to Protect, and the Use of Military Force”, *Global Governance* 18 (2012), 281.

¹⁹ United Nations, S/RES/1970.

²⁰ Williams and Bellamy, “Principles”, 279.

²¹ Personal communication.

²² Carlos Chagas Vianna Braga, “Peacekeeping, R2P, RwP and the question of the use of force”, in *Implementing the responsibility to protect: new directions for international peace and security?*, eds. Eduarda Hamann and Robert Muggah (Brasília: Instituto Igarapé, 2013), accessed 15 March 2014, http://igarape.org.br/wp-content/themes/igarape_v2/pdf/r2p.pdf, 32.

perception by a large number of countries—led by the so-called “BRICS” (Brazil, Russia, India, China and South Africa)—that the major Western powers, as the NATO-led intervention in Libya went on, overreached the civilian protection mandate they had been given by the Security Council by demanding, and achieving, nothing less than the complete destruction of the Gaddafi regime.²³

According to Evans,

The real complaints related to the days, weeks and months which came after the initial attacks, when it became rapidly apparent that the three permanent member states driving the intervention (the US, UK and France, or ‘P3’) would settle for nothing less than regime change, and do whatever it took to achieve that.

Particular concerns have been that the interveners rejected later ceasefire offers that may have been serious, and which certainly should at least have been explored; struck fleeing personnel that posed no immediate risk to civilians; struck locations that had no obvious military significance (like the compound in which Gaddafi relatives were killed); and, more generally, comprehensively supported the rebel side in what rapidly became a civil war, ignoring the very explicit arms embargo in the process.

... These arguments all have force, but my understanding is that the P3 resisted debate on them at any stage in the Security Council itself, and other Council members were never given sufficient information to enable them to be evaluated. Maybe not all the BRICS are to be believed when they say that, had better process been followed, more common ground could have been achieved. But they can be when they say they feel bruised by the P3’s dismissiveness during the Libyan campaign – and that those bruises will have to heal before any consensus can be expected on tough responses to such situations in the future.²⁴

BRICS and Brazilian mistrust in the wake of the Libyan intervention has remained strong, and the RWP initiative accordingly must be analyzed as resulting from “the fear that R2P might be instrumental in legitimising military interventions carried out for the pursuit of vested political, economic or strategic interests other than those strictly related to humanitarian concerns.”²⁵ Crucially to understanding the reaction specifically of emerging

²³ Gareth Evans, “The Consequences of Non-Intervention in Syria: Does the Responsibility to Protect Have a Future?”, in eds. Murray and McKay, 19-20.

²⁴ Gareth Evans, “R2P and RWP After Libya and Syria”, Keynote Address to GCR2P/FGV/Stanley Foundation Workshop, Responsibility While Protecting: What’s Next?, Rio de Janeiro, 23 August 2012, accessed 15 March 2014, <http://www.gevans.org/speeches/speech485.html>, 3. This and the previous text by Evans contain identical sections of text.

²⁵ Alcides Costa Vaz, “Brazilian Perspectives on the Changing Global Order and Security Challenges”, in *Enhancing the Brazil-EU Strategic Partnership: from the bilateral and regional to the global*, eds. Michael Emerson and Renato Flores (Brussels/Rio de Janeiro: Centre for European Policy Studies/Fundação Getúlio Vargas, 2013), 196.

powers from the global South, the “trust deficit” which crystallized around the Libyan case had also been “spawned by past cases of foreign occupation”,²⁶ rooted in “discomfort with the use of force and skepticism about the interests of Western states”.²⁷ This was underscored by the admission by Evans and Thakur that they were in the end “not so sure, however, that the NATO-led operation in Libya remained a textbook R2P case for its duration”.²⁸

Brazilian diplomacy voiced concerns specifically about the utility of the use of force as a means of conflict resolution—mostly such as doubts “that the use of force as provided for in paragraph 4 of the resolution will lead to the realization of our common objective—the immediate end to violence and the protection of civilians”²⁹ and that undue robustness in the international response might “change the home-grown nature of the rebellion narrative and thus endanger the chances of a stable resolution of the conflict in the longer term”.³⁰

Beyond the immediate concerns related to the intervention’s mandate, the debate over the Libyan case took on contours that resonated with the larger tension between the established powers and emerging players such as

²⁶ Patrick Quinton-Brown, “The Responsibility While Protecting: linchpin or Trojan horse?”, in eds. Hamann and Muggah, 65.

²⁷ Naomi Kikoler, “Emerging Powers and Mass Atrocity Prevention – Brazil”, paper drafted for The Nexus Fund, accessed 15 March 2014, [http://ceas-serbia.org/root/images/Emerging Powers and Mass Atrocity Prevention - Brazil.pdf](http://ceas-serbia.org/root/images/Emerging_Powers_and_Mass_Atrocity_Prevention_-_Brazil.pdf). A clear example of this questioning, embedded in critiques of the “liberal peace” and the “new humanitarianism” is José Manuel Pureza, “As ambiguidades da responsabilidade de proteger: o caso da Líbia”, *Carta Internacional* 7 (2012): 3-19, accessed 15 March 2014, <http://cartainternacional.abri.org.br/index.php/Carta/article/view/46/30>.

²⁸ Gareth Evans, Ramesh Thakur and Robert A. Pape, “Correspondence: Humanitarian Intervention and the Responsibility to Protect”, *International Security* 37 (2013): 206.

²⁹ Williams and Bellamy, “Principles”, 281.

³⁰ Paul D. Williams, “The Road to Humanitarian War in Libya”, *Global Responsibility to Protect* 3 (2011): 258. Cited in Almeida, “Non-indifference”, fn 50, 11. See also Morris, “Libya and Syria”, 1272.

the BRICS³¹. Substantial divergences remain over R2P's implementation and particularly its third pillar; interpretations of the concept of sovereignty sit at the centre of this debate,³² with emerging powers such as the BRICS interpreting the horizontal aspects of sovereignty as a means for states to reduce the adverse effect of the unequal distribution of power in the international system.³³

In this way, R2P's shift in emphasis between understandings of sovereignty has become symbolic of some emerging powers' resistance to the normative dominance of established powers, making the principle a key rallying point in the ideational skirmishes resulting from a changing global distribution of power. This expands the debate over the RwP initiative beyond its immediate link to the Libyan case and establishes it firmly as a case of emerging-power norm entrepreneurship linked to broader issues of global governance.³⁴

As a result, there is a wide range of interpretations of the BRICS' conduct in the Libyan crisis and of the motivations behind the RwP initiative. Both diplomatic and analytical reaction has been mixed. While some,

³¹ On the manifestation of this contestation in terms of norm diffusion, see Maissaa Almustafa, Evan Cinq-Mars and Matthew Redding, "The responsibility to protect: ensuring the norm's relevance after Libya, Côte d'Ivoire and Syria". *CIGI Junior Fellows Policy Brief No. 10*, 2013, accessed 15 March 2014, <http://www.cigionline.org/publications/2013/8/responsibility-protect-ensuring-norms-relevance-after-libya-c%C3%B4te-divoire-and-syr>.

³² On the effects of the Libyan intervention on understandings of sovereignty and intervention in the region in the wake of the "Arab Spring", see El Hassan bin Talal and Rolf Schwarz, "The Responsibility to Protect and the Arab World: An Emerging International Norm?", *Contemporary Security Policy* 34 (2013): 7-10.

³³ See Julian Culp and Johannes Plagemann, "Hooray for global justice? Emerging democracies in a multipolar world" *GIGA Working Paper No. 242* (Hamburg: German Institute for Global Affairs, 2013), accessed 15 March 2014, <http://www.giga-hamburg.de/de/system/files/publications/wp242culp-plagemann.pdf>, pp. 7-13. In practice this has on occasion occurred to the detriment of the inclusion of a strong position in favour of human rights in these countries' foreign policy positions. This "dilemma" is depicted in Antonio Jorge Ramalho, "Predictable evolutions, normative engagements and their implications for South American countries' engagement in peacekeeping and peacebuilding operations", in eds. Hamann and Muggah, 79.

³⁴ See Benner, "norm entrepreneur".

particularly in the global South, have optimistically interpreted RWP as an honest and constructive attempt to contribute normatively to a problem facing global governance,³⁵ others have more pessimistically inscribed the Libyan vote and RWP itself in a pattern of overt resistance to the political dominance of the West.³⁶

While this debate will go on for some time, it is clear that the R2P debate has become a not only a key element of some emerging powers' challenge to the established distribution of powers, but a key locus for increased targeted consultation and cooperation in mounting that challenge.³⁷ In addition, the intervention debates have become a key locus for emerging powers constructively to give normative content to their challenge to the established order, allowing them to move beyond what analysts such as Ramesh Thakur have described as obstructionist stance.³⁸ As Thakur has pointed out, this position has begun to bear fruit, putting an end to Western states' monopoly on the capacity to set universal global standards.³⁹ In this sense, "emerging powers are abandoning the position of ringside observers to the development of the responsibility to protect to

³⁵ For the optimistic view, see Stuenkel, "BRICS" and "Brazil as a Norm Entrepreneur: the responsibility while protecting", in eds. Hamann and Muggah, 59-62; a more critical view is taken by Steen Fryba Christensen, "Brazil's Foreign Policy Priorities", *Third World Quarterly* 34 (2013): 271-286; Zaki Laïdi, "BRICS: Sovereignty, power and weakness", *International Politics* 49 (2012): 626-629; and Stewart Patrick, "Irresponsible Stakeholders? The Difficulty of Integrating Rising Powers", *Foreign Affairs* 89 (2010): 44-53.

³⁶ There is, of course, a great deal more nuance in the tension between sovereignty and intervention; this debate and how it maps into the rise of powers from the global South is eloquently described in Aidan Hehir, *The Responsibility to Protect: rhetoric, reality and the future of humanitarian intervention* (London: Palgrave MacMillan, 2012), 180-208.

³⁷ See, for example, Almeida, "Non-indifference"; Stuenkel, "BRICS"; and Andrew Garwood-Gowers, "The BRICS and the responsibility to protect: lessons from the Libyan and Syrian crises", in *Responsibility to Protect in Theory and Practice*, eds. Vasilka Sancin and Maša Ković Dine, (Ljubljana: GV Založba, 2013), 291-315, accessed 15 March 2014, <http://eprints.qut.edu.au/59649/>, at 23-26 as posted.

³⁸ Thakur, *Responsibility to Protect*, 153-159.

³⁹ Ramesh Thakur, "R2P after Libya and Syria: Engaging Emerging Powers", *Washington Quarterly* 36 (2013): 62. Thakur specifically relates this development, and the effects of the Libyan intervention, to the need to develop legitimacy criteria for R2P.

assume roles as project designers—if not yet members of the implementation team”.⁴⁰ Brazil’s RWP initiative, whose content is synoptically presented below, is to date the most emphatic example of this movement.

The “responsibility while protecting” concept note

The RWP concept was launched on 9 November 2011 and floated explicitly as a touchstone for further debate.⁴¹ As stated, it marks Brazil’s first serious effort at norm entrepreneurship on a major issue within the United Nations system. The Libyan crisis provided a stage to bring together specific concerns on a key international debate—intervention—with the principles, both historical and more recent, underpinning Brazil’s claims to increased global influence. Seeking as it did to bring together divergent perspectives over the future of the responsibility to protect in the wake of Libya, it was the subject of extended debate, both over its specific proposals and the intentions behind its release. These reactions are the subject of the subsequent section; the purpose here is to present the content of the document.

Interestingly, in summing up the genesis of R2P, the note limits itself to the concept’s course within the United Nations system, referring to its inclusion in paragraphs 138-139 of the World Summit Outcome Document⁴² but not to the principle’s original formulation by the International Commission on Intervention and State Sovereignty (ICISS).⁴³ This opened the authors to criticism that much of the note was a repeat of the original ICISS

⁴⁰ Luís Paulo Bogliolo, “The Responsibility to Protect and the Responsibility While Protecting: An Analysis of Humanitarian Intervention and the Developing World”, accessed 15 March 2014, http://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID2201588_code1960675.pdf?abstractid=2201588&mirid=1; p. 20.

⁴¹ See Almeida, “Non-indifference”, 18-19.

⁴² United Nations General Assembly, ‘2005 World Summit Outcome’, United Nations Document A/60/1, 16 September 2005, paragraphs 138-139.

⁴³ Brazil, “responsibility while protecting”, paragraph 3.

report⁴⁴, reducing its conceptual value-added in terms of the ongoing R2P debate. Indeed, the document takes up elements established by the ICISS and its just war criteria, such as the need to exhaust all diplomatic solutions.⁴⁵ The document tempers its recognition of the utility of force in certain limited situations—a major waypoint in Brazilian public statements on the topic⁴⁶--with reference to the increasing perception of potential for R2P's misuse by Western powers.⁴⁷ The document's first real element of innovation—and one of its most controversial components—comes in its sixth paragraph, where it first calls for the strict political and chronological sequencing of R2P's three pillars, and then establishes a conceptual distinction between collective responsibility and collective security.

The primary contribution of the note was its establishment of a set of guidelines to orient the Security Council and other involved states in contemplating and setting up an R2P-based intervention:

- (a) Just as in the medical sciences, prevention is always the best policy; it is the emphasis on preventive diplomacy that reduces the risk of armed conflict and the human costs associated with it;
- (b) The international community must be rigorous in its efforts to exhaust all peaceful means available in the protection of civilians under threat of violence, in line with the principles and purposes of the Charter and as embodied in the 2005 World Summit Outcome;
- (c) The use of force, including in the exercise of the responsibility to protect, must always be authorized by the Security Council, in accordance with Chapter VII of the Charter, or, in exceptional circumstances, by the General Assembly, in line with its resolution 377 (V);
- (d) The authorization for the use of force must be limited in its legal,

⁴⁴ International Commission on Intervention and State Sovereignty, *Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (Ottawa: IDRC, 2001), accessed 15 March 2014, <http://responsibilitytoprotect.org/ICISS%20Report.pdf>.

⁴⁵ Brazil, "responsibility while protecting", paragraph 7.

⁴⁶ *Ibid.*, paragraph 8.

⁴⁷ *Ibid.*, paragraph 10.

operational and temporal elements and the scope of military action must abide by the letter and the spirit of the mandate conferred by the Security Council or the

General Assembly, and be carried out in strict conformity with international law, in particular international humanitarian law and the international law of armed conflict;

(e) The use of force must produce as little violence and instability as possible and under no circumstance can it generate more harm than it was authorized to prevent;

(f) In the event that the use of force is contemplated, action must be judicious, proportionate and limited to the objectives established by the Security Council;

(g) These guidelines must be observed throughout the entire length of the authorization, from the adoption of the resolution to the suspension of the authorization by a new resolution;

(h) Enhanced Security Council procedures are needed to monitor and assess the manner in which resolutions are interpreted and implemented to ensure responsibility while protecting;

(i) The Security Council must ensure the accountability of those to whom authority is granted to resort to force.⁴⁸

Initially received coolly by both Western and Southern states, the RWP note nonetheless played a crucial part in both moving R2P forward normatively and in stimulating the inclusion of Southern states into the intervention debate. Three main axes arise around which the RWP note has structured the ensuing conversation, largely underscoring its faith in the power of stricter guidelines⁴⁹ to resolve R2P's crisis of legitimacy after Libya: the sequencing of R2P's pillars; increased restrictions on the use of force; and more proactive monitoring by the Security Council of the following of guidelines by ongoing missions. These specific considerations, as well as broader political issues—and, crucially, several related to international law—provided the bulk of public reaction to the “responsibility while protecting” note.

The “responsibility while protecting” concept note was conceived as a complement to, rather than a substitution for, the “responsibility to protect” concept. If its role is accordingly interpreted as serving to initiate a more

⁴⁸ Ibid., paragraph 11.

⁴⁹ See Almeida, “Non-indifference”, 13-14.

inclusive debate on R2P, with the involvement of states from the global South, focused on the concept's implementation within a context of normative consensus concerning its principles, it has been a success. As is often the case in instances of normative innovation—such as the ICISS report itself—this success can somewhat ironically be assessed in terms of the criticism it has generated.⁵⁰ This section will focus on critiques originating among academic analysts of R2P rather than the positions taken by member states in the structured debates in the United Nations General Assembly and at the RWP meeting convoked directly by Brazil. These criticisms can be roughly divided into five major categories:

1. that the concept represents a reiteration of previously established attributes of R2P with little value added;
2. that the initiative's intention was to work against the institutionalization and concretization of R2P;
3. specific observations about the political, moral and military feasibility of RWP's concrete suggestions, particularly as noted above: sequencing, proactive monitoring, and further limitations on the use of force;
4. RWP's perceived conflation of *jus ad bellum* and *jus in bello*;
5. the contention that Brazil withdrew diplomatic capital from the concept too early, before giving it the time truly to come to fruition as a unifying concept.

It is telling that the RWP note does not mention the ICISS Report, as one of the strongest criticisms of the new concept has come from analysts

⁵⁰ In this sense, though the following section focuses on criticisms of RWP, it has been amply recognized, subsequent to a cautious initial reaction from analysts and the international diplomatic community, that the concept note represents a laudable example of an emerging power seeking to contribute normative content to an issue of paramount importance to global governance.

pointing out that many of the points the note appears to present as novelties are indeed featured in the ICISS Report's outline of its criteria, based on the just war doctrine.⁵¹ As James Pattison has pointed out, "R2P already has criteria".⁵² Brazilian analyst Eduarda Passarelli Hamann has both succinctly made the case for RWP's lack of originality, and for the understanding that originality was not note's primary function, but rather consensus-building and the creation of a nomenclature around the R2P debate conducive to the participation of skeptical Southern states:

... discussions had been going on for at least a decade on the need to define principles and criteria to guide the international community in its robust actions over humanitarian crises. Different criteria have been suggested, ... [t]hese explicitly include criteria for "focus on prevention", "last resort", "[proportionality]", "just cause", "right intention", ["do no harm"]" and "collective action" ...

Brazil resumed the debate with a proposal to guide the collective responsibility of the international community to protect civilians from the four R2P crimes, and it did so by organising existing principles and criteria.

... RWP is an innovation in terms of terminology, and is an attempt to consolidate an existing but fragmented discussion. However, the criteria for the use of force are not new, as seen below:

[...] the last resort has been highlighted by international law as well as by policy-makers and academics. Brazil added that 'the use of force must be preceded by a comprehensive and judicious analysis of the possible consequences of military action on a case-by-case basis.'

- Do no harm was included in R2P discussions by the ICISS. Brazil only reinforces it: '[I]n exercising its collective responsibility, the international community should be careful not to provoke more instability than the one it is seeking to limit or to avoid.'
- Proportionality has been anticipated, for example, by Wheeler and the ICISS, deriving from international humanitarian law.
- Authority is clear in the UN Charter: only the UNSC can approve the use of force by the UN or by regional organisations.
- Accountability had been foreseen by the ICISS. Brazil strengthens the need to improve monitoring tools for interpreting and executing mandates coherently with common goals.

In sum, the RWP guidance to Pillar III proposes the consolidation of existing principles and criteria under a single expression, and can be seen as old wine in

⁵¹ See the executive summary in ICISS, *R2P*, XII.

⁵² Pattison, "Case for criteria", p. 28. See also James Pattison, "The Ethics of 'Responsibility While Protecting': Brazil, The Responsibility To Protect, And Guidelines For Humanitarian Intervention", Working Paper no. 71, Human Rights & Human Welfare, University of Denver, 2013, accessed 16 March 2014, <http://www.du.edu/korbel/hrhw/working/2013/71-pattison-2013.pdf>, p. 19.

a new bottle.⁵³ Indeed, it is when viewed in this way that the RWP note reveals its true potential as a normative initiative: it is much less an effort to innovate with reference to R2P content than it is a promising attempt to engage in what Amitav Acharya has termed “norm localization”, by means of creating a bridging notion that would make troubling aspects of the R2P norm palatable to skeptical states in the global South.⁵⁴ This characterization of the RWP paper is a response to the second category of criticism, which originated mostly among Northern states supportive of R2P (and NATO’s Libyan intervention), that RWP’s true intent was to slow the advance of R2P. In light of its past diplomatic positions on, and limited profile as a contributor to, humanitarian interventions Brazil clearly had to overcome the healthy skepticism of some states, particularly leading NATO members, in convincing others that its proposal was more than a recipe for these states to “bind themselves to inaction”.⁵⁵ Thorsten Benner has pointed out that in light of Brazil’s reluctance to publicly distance itself from the Assad regime during 2011 and 2012, this trust was regained, and RWP subsequently viewed more charitably, following Brazil’s public chastising of the Syrian government.⁵⁶

Hamann points out the difficulty in a state with limited participation seeking to establish limits for those with extensive means: “[t]he current contradictory position could have problematic consequences. The Brazilian

⁵³ Eduarda Passarelli Hamann, “Brazil and R2P: A Rising Global Player Struggles to Harmonise Discourse and Practice”, in *The Responsibility to Protect– From Evasive to Reluctant Action? The Role of Global Middle Powers*, ed. Malte Brosig (Johannesburg/Pretoria: Hanns Seidel Foundation/Institute for Security Studies/Konrad Adenauer Foundation/South African Institute for International Affairs, 2012), 71-90.

⁵⁴ See Acharya and Jochen Prantl and Ryoko Nakano, “Global Norm Diffusion in East Asia: How China and Japan Implement the Responsibility to Protect”, *International Relations* 25 (2011): 204–223.

⁵⁵ “Remarks by the United States at an Informal Discussion on ‘Responsibility while Protecting’”, 21 February 2012, accessed 16 March 2014, <http://usun.state.gov/briefing/statements/184487.htm>

⁵⁶ Benner, “norm entrepreneur”, pp. 7-8.

argument seems to be directed at those who engage in military intervention and not at Brazil itself—a classic ‘do as I say, not as I do’ situation”.⁵⁷ Indeed in typically pithy form Gareth Evans has summarized: Initial reaction among the US, the UK, and France was almost contemptuous: “These countries would want all of those delaying and spoiling options, wouldn’t they.”⁵⁸

And yet Brazil’s position was clearly more constructive than that of the other BRICS states,⁵⁹ particularly Russia and China, which had consistently blocked the application of R2P standards in the Security Council since the passage of Resolution 1973. Current Special Adviser to the UN Secretary General on R2P Jennifer Welsh, together with two colleagues from the Canadian Centre for R2P, have affirmed that “[i]t must be underscored, as well, that RwP is intended as a constructive development in the larger evolution of the R2P norm. Brazil must clarify that RwP is complementing R2P as we know it today, rather than simply criticizing the West.”⁶⁰ Brazil’s position is consistent with the role of a normative entrepreneur as taken on by an emerging power with limited military projection capacity of its own.⁶¹

Whereas—much like the global conversation about R2P itself—a good deal of the debate over the RwP note was guided by ideological and political differences between established and emerging powers derived from their relative position and historical experiences, more concrete and, ultimately, the most productive discussion has grown out of engagement with the note’s concrete proposals. Here, as mentioned, the three main points of contention are: the proposal to subject the three pillars of R2P to strict

⁵⁷ Hamann, “Brazil and R2P”, 82.

⁵⁸ Gareth Evans, “Responsibility while protecting”, Project Syndicate, 27 January 2012, accessed 15 March 2014, <http://www.project-syndicate.org/commentary/evans14/English>.

⁵⁹ Thakur, “emerging powers”, 71.

⁶⁰ Jennifer Welsh, Patrick Quinton-Brown and Victor MacDiarmid, “Brazil’s ‘Responsibility While Protecting’ Proposal: A Canadian Perspective”, 12 July 2013, Canadian Centre for the Responsibility to Protect, accessed 16 March 2014, <http://ccr2p.org/?p=616>.

⁶¹ See Stuenkel, “BRICS”, fn 79 p. 18; and “Brazil as a Norm Entrepreneur”.

chronological and political sequencing; even stricter limits on the use of force; and the call for closer and more proactive oversight of deployed operations by the Security Council.

Brazil, intervention and peace operations: future perspectives

A final and more domestically bound criticism of Brazil's RWP initiative is that it was withdrawn too quickly to have been given a meaningful chance to function as a bridge-building concept in the global conversation on sovereignty and intervention. At the domestic level, the note's issuance came at a time which perhaps marked the first sustained period of time Brazil had sought to assert itself as a player at a truly global level. Under President Lula da Silva and Foreign Minister Celso Amorim—now Minister of Defence—the country had begun consistently to operate with a global horizon and to become particularly active on issues of intervention, *inter alia* taking on a leadership role in MINUSTAH, the UN peace operation in Haiti. The Lula-Amorim era was also marked by a notable opening of the foreign policymaking process in Brazil, in terms both of inputs from civil society and of closer ideological alignment of some foreign policy tenets with the party-political preferences of the ruling party. This departure from tradition was symbolized in the person of Marco Aurélio Garcia, Lula and Rousseff's advisor for foreign policy, a position which had previously not existed or was occupied by a career diplomat.

RWP was made possible in large part by the personal interest of Rousseff's first Foreign Minister, Antonio de Aguiar Patriota, in issues of sovereignty and intervention. Together with a number of young diplomats primarily in the country's Permanent Mission in New York (which he now heads), the Minister personally had a hand in drafting the RWP paper and later even more so in handling its presentation and furthering at the United

Nations. The paper was intended to express Brazil's discontent with NATO's perceived overstepping of its mandate, and to allow Brazil to avail itself of this moment to play an active role in the intervention debate.

However, Brazilian diplomats were not prepared for the level of resistance with which the proposal was met—particularly in the case of fellow Southern states. Perhaps due to a certain isolation from public debate in the domestic context, the country's representatives and the note's authors were unaccustomed to the level of criticism the initiative drew. In the words of one analyst,

How can we explain the decision by Brazil to abandon its RWP initiative? Brazil's top leadership clearly seems to have made a cost/benefit calculation that the initiative is no longer worth additional investment of Brazilian political capital. Its political top leadership saw the RWP as a loss-making enterprise. The political payoffs seemed far off and uncertain but the political costs were real and immediate. The latter consisted of taking political fire from many sides for the initiative. Brazil seems to have been unprepared for the criticism and pushback after it launched the RWP concept. ... Engaging in the business of norm entrepreneurship means taking risks and dealing with setbacks and criticisms – especially in a charged and contested political environment such as the debate on intervention and the use of force. That Brazil does not seem to muster the endurance necessary to push the concept forward further is as deplorable as much of the short-sighted Western criticisms of the initiative.⁶²

Regrettably, while prevention—a perennial tenet of Brazilian contributions to intervention debates—plays a key role in the RWP proposal, the note's authors also did not include in the proposal a crucial comparative advantage the country holds in participating in such operations: its pronounced ability to harness economic development and socioeconomic policies such as poverty reduction to tackle the root causes of development.⁶³ As a result, the once-promising breakthrough contribution has languished:

Despite receiving notable international attention in a short amount of time, RWP no longer appears to be on the agenda of the Brazilian government. After a flurry of support and suggestions for improvement, Brazil now has a prime

⁶² Benner, "norm entrepreneur", 8-9.

⁶³ See Bellamy, *Global Politics*, 93-121 on the role of development issues in the advancement of R2P.

opportunity to expand and clarify the meaning of its proposal in the form of a new policy paper. It has been more than a year since the introduction of RwP, however, and it appears that the proposal has been left to the world to “do what it may” with it. Domestic priorities and a renewed focus on international trade are surely part of the explanation for this inaction. The danger, however, is that without proper leadership, RwP may not survive for long.⁶⁴

With respect to Brazilian participation in peace operations, there is likely to be a relative—though not drastic—drop in participation over the next several years. MINUSTAH has begun to draw down its contingents as the mission transitions to a development-based undertaking headed by UNDP and the UN country team. Leading Brazilian decisionmakers have stated that they will not maintain the current level of commitment, which places the country in the top twenty troop-contributing countries, though behind Uruguay and several countries with significantly lesser foreign policy ambitions. The country’s contribution hovers near the 2,000 mark; comparable aspirants to permanent membership in the Security Council, such as India and Germany, provide significantly larger numbers overall to interventions, with between 7,000 and 12,000 being cited as a consistent deployment and availability target.

Brazil has taken on a significant leadership role in the maritime contingent of the United Nations Interim Force in Lebanon (UNIFIL); several Brazilian admirals have commanded the mission’s maritime force, accompanied by a Navy frigate and a 300-man Marine force. Negotiations are currently underway to pave the way for a Brazilian force to replace the Spanish contingent, slated to leave in 2015. However, given the niche presence of Brazilian peacebuilding efforts, what makes them so successful in similar contexts also hampers their exportability to contexts where participation would have a more significant impact in furthering foreign policy goals. This is further hampered by the resistance to the use of force,

⁶⁴ Welsh, Quinton-Brown and MacDiarmid, “perspective”.

outlined above, as UN missions are increasingly centred on Africa and given Chapter VII mandates.

The exit of Patriota as Foreign Minister and his replacement with a colleague with a less pronounced predilection for security issues, coupled with President Rousseff's notorious disinterest in foreign policy, especially in an election year, appears to have doomed Brazilian initiatives to make a mark on intervention debates and to carve out a more significant niche as an emerging power in the security arena. Despite the efforts of civil society and the academy to revitalize the process⁶⁵, it appears proponents of prominent participation by states from the global South in the R2P conversation will need to look beyond the "responsibility while protecting". Nevertheless, during its short heyday the RwP paper went a surprisingly long way towards laying bare the basic tenets of discord over R2P's implementation, as well as providing incipient avenues for their future negotiation. It is to be hoped that in the future the domestic and international contexts will once again align to allow Brazil to play its crucial natural role as a global mediator on issues of R2P and intervention.

⁶⁵ Matias Spektor, "A responsabilidade de Dilma", *Folha de São Paulo*, 28 November 2011, accessed 16 March 2014, <http://www1.folha.uol.com.br/fsp/opiniao/11620-a-responsabilidade-de-dilma.shtml>; Matias Spektor, "Sem conselho", *Folha de São Paulo*, 30 January 2012, accessed 16 March 2014, <http://www1.folha.uol.com.br/colunas/matiasspektor/1041039-sem-conselho.shtml>; Matias Spektor, "A melhor barganha", *Folha de São Paulo*, 22 August 2012, accessed 16 March 2014, <http://www1.folha.uol.com.br/fsp/mundo/62167-a-melhor-barganha.shtml>.