The 'Responsibility to Protect' in Myanmar

Investigating the call for R2P through the Epistemic Community

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Abstract

The principle of the 'Responsibility to Protect' or 'R2P', adopted by states at the World Summit in 2005, establishes that states have a responsibility to protect their citizens, and if a state fails to do so, the responsibility falls upon the international community. In Myanmar, the Rohingya crisis and the military coup of 2021 has displayed the widespread systematic violations of human rights in the country. Despite the widely accepted principles of R2P, the international community has failed its responsibility to stop the ongoing mass atrocities in Myanmar. The demands for R2P in Myanmar are now increasing. By adopting an epistemic community approach to global governance, this research aims to look into the international scholarly community in order to investigate the potentials for R2P in the case of Myanmar. The study outlines the justifications and the challenges for implementation as well as suggestions for future political action. Security Council veto, ASEAN non-interference principles and confusion over R2P's implications has hampered an effective and collective international response. Although military intervention may not be feasible, a range of non-forcible measures under R2P have are promoted, as well as continued advocacy for its fundamental principles.

Key words: Responsibility to Protect; R2P; Myanmar; Human Security; Epistemic community
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Table of contents

1. Introduction

'Never again' were the words that the international community pledged to after the horrific atrocities of Rwanda and the Balkans in the 1990's. To equip the international community with effective tools to prevent, stop and punish such grave and unacceptable human rights violations, the 'Responsibility to Protect' was developed. The 'Responsibility to Protect', also known as 'R2P', is an international commitment by states to protect all populations against the four atrocity crimes of genocide, war crimes, ethnic cleansing and crimes against humanity. The doctrine establishes that states have a responsibility to protect its citizens and when a state is unable or unwilling to do so, or worse, is the perpetrator of these crimes, the responsibility falls upon the international community (UN, 2005). Despite the widely adopted principles of R2P, mass atrocity crimes continue to take place around the world, with millions of people losing their lives. One of the countries currently suffering from such tragic and inhumane mass atrocities is the state of Myanmar. In 2017, the pervasive human rights violations against the Rohingya minority in the country was referred to as 'a textbook example of ethnic cleansing' (OHCHR, 2017). The conflict escalated again in February of 2021 with a military coup against the civilian-led government, bringing renewed global attention to the conflict. The prolonged and worsening conditions for the Myanmar population, especially the Rohingya, calls for an urgent international response. Yet, too little action has been taken by the international community to end the atrocities.

Following the military coup of 2021, the UN envoy for the democratically elected government of Myanmar directly reached out to the UN Secretary-General António Guterres, urging the Security Council to uphold the principles of R2P (UN News, 2022). Additionally, protesters across the country marched the streets, holding signs and banners with "R2P" written on them (Evans, 2021). The civilian population is clearly calling upon the international community for support by

explicitly referring to states' responsibilities under R2P. The executive director of the Global Centre for the Responsibility to Protect, Simon Adams, has stated that there are no comparable examples of such widespread demands for R2P (Adams, 2021). The demands for R2P action on this scale, not only by experts or policy makers but by civili society, is remarkable.

This research aims to look at the conflict of Myanmar with a focus on the international community's failure to prevent and halt mass atrocity crimes, twice: first with the military's persistent assaults on the Rohingyas escalating in 2015, and again with the 2021 military coup where violence has been directed towards both the Rohingyas and the entire civil population (Adams, 2021). According to the commitments under R2P, states have a responsibility to protect the population of Myanmar. Despite the fact that the continuing atrocities amount to more than one of the four atrocity crimes, the UN has so far failed to fulfill its responsibility under R2P; to prevent and halt the mass atrocities and protect the people of Myanmar (Levy, 2019; Evans, 2021). Although clearly defined in theoretical terms and widely adopted by states, the R2P principle contains various challenges in terms of practical implementation, as evident in the case of Myanmar. It is nevertheless suggested that a solution to the conflict requires collective international action and it is argued that the R2P serves as an ideal framework. Various actors and agencies are therefore stressing the need for further international efforts by building the case for R2P in Myanmar.

1.2. Research Questions and Specific aims

Based on the epistemic community approach, emphasizing the role of particular expert networks in global governance, the purpose of this research thesis is to explore the views of the international scholarly community around R2P on the need and the potential for R2P implementation in Myanmar. The research will compile the views and arguments of the international scholarly community to further the understanding of the need for more effective action in response to the atrocities in Myanmar and to map out the suggestions for future action in the

region. The aim of this study is to outline the justifications for R2P in Myanmar as well as the challenges for implementation and the suggestions for the international community in terms of appropriate responses.

Considering the escalation of the conflict in February of 2021 and the continuing calls for international action, it is highly relevant to continue to explore the potentials for R2P in the case of Myanmar and to build a case based on expert knowledge that can generate valuable insights for future action. In the broader sense, this will contribute to the advocacy for more decisive international responses to the conflict, which may further encourage decision makers to take more efficient action in order to uphold principles of human rights and protect the population currently at risk. The research questions that this study aims to explore are the following:

I.   How is the epistemic community of international scholars justifying the need for R2P in Myanmar?

II.   What challenges for implementation are identified and what are the suggestions for political action?

2. Background

2.1. The principle of 'R2P'

The 'Responsibility to Protect', or R2P, constitutes a responsibility of states to protect all populations from the mass atrocity crimes of genocide, war crimes, ethnic cleansing and crimes against humanity. Its main purpose is to facilitate more effective responses to mass atrocity crimes such as those seen in the 1990's in Rwanda and Srebrenica where humanitarian interventions failed, largely due to the limited authority to act. The civil wars of the 1990's, and the failure of the international community to respond effectively, exposed a critical gap in the frameworks for international collective action (Connelly & Weiss, 2020). Consequently, Kofi Annan posed the following question: "how should we respond to a Rwanda, to a Srebrenica—to gross and systematic violations of human rights that offend every precept of our common humanity?" (Annan, 2000: 6). Following this, an investigation was initiated with the purpose of developing a tool adequate enough for the international community to respond to such crises. The result of this investigation, called the International Commission on Intervention and State Sovereignty (ICISS), was the R2P doctrine.

In essence, it is understood as an attempt to reconcile the conflict between state sovereignty and human rights protection. It is meant to equip the international community with tools for collective action in situations of intrastate conflicts and severe human rights violations (Ibrahim & Nordin, 2015). The principle thus stems from the idea that state sovereignty comes with a responsibility. It is suggested that the protection of one's own population is a fundamental attribute of being a sovereign state. R2P establishes that states have the primary responsibility for protecting its own citizens, however, "..if a state is manifestly unwilling or unable to honor its responsibility, or worse, is the

perpetrator of mass atrocities, the responsibility to protect shifts upward to the international community of states" (UN, 2005).

The doctrine is argued to represent a major shift in international security thinking as the traditional notion of international security has predominantly centered around 'the security of the state' (Crossley, 2018; Thakur, 2016; Weiss, 2013). The Responsibility to Protect, in line with the MDGs and the SDGs, reflects an emerging trend of human security over traditional state-centered security. Pease (2019) argues that the contemporary understanding of international security goes beyond the restriction of borders in which there is an increasing emphasis on global human rights protection, as illustrated in the R2P principle. Grugel et al. (2017) states that this 'right-based approach' in international security has led to a scale-shift whereby local or national conflicts are taken to higher levels of power. The growing emphasis on human security over state security along with the growing prevalence of intrastate conflicts (Kaldor, 2012) has laid the foundation for the principle. The 'Responsibility to Protect' was endorsed by all member states of the United Nations at the 2005 World Summit, and it constitutes three pillars of responsibility:

Pillar I: "Every state has the Responsibility to Protect its populations from four mass atrocity crimes: genocide, war crimes, crimes against humanity and ethnic cleansing."

Pillar II: "The wider international community has the responsibility to encourage and assist individual states in meeting that responsibility."

Pillar III: "If a state is manifestly failing to protect its populations, the international community must be prepared to take appropriate collective action, in a timely and decisive manner and in accordance with the UN Charter."
(UN, 2005, A/RES/60/1)

The principle does not (as often misconceived) solely have military implications. On the contrary, the framework should be understood as a spectrum with a soft

and a sharp end, involving a range of non-forcible and forcible measures (Evans et al., 2013). Pillar II establishes that, if a state fails its responsibility under Pillar I, the international community should first and foremost attempt to offer its support through "diplomatic, humanitarian and other peaceful means" (UN, 2005). Only when this is inadequate, the international community should take 'appropriate collective action' under Pillar III. However, it is important to note that even under Pillar III, military intervention is an option of *last resort* (Thakur, 2016). Other measures include e.g. sanctions, arms embargoes and threats to refer perpetrators to the ICC (Global Centre for the Responsibility to Protect, 2021). In cases where all other efforts have failed, the Security Council is the supreme organ for authorizing military intervention (Genser, 2018).

2.2. The conflict in Myanmar

The state of Myanmar (previously known as Burma) is located in the Southeast Asian region, in the middle of the South Asian super powers China and India. The country is characterized by an ethnic complexity that has given rise to serious conflict over the past decades. Since its liberation from the British colonizers in 1948 there has been much antagonism between the majority and the minorities of the population (Svenska Burmakommittén, 2021). The conflict of Myanmar involves a "violence-ridden interplay of identity, religion and politics, extending over many decades" (Syed, 2019: 115). The Rohingya crisis and the Military coup of 2021 reflect two significant escalations of the conflict, resulting in increased global attention and stronger calls for an international response. These events are not considered as separate or independent conflicts but rather as being part of the ongoing mass atrocities in the country, predominantly targeting the Rohingya minority. Because of the widespread and ongoing mass atrocities in Myanmar, the state has emerged as a potential case for R2P intervention.

2.2.1. The Rohingya Crisis

The conflict of Myanmar has been going on since its independence but especially became a matter of global concern in 2015 when an escalation of the conflict led to mass emigration with thousands of refugees fleeing from the country to neighboring states. The Rohingya is an ethnic minority in Myanmar who have had to suffer decades of discrimination and repression under the government of Myanmar (Global Centre for Responsibility to Protect, 2021). The Rohingya are viewed as unwanted foreigners and the government of Myanmar has even passed a law denying the Rohingya citizenship. The law is considered a severe violation of human rights as it is mainly based on race (Levy, 2019). Following the escalation of the conflict in 2015, the UN stated that the decades of persecution and human rights abuses towards the Rohingyas amounted to genocidal violence and the country was ordered to take measures to protect its citizens (OHCHR, 2020). In 2017 the UN launched a fact finding mission aimed to investigate the ongoing atrocities. However, Myanmar's unwillingness to cooperate with the investigation halted its success. In 2018, the UN passed a resolution to further put pressure on Myanmar to take action to stop the violations, yet this showed little result. According to UNHCR, as of 2019 more than 742.000 people had fled the country due to the persecutions and the stated genocide (UNHCR, 2019). Yet, the only formal response by the United Nation Security Council (UNSC) was a presidential statement urging the government of Myanmar to take action.

2.2.2. The Military Coup

Despite the positive trend towards a democratic transition in Myanmar, impunity for past violations by the state of Myanmar has led the military to once again commit widespread systematic violations towards the civil population (Svenska Burmakommittén, 2021). In February of 2021, a military coup took place where the military of Myanmar overthrew the civilian-led government, arresting and kidnapping the ruling politicians. The military seized power over the state, making unsupported claims about election and voter irregularities which later was

falsified by international election observers (Human Rights Watch, 2022). Millions of people in Myanmar participated in peaceful protests following the coup, but the military responded with more killings, torture and escalating violence. The security forces have committed countless offenses towards the Myanmar population, amounting to crimes against humanity. Within the period of February-November of 2021, the military killed more than 1200 protesters and bystanders and detained around 9000 government officials, journalists, activists and civil servants (Human Rights Watch, 2022). The Myanmar expert Matt Scott Mathieson has stated that "the current situation is the most desperate since Myanmar became independent" (The Irrawaddy, 2022). The February coup was basically a declaration of war by the military against its own people.

The Association of Southeast Asian Nations (ASEAN) established a common framework for addressing the conflict in Myanmar called the "Five-Point Consensus", however this has not been carried out effectively in which the regional organization has failed to take meaningful steps towards stopping the military junta in Myanmar (Human Rights Watch, 2022). While states such as the US, the UK and Canada, as well as the EU, have made some use of responsive tools such as targeted sanctions and suspension of development funding, more robust collective action is needed to address the pressing situation. Protesters across Myanmar are calling upon the international community and the R2P, and the evident inadequacies of previous efforts expose the need for more robust international action.

3. Theoretical Framework

Processes of globalization have given rise to a range of new global concerns and challenges of increasing complexity. Because of the uncertainty of these global challenges, policymakers are increasingly seeking credible knowledge from alternative sources in order to gain access to information about complex issues. Consequently, various transnational networks are becoming increasingly influential in policy making processes: one such network being epistemic communities (Haas, 1992; Cross, 2013; Clunan, 2016; Smirnova & Yachin, 2015; Young et al., 2010). The theoretical framework of this study builds on the concept of epistemic communities and the fundamental role they play in supporting and influencing international decision-making and policy coordination. The following section outlines the epistemic community as a conceptual framework and situates it in the broader field of global governance where it is argued to fit well into the research field of R2P.

3.1. Epistemic Communities

The concept of epistemic communities was first introduced as a theoretical framework to IR by Peter M. Haas in his work *"Introduction: Epistemic communities and International policy coordination"* (1992). Haas defines the epistemic community as "a network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue area" (Haas, 1992: 3). The members of an epistemic community are thus understood to be professionals or specialists of a particular field who strive to influence policy debates and political activities by providing their expert knowledge in the process of policymaking (Young et al., 2010). His definition of the epistemic community has been widely

adopted by experts and scholars in trying to understand and describe certain influential groups in the transnational political context. The specific boundaries of an epistemic community may however be hard to distinguish as there is no definite structure and the members can come from different backgrounds (Smirnova & Yachin, 2015). The perception of what constitutes an epistemic community therefore varies slightly between different scholars.

The general understanding builds on Haas's initial conceptualization which primarily distinguishes the epistemic community from other transnational networks based on their shared knowledge and causal beliefs, combined with shared normative beliefs (Haas, 1992: 16). In contrast to other scientific communities, the members of an epistemic community share certain normative beliefs which define their interests. While scientists in general do not often limit themselves to activities related to their normative values or beliefs, the work of an epistemic community strongly reflects the shared principled beliefs of its members on a particular issue at hand (Haas, 1992: 16). The epistemic community is further distinguished from global interests groups or advocacy coalitions — whose political activities also reflect certain normative beliefs — by their shared knowledge or causal belief system. The epistemic community's advocacy for certain political activities builds on the particular knowledge and expertise of their members, which other interest groups lack. Interest groups or advocacy coalitions may instead rely on values stemming from idealism, self-interests, or set agendas. Fundamentally, the unique feature of epistemic communities is that they combine political initiative with scientific objectivity. This grants them a special status in international politics (Haas, 1992: 18).

The concept has further been refined by Cross (2013) and Smirnova and Yachin (2015) who build on Haas's framework by giving a clearer demonstration of what forms these epistemic communities and how they can be understood. In essence, the epistemic community is held together by its '*episteme*'— its principle system of understanding. Cross (2013) however argues that the concept has generally been too narrowly adopted, focusing solely on groups of scientists or technicians in fields such as environment or economy. As Haas explicitly

mentions, epistemic communities do not necessarily consist of natural scientists or professionals applying such scientific methodologies (1992: 3). Cross thus suggests that the members of the community can be both scientific and non-scientific, located both within and outside of formal institutions. The community is bound together, not by science, but by shared beliefs and applicability of particular forms of knowledge which enables consensus and persuasion. Although epistemic communities often, in fact, do consist of scientists, "there is no reason to assume that actors with non-scientific expert knowledge cannot be just as persuasive and operate according to the same or similar criteria" (Cross, 2013: 155). Smirnova and Yachin (2015) distinguishes traditional scientific knowledge from such 'non-scientific expert knowledge' by stating that experts deal with the study of non-existing objects such as tendencies, foresights, etc. These expert groups are argued to also form epistemic communities.

The connections between the members of an epistemic community further goes beyond their bureaucratic roles as the community comes together at the initiative of its members (Cross, 2013: 154). As emphasized by Haas, the community is bound together primarily by shared beliefs in particular forms of knowledge rather than by profession or bureaucratic roles. Epistemic communities are therefore rarely broad enough to include an entire field, instead there may exist numerous epistemic communities within the same discipline or policy area (Cross, 2015). Smirnova and Yachin (2015) emphasize that the phenomenon of epistemic communities is formed when experts of a particular field do not just serve the interests of economic and political actors, but use their collective knowledge to try to solve global problems. Epistemic communities therefore do not have strict boundaries and "one cannot say that [scientific communities] end where an epistemic one begins" (Smirnova & Yachin, 2015: 649). The epistemic community should be understood as a horizontal network as there are no formal leaders. The members operate in an interdisciplinary manner to promote their shared knowledge or solve a common problem. Ultimately, epistemic communities are seeking to persuade decision-makers of the goals they share in their particular domain of expertise, with the goal of benefitting human welfare.

Building on Cross' expanded conceptual framework, Smirnova and Yachin (2015) present a list of the features of an epistemic: 1) Self-organization; 2) Scientific truth as a shared value; 3) Personal responsibility for recommendations; 4) Adherence to common values; 5) Political influence; 6) Interdisciplinarity; 7) Focus on global problems affecting human development, well-being and security. It is argued that when most of these features are present in the activities of certain international communities, it can be considered an epistemic community.

3.1.1. Epistemic communities in Global Governance

Globalization has resulted in a highly interconnected and interdependent world where state interaction and global governance has intensified. It is argued that the growing complexity of the international political system, as a result of a highly globalized world, has increased the importance of epistemic communities (Haas, 1992: 12). The value of expert knowledge, developed and sustained by such networks of professionals, have become more and more apparent with the advancement of globalization. It is suggested that epistemic communities are growing in importance, particularly due to the need for particular forms of knowledge in global governance processes (Cross, 2013). Globalization has brought about a range of new global issues in a variety of fields such as health, security and environment, and these issues are becoming increasingly complex. Uncertainty plays a big role in the influence of epistemic communities. The uncertainty on how to tackle complex global issues call for particular forms of knowledge; knowledge that epistemic communities hold. Consequently, policy makers are increasingly seeking the advice of these communities (Clunan, 2016).

According to Sundström (2000), international epistemic communities can influence national and transnational decision-makers effectively enough to generate a shared vision of current global problems that enables international consensus building. The epistemic communities therefore have an important job in providing new policy-relevant knowledge as well as defining and framing different issues (Young, et al., 2010). The input of epistemic communities is

crucial when the knowledge of decision-makers on certain issues is limited. Although scholars are not all unanimous in their views of how epistemic communities interact with decision makers, most are very optimistic about this interaction of knowledge and power and the influence that they have on multiple levels. Smirnova and Yachin (2015) suggest that the epistemic communities, by providing and promoting their knowledge, act as intermediaries between scientists/experts and decision-makers. If successful in influencing decision-makers, the epistemic communities have the ability to solve conflicts around complex issues. It is evident that epistemic communities have been very influential in bringing about political change by informing and influencing policy- and decision makers in a range of issues, including that of international security and human rights protection (Crossley, 2018).

Epistemic communities are considered to be at the forefront of global governance because of their ability to directly and indirectly affect policy coordination on an international level. By diffusing ideas and influencing the positions of a wide range of actors, epistemic communities are "a major means by which knowledge translates into power" (Cross, 2013: 137). Sundström (2000) suggests that epistemic communities can have the ability to move power over decision-making on complex issues from the elected representatives to the expert elites. The community can help define the most suitable solutions to problems by framing the different political controversies around the issue at hand, and define state interests and potential courses of action. Adler and Haas (1992) suggest that if an epistemic community is able to influence several governments through its global membership, then it can directly contribute to informal convergence of policy preferences. As members of an epistemic community provide its national decision-makers with similar views and similar information about an issue or a situation, "decision-makers will suddenly find that their counterparts in other countries share their opinions on many matters" (Sundström, 2000: 4). This then provides incentives for international cooperation. If the ideas of the epistemic community further become embedded in the regulatory agencies of the wider

international community, it can achieve strong convergence of international policies and global standards (Adler & Haas, 1992: 379).

3.1.2. Epistemic Communities & R2P

Although the epistemic community approach has been mostly applied in the study of international policy coordination in environmental politics or issues of a more technical nature, it has shown to be fundamental in a range of fields (Haas, 1992; Young et al., 2010; Crossley, 2018). Epistemic communities not only influence policy by framing certain issues and defining state interests but also by developing regulations and setting standards (Adler & Haas, 1992: 378). Although this might be more straightforward in areas such as environmental politics it has nevertheless shown to be highly relevant in the field of international security. Previous research on security experts groups have shown that within security politics there are various epistemic communities such as military experts, security researchers, civilian crisis management experts, among others. Through the shared knowledge of its members, these epistemic communities have been able to influence various areas of international security (Cross, 2015).

Crossley (2018) argues that, given the strong influence of epistemic communities in a number of issue areas, these networks can and should have similar impact in the field of human security and R2P. The epistemic community around R2P can map out the consequences of different courses of action, or the consequences of not acting. Further, they may be able to recognize certain state interests that may be useful to understand prevailing conditions and challenges, or potential agendas for action. In that sense, epistemic communities help shed light on the chain of events that may follow from either instituting certain policies, or failure to take action (Young et al., 2010). It has also been evident that crises are particularly significant for the influence of epistemic communities. Crises produce exceptional conditions that naturally call for extraordinary responses (Sugden, 2006). In situations of crisis uncertainty is particularly high in which it is argued that policymakers can benefit from seeking information and advice from

additional sources (Haas, 1992: 4). The role of epistemic communities in relation to what can be considered 'the crisis of Myanmar' is therefore argued to be extremely important. In the case of R2P and Myanmar, epistemic communities can provide valuable inputs for states and decision-makers in terms of the need for R2P action, and the appropriate measures to tackle the ongoing atrocities in the state.

According to Crossley, the epistemic community around R2P is made up of three distinct, but interrelated spheres: "the academic community of scholars working on intervention and mass atrocity prevention; policy-makers in governments and international organizations; as well as members of think tanks, humanitarian relief organizations, and the media" (2018: 3). The framework of this study will build upon the ideas first presented by Haas and further developed by Cross regarding the fundamental role of epistemic communities in global governance. Further, with reference to Crossley's identification of three distinct spheres within the epistemic community around R2P, the study will be limited to the academic community of scholars; here defined as 'the international scholarly community'. Although an abstract concept, the international scholarly community can be defined as a community that fosters the creation, sharing, and application of knowledge (Caelleigh, 2000). The epistemic scholarly community around R2P is characterized first and foremost by their shared expert knowledge and their shared normative beliefs. Further, these scholars publish in academic journals and they can be considered to "meet" frequently by interacting or engaging virtually with each others' work. They often cite each other or build on similar arguments. These features binds the members of the community together. The international scholarly community around R2P will be used to further understand the case of R2P in Myanmar. Their shared 'episteme' will provide justifications for R2P implementation, outline the major challenges and the suggestions for potential future action.

4. Methodology

This section outlines the research design, describes the method of qualitative content analysis adopted in this study as well as the process of data collection. The choice of methodology is also justified and delimitations are described. Finally, some ethical considerations and general limitations of the study are mentioned.

4.1. Research Design

This research will be designed as a qualitative case study, investigating the views of the international scholarly community on the justifications, challenges and potentials for R2P implementation in Myanmar. Case studies are understood to be particularly suitable for research aimed at understanding the failure or success of a political initiative, or the potentials or challenges in practice: in this case the implementation of R2P in Myanmar (Goodrick, 2014). The case study allows for an in-depth analysis of a specific case which, according to Robson and McCartan (2016: 150), is considered particularly useful when exploring a phenomenon in the real life context. The case study design is not aimed to generalize findings but rather to outline the case for R2P action in the specific case of Myanmar. The study may however to some extent contribute to the broader research field on R2P and further the understanding of its challenges and potentials in practice.

4.1.1 Qualitative Content Analysis

The methodological approach that this research adopts is a qualitative content analysis. The content analysis is conducted through a systematic analysis of textual information. For the purpose of this study, this research contains an

analysis of secondary data consisting of articles by international scholars in the field of R2P, published in academic journals. Content analysis is considered beneficial because it is an unobtrusive method which can reduce bias tendencies (Halperin & Heath, 2012: 318). The content analysis adopted here follows a four step process presented by Halperin and Heath (2012). This four step process consists of selecting the relevant texts for analysis, determining to which extent they are to be analyzed, defining the topics of interest within the data, choosing a so-called recording unit, that is e.g. words, sentences or themes. Lastly, in order to identify and signal the presence of the relevant categories or themes in the text, a coding protocol is established to systematically document the findings (Halperin & Heath 2012: 321).

The coding process maps out the arguments and the differences or similarities between the texts which enables further comparison and analysis of the data (Halperin & Heath, 2012: 322). In line with a more flexible approach to qualitative content analysis presented by Bryman (2004: 183), the themes/ categories of the coding protocol emerged throughout the process instead of being predetermined. By creating a first protocol for summarizing the main points and arguments of each document, three main themes could be identified whereby a coding scheme was established, mapping out the different arguments under each theme (see Appendix II). A second protocol was then established to summarize and categorize the findings under the three identified themes, outlining the structure of the analysis (see Appendix III). By including a protocol of the coding process, the results of the qualitative content analysis are presented in a clear and comprehensive manner. The coding protocols show how conclusions were reached in which the findings are considered more valid and reliable (Halperin & Heath, 2012: 328).

4.1.2 Data Collection

The case of Myanmar was selected subsequent to conducting a literature review on R2P where Myanmar was identified as a particularly relevant case for R2P as well as the greater political debate around its challenges and potentials. The unit

of analysis consists of research articles by academic scholars on the specific case of R2P in Myanmar. The focus on academic work by international scholars derives from Crossley's (2018) identification of the epistemic communities around R2P. Given the focus on this particular epistemic community, the data was limited to solely include articles written by academic scholars in relevant fields. Additionally, these selected articles are published in academic journals as this is where the most recent available research is considered to be presented, which grants their credibility (Mabe, 2003).

The data sampling process started through a search of the two databases Google Scholar and LUB search. Following keywords were used in the search: Myanmar; Responsibility to Protect; R2P. After reviewing the available literature it became evident that articles published after 2015 — following the escalation of the Rohingya crisis — paid more serious consideration to the potential implementation of R2P in Myanmar. The data has therefore been limited to articles published after 2015. The sampling process also made use of the method of 'snowballing'; searching through the bibliographies of relevant articles. This was not only useful for finding more data but, with consideration to the epistemic community framework of the study, also indicated that the researchers build on each other's work and develop common understandings. The final data sample includes a total of 12 articles published between 2015-2021 that constitute a total of 207 pages analyzed (for detailed list see Appendix I).

4.2. Limitations

The qualitative approach of this study enables in-depth analysis of the complex concept of R2P in relevance to the context of Myanmar. It thus worth noting that the results of this study may therefore not be generalizable. Moreover, the delimitation of the data to match the specific purpose of the study resulted in a more narrow scope of available data. While this could be considered a limitation, this study adopts a qualitative approach which focuses on the quality of the content rather than the quantity of data.

4.2. Ethical Considerations

This study does not deal with any particularly sensitive information or personal inquiry, however, there are nonetheless ethical considerations worth mentioning. Since this study relies on existing, secondary data, the data have been carefully evaluated in terms of quality and appropriateness for the purpose of the study. An important aspect of ethical considerations is research transparency; meaning the data, the method and the analysis has to be stated and reported clearly and comprehensively. This study has deliberately strived for objectivity, transparency and representation. Three appendices have been included to offer transparency of the data and the analysis. The first appendix offers a detailed list of the collected data, the two latter outlines the data analysis process in which the main themes and arguments were identified and clustered together. Further, as much of the work on R2P is written by Western scholars and the language of the international scholarly community is primarily English, it has been an intentional effort to incorporate a more diverse set of data that ensures representation. To include authors of the Global South is particularly relevant in the case of Myanmar and as well as in the general debate on humanitarian intervention.

5. Data Analysis

In this chapter I will investigate the views of the international scholarly community around R2P, in relevance to the situation in Myanmar. The analysis is structured around the three identified themes: the justifications for R2P in Myanmar; the challenges for implementation; and lastly, the suggestions for future political action.

5.1. Justifications for R2P in Myanmar

Justifications for why R2P should be considered in the conflict of Myanmar are brought forth in all of the analyzed articles. The arguments of the scholarly community are outlined around three interrelated themes: the feasibility of the conflict within the R2P framework, the severity of the conflict, and the growing demands of civil society.

5.1.1 Situation falling under R2P

The conflict in Myanmar is argued to fall under R2P in three direct ways. The most mentioned reason is that the ongoing human rights violations in Myanmar amount to at least one of the four atrocity crimes specified in the R2P framework. Among them, genocide, ethnic cleansing and crimes against humanity are mentioned. Almost half of the scholars (Gepp, 2021; Syed, 2019; Zahed, 2021; Islam, 2020; Adams, 2019) directly refer to the statement by the UN Human Rights chief in 2017 who called the Rohingya crisis as a 'textbook example of ethnic cleansing'. With reference to the UN's Fact-Finding Mission on Myanmar (IFFMM) report published in 2017, Gepp (2021) states that there are clear evidence of mass killings and acts of genocidal intent in the state.

Secondly, the fact that the state of Myanmar itself is unable and unwilling to protect its citizens is also mentioned. Ibrahim and Nordin (2015) states the following: "Rohingya is facing a serious threat of genocide, ethnic cleansing and crimes against humanity while the government of Myanmar has failed in its

primary duty to protect them" (Ibrahim & Nordin, 2015: 1). Mennecke and Stensrud (2021) and Islam (2020) also explicitly mention the government's lack of effort and willingness to stop the violations; meaning they fail their responsibility under Pillar I which causes the responsibility to fall upon the international community.

Thirdly it is emphasized that the state of Myanmar itself, in fact, is the perpetrator of most of these crimes. Kashfi, Salahi and Sadeghi (2020) stresses that it has been established that the government of Myanmar, for decades, have been carrying out so-called "clearance-operations" towards the Rohingya minority. The population of Myanmar, in particular the Rohingya, are argued to be facing "deeply-rooted human rights abuse at the hands of the state" (Kingston, 2015: 1164) which — in accordance to states' commitments to R2P — justifies an international response.

5.1.2. Severity of the conflict

The severity of the conflict is also brought forward as an argument for R2P in Myanmar. In addition to the occurrence of atrocity crimes, the overall severity of the conflict in terms of both escalation of the atrocities and the international implications of this development is also emphasized (Kingston, 2015; Syed, 2019; Mennecke & Stensrud, 2021; Zahed, 2021; Islam, 2020; Southwick, 2015). The prolongation and the worsening situation for Myanmar, and particularly for the Rohingya, is argued to increase the need for an international response: "A few noteworthy statements from the UN [..] do not match the gravity of crimes implicated" (Southwick, 2015: 144). It is mentioned by Syed (2019) that the conflict is unlikely to solve itself as it has remained unsolved for over 70 years. Mennecke and Stensrud (2021) emphasize the fact that there is currently nothing indicating the government of Myanmar is changing its attitude towards the Rohingyas and the escalation of the conflict with the military coup of last year is used to support this claim. Political upheavals is further suggested by Kingston (2015) to be a well-known risk factor for mass atrocities. In terms of severity,

Syed (2019) and Southwick (2015) both argue that the conflict has consequences beyond the state borders. "This crisis is not only an issue that is very much internal to the Myanmar state, it is also one that has international implications" (Syed, 2019: 115). Southwick (2015) suggests that by ignoring the responsibilities under R2P, the international community risks undermining the credibility of international institutions. Syed (2019) argues that the conflict creates regional security tension in the Southeast Asian region and creates spill-over effects in terms of refugees in which it is argued that further escalation will develop into a larger humanitarian catastrophe in the greater region.

5.1.3. Civil society demands

Among the justifications presented by the scholarly epistemic community, the increasingly strong calls for international intervention under R2P are also mentioned. Diamond (2021), Adams (2019), and Mennecke and Stensrud (2021) stress that there have been increasingly strong calls for an international response among the civil society. According to Diamond (2021), many civil society organizations, both within and outside of Myanmar, have expressed great concern for the ongoing atrocities, emphasizing the international community's responsibility. It is mentioned that civil society is campaigning for justice under international law and particularly calling upon the responsibilities of R2P. The articles published after the 2021 military coup all mention the civilian protestors in Myanmar who are calling for R2P. Adams (2019) and Diamond (2021) in particular emphasize the positive change of attitude among the civil population of Myanmar towards R2P-related measures. They argue that while the civil society of Myanmar for long remained skeptical towards R2P, "voices have emerged from within civil society in support of the adoption of central elements of R2P" (Diamond, 2021: 380). Zahed (2021) further argues that the widespread global attention should motivate states to take action. He refers to the statement by the chairperson of the IIFFMM investigation who said: "the Rohingya and all of Myanmar's people — in fact the whole world — is looking to the UNSC to take action against Myanmar" (Zahed, 2021: 943).

5.2. Challenges for implementation

While a range of justifications for R2P implementation in Myanmar are presented, some major challenges related to such action are also acknowledged: the Security Council deadlock due to China and Russia; reluctance among ASEAN-states due to non-interference principles; and finally, a lack of understanding for R2P's full implications.

5.2.1. Security Council Deadlock

One of the fundamental challenges for implementing R2P in Myanmar emphasized by the scholarly community is the inherent structural weakness of R2P in its reliance on the United Nations Security Council (UNSC) and the veto power of its permanent members (the P5). Any forcible military measures requires the authorization of the UNSC and thus, the political will and support of the P5 members. However, unanimously the articles suggest that any sort of military intervention is highly unlikely because of the lack of political will among some of the P5 members; namely China and Russia. While other states of the UNSC have shown public support to the state of Myanmar, Russia and China have so far continuously invoked their veto power in order to end discussions on R2P in Myanmar. While there have been initiatives from other states to suspend the veto in situations of mass atrocities this has not been successful, again, because of the unwillingness of the P5. Adams (2019) states that UNSC is "unable to function when a permanent member threatens to use its veto power to protect the interests of a state that is committing atrocities" (Adams, 2019: 200).

Syed (2019) argues that China and Russia have a predominantly realist foreign policy approach in which intervention is considered a violation of the state sovereignty principle. It is suggested that China and Russia view R2P solely in terms of its Pillar I and II as Pillar III obligations are suggested to go against their realist approach of non-intervention. It is mentioned that already in 2007, China used its veto to stop efforts to involve the international community in taking

action against Myanmar. Zahed (2021) refers to a statement by China where the state expressed that the attacks towards the Rohingya "did not threaten international and regional peace and security and that it should be treated as a domestic issue" (Zahed, 2021: 943). Furthermore, it is suggested that China and Russia have a range of other state interests that supersede the need for humanitarian protection in Myanmar; such as military ties, geopolitical considerations, natural resources, energy security, etc. As stated by Gepp (2021), "the national interests of Russia and China do not appear to coincide with any concrete [R2P] measures" (Gepp, 2021: 92). Military intervention thus seems unrealistic considering the resistance of China and Russia along with their veto power in the UNSC. Their positions and reluctance to the involvement of the UNSC in settling the conflict also prevent the UK and the US from taking forcible action through the UNSC. Inevitably, the Security Council ends up in deadlock.

5.2.2. Reluctance of ASEAN

A majority of the scholars emphasize the crucial role of the regional organization 'ASEAN' in responding to the crisis (Islam, 2020; Mennecke & Stensrud, 2021; Zahed, 2021; Ibrahim & Nordin, 2015; Kingston, 2015; Gepp, 2021; Southwick, 2015; Simon, 2018). The Association of Southeast Asian Nations, or ASEAN, is suggested to play an important role because of its closeness to the conflict geographically. This is argued to give them more legitimacy to respond, as well as foster more political will. Ibrahim and Nordin (2015) states that "ASEAN is in the perfect position to act critically on Myanmar" (Ibrahim & Nordin, 2015: 11). Although the authorization requirement of the UNSC still stands for any forcible measures, ASEAN is argued to have the ability to influence the government of Myanmar through other non-forcible measures under R2P.

Yet, the scholars agree that the organization so far has failed to take an adequate political stand in the crisis. It is suggested that the greatest challenge for an effective response in accordance to R2P is the organization's fundamental principle of state sovereignty. Zahed (2019) states that "the main principles of ASEAN are the non-interference and consensus-building traditions that ensure

high respect for each member state's sovereignty" (Zahed, 2021: 937). While regional actors and organizations are argued to have the ability to coordinate strong collective action, ASEAN has failed to do so. For instance, in 2018, 7 out of the 10 Asian member states of ASEAN voted against a resolution allowing the organization to act in Myanmar. Despite the fact that both Indonesia and Malaysia have called for action within the organization, the response of ASEAN and its member states remain highly restrained, except through "virtue signaling as part of formal diplomatic procedures" (Zahed, 2021: 940). Instead, the organization expects that Myanmar finds a solution within the state. The arguments of the articles conclude that in Southeast Asia, the principle of non-intervention and state sovereignty still supersedes the commitment to R2P.

5.2.3. R2P's implications & comprehensiveness

A third challenge of R2P implementation in Myanmar brought forth is the lack of understanding for the full implications and comprehensiveness of the R2P framework. This has predominantly been brought up by Kingston (2015), Diamond (2021) and Southwick (2015). First and foremost, it is suggested that there is a tendency to wrongfully equate R2P with military intervention. States and other actors of the international community assume that a response through the R2P inevitably requires military measures which arguably neglects the norm's full potential. This unfortunate misconception is argued to underestimate other important aspects of the R2P toolkit. Kingston (2015) further suggests that the R2P faces a 'dilemma of comprehensiveness' where there exists some confusion about its direct implications. It is suggested that states lack clarity regarding who bears the primary responsibility to respond to the conflict; whether responsibility lies with the UN, state governments, or other organizations. Furthermore, because the conflict in Myanmar is the result of a wide range of both direct and structural causes, it might not be clear to states what an appropriate and effective response entails. Southwick (2015) argues for a possible confusion among states since R2P "do not specify exactly which actions by whom are warranted" (Southwick, 2015: 143). Because the R2P framework entails a range of measures, implementation

must be considered on a case to case basis. However, this in itself is argued to possibly hinder implementation.

5.3. Suggestions for action

Despite the challenges for R2P in Myanmar a variety of responses under R2P are emphasized. Considering the insuperable challenge of R2P's inherent structural weakness, it is suggested that the international community needs to find means to intervene in the conflict without the approval of the Security Council. The scholarly community further stress the need for continued international pressure on states and advocacy of R2P in order to influence states to take more concrete action in Myanmar.

5.3.1. Preventative measures

Kingston's article of 2015 emphasizes the need for preventative measures to stop the (then) 'prospects of genocide'. The emphasis is here put on the responsibility to *prevent.* She suggests that while the case might not be feasible for military intervention, the expected escalation of the crisis calls for urgent need of preventative action where the international community is encouraged to utilize its complete toolkit for atrocity prevention. It is proposed that direct and operational preventative measures may discourage certain actors from committing mass atrocity crimes or potentially reduce their ability to commit these crimes. In terms of the preventive tools available under R2P, early warning and assessment for genocide were brought forward.

Mennecke and Stensrud (2021) suggest that the post-coup situation also calls for measures of a preventative character. They argue that the international community needs to consider and prepare for potential scenarios of further escalation. In their view, states have historically focused too extensively on economic development and democratization while underestimating the atrocity risk. Instead, there is a need to analyze the situation properly in order to identify

future risks, potential triggers and targets within the civil population, and from there initiate suitable preventative measures. Gepp (2021) however specifically addresses Kingston's emphasis on prevention by claiming that "while she is right in asserting that forcible intervention is not the only tool in the box, [it] neglects the fact that where mass atrocities are ongoing, prevention mechanisms are inadequate" (Gepp, 2021: 86). She instead argues that the severity of the conflict suggests that it is too late for preventative measures at this stage in the conflict whereby more robust responses are required.

5.3.2. Accountability measures

Accountability is stressed as a central component of the R2P, particularly by Diamond (2021), and international action to push for accountability is argued to be critical. As military intervention may not be possible, it is argued that various forms of accountability can deliver at least some of the promises of R2P. It is suggested that the lack of accountability and punishment throughout the conflict of Myanmar has been a major cause of the ongoing atrocities, especially considering the recent actions of the Myanmar military. Diamond (2021) states that: "the dramatic events of the Rohingya and the military coup illustrate the consequences of previous lack of accountability" (Diamond, 2021: 380). In order to bring about accountability, Diamond argues that an independent inquiry must be established through which the perpetrators can be brought to justice. Adams (2021) further argues that while investigation mechanisms may not directly end the violence against the Rohingya, "they can help ensure that the perpetrators face a court one day" (Adams, 2021: 450). He emphasizes that such international investigative mechanisms have previously shown that sustained political action can have important impact.

Some scholars (Adams, 2021; Mennecke & Stensrud; Diamond, 2021) argue that international criminal justice may complement other efforts to prevent and stop the atrocities. This should arguably start with a referral of the case to the ICC. According to the aforementioned scholars, there is much evidence available to the prosecutors of the ICC on the Myanmar army violating international law,

especially regarding deportation or forcible transfer of the population which categorizes as crimes against humanity or intent to genocide. Even though Myanmar is not a signatory of the Rome statute of ICC — by which the state does not fall under its jurisdiction — it is argued that the ICC can claim jurisdiction through neighboring states who are signatories, considering the consequences of the conflict which affect them. Zahed (2021) however states that "there is a minimal chance that the ICC will be able to bring Myanmar's leaders to justice" (Zahed, 2021: 946). This due to the ICC's dependence on Myanmar's willingness to comply with the court's rulings, which is highly unlikely. Yet, Diamond (2021) suggests that working for accountability in the form of investigations and ICC referral could still be a way of signaling to the military that they will no longer enjoy impunity for these crimes, and this is seen as an important step towards protecting the Myanmar population in the long-run.

5.3.3. Other non-forcible measures under Pillar III

Apart from preventative and accountability measures, a range of non-forcible means under Pillar III are brought up as suggestions for addressing the situation. It is emphasized that the R2P toolkit under Pillar III offers a range of responses apart from military force. The importance of non-forcible measures under Pillar III is stressed particularly because of the ability to employ such responses without the authorization of the UNSC. It is also suggested by Gepp (2021) that, at this stage of the conflict, non-forcible measures under Pillar III serve as a better response than preventative measures. Kashfi, Salahi and Sadeghi (2020) stress the need for more efforts in terms of negotiation, inquiry, mediation and conciliation, and if such efforts continue to give little result, coordinated diplomatic and economic sanctions should be put in place. Gepp (2021) mentions several peaceful means that should be employed collectively by the international community: for instance sanctions, travel bans, and restrictions on arms. Similarly, Zahed (2019) states that "economic and diplomatic sanctions, aid restrictions, travel bans, asset freezes and aid conditionality are effective means of responding" (Zahed, 2021: 942). Restrictions on arms and other equipment important to the military are further

suggested to have a great impact on the conflict, and targeted sanctioning aimed at the military and political elite of Myanmar is argued to have great influence on both the perpetrators and the support of the political elite.

5.3.4. Continued international pressure & R2P advocacy

As R2P action in Myanmar evidently contains some major challenges in which its full potential cannot be utilized under current circumstances, scholars unanimously emphasize the need to continue to advocate for the fundamental principles of R2P and to put further pressure on states. It is for instance suggested that civil society, human rights organizations and UN human right bodies can establish enough public pressures to increase political will among states, in ASEAN, and possibly even in the Security Council. Islam (2020) underlines the fact that "as demands of the global public opinion, the international actors have been taking proceedings to add pressure on Burma" (Islam, 2020: 86). Gepp (2021) argues that R2P should be considered "a tool of moral and political influence" in which it is not needful to change its framework but rather to advocate for its use (Gepp, 2021: 97). Reference to R2P at international level is suggested to increase the pressure on states and on the government of Myanmar to take more serious action. She also suggests that NGO's and the media are well suited to advocate for the principles of R2P and the need to protect the people of Myanmar. Ibrahim and Nordin (2015) states that the problem needs to be discussed more openly in global forums and within regional organizations to strongly indicate to states of the international community, and to Myanmar, that the situation is not to be considered a domestic affair. Syed (2019) similarly suggests that by continuing to advocate for the moral and ethical justifications for humanitarian intervention, there is a possibility to influence and motivate states to take action, particularly among the ASEAN states. He stresses that the advocacy for intervention needs to be structured around its humanitarian justifications. Gepp (2021) goes even further by claiming that the international community should 'name and shame' states who fail to act in accordance to their responsibilities under R2P. Ultimately, it is argued that advocating for the the

fundamental principles of global human rights, at the essence of the R2P framework, and the responsibility of states to take action, is an important part of the process in responding to the atrocities in Myanmar.

6. Conclusion

The tragical events of the 1990's brought the international community to take on greater responsibility for global human rights protection by accepting the responsibilities of R2P. However, in Myanmar, the doctrine has so far failed to deliver its promises. The people of Myanmar continue to suffer from horrible mass atrocities carried out by the state. Despite the commitment to R2P, the international community has been doing too little to protect the people of Myanmar. More vigorous international action is now demanded. This leaves us with the question of whether R2P could be used to stop these horrible atrocities.

Consequently, the purpose of this study was to investigate the views of the international scholarly community regarding the need and the potential for R2P implementation in response to the ongoing mass atrocities. The study adopted an epistemic community approach to global governance, arguing that the expert knowledge of academic scholars within the field of R2P can provide valuable insights on the situation in Myanmar and the role of the international community. Through a qualitative content analysis, the views and arguments of the international scholarly community have been compiled and outlined. The arguments of the scholarly community suggests that there are great evidence for the fact that the conflict in Myanmar falls within the framework of R2P, which both justifies and obligates the international community to take collective action. The population of Myanmar is considered to be at serious risk and civil society — within Myanmar and globally — is calling for more robust international action. Most significantly, the situation amounts to one or more of the four atrocity crimes listed under R2P.

While the scholarly community unanimously agree that there is a great need, and justification for an international response, some major challenges are

34

recognized. First, China and Russia continue to veto any Security Council initiative to address the situation in Myanmar. Considering the Council's authorization over any forcible measures within R2P, military intervention remains unthinkable. Secondly, although ASEAN is argued to play an important role in responding to the crisis, the organization's fundamental principles of non-intervention and state sovereignty hampers any effective response. Lastly, the complexity of the R2P framework, and the sort of 'case-to-case' approach of the doctrine. is argued to create some confusion among states over R2P's actual implications and comprehensiveness. Due to these challenges, particularly the hard-to-overcome issue of the Security Council deadlock, it is realized that full implementation of R2P — using forcible military measures — may be impracticable. Instead, the scholars suggests that the international community has to find ways to intervene without the authorization of the Security Council by utilizing the complete toolkit of R2P in a collective and effective manner. Various preventative- and accountability measures are suggested as well as a range of other non-forcible measures under Pillar III. Some of these measures are argued to stop the atrocities, some are suggested to prevent further escalation and some will help provide justice for the people of Myanmar. Additionally, considering the fact that some challenges to achieve adequate collective action may still remain, the international scholarly community unanimously stress the need for continued international pressure on states. Advocating for the fundamental principles of R2P and urging states to take responsibility for global human rights protection is argued to be an important part of the process to achieve change.

Considering the recent events of the 2021 military coup in Myanmar there are a currently lot of uncertainty around the contemporary situation in the state as well as concerns about how the conflict will further develop. It is here argued that there needs to be more done to address the situation in Myanmar and I believe that further research could contribute to a potential solution and to a change of attitudes within the international community. I will continue to emphasize the value of epistemic communities in global governance and international policy coordination as they play an important role in informing decision-makers with

their expert knowledge. Future research could build upon the findings of this study and further expand the scope to involve other communities related to R2P and human rights protection. I believe that it would be highly relevant to similarly investigate the views and arguments of policy-makers in governments or international organizations, members of think tanks or humanitarian organizations, or even the media.

The conflict in Myanmar has remained unsolved for more than 70 years and while some may argue that solving the conflict is an impossible task, I believe that the international community has a responsibility to keep trying. Finally, I will emphasize the words of the former Secretary General Ban Ki-Moon:

*"[t]he world's people have, nevertheless, kept their faith in the institution, because it never tires of trying to accomplish the impossible. So be it with R2P, which speaks to the things that are most noble and most enduring in the human condition. We will not always succeed in this cardinal enterprise, and we are taking but the first steps in a long journey. But our first responsibility is to try." (*Ban Ki-Moon, 2008, SG/SM/11701)

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8. Appendices

8.1. Appendix I - Coding Protocol 1.2.

Year	Author(s)	Pages	Title of Article	Country of Author
2015	Ibrahim, H., Nordin, R.	18	"The Principle of Responsibility to Protect: The Case of Rohingya in Myanmar"	Malaysia
2015	Kingston, L.	12	"Protecting the world's most persecuted: the responsibility to protect and Burma's Rohingya minority"	USA
2015	Southwick, K.	21	"Preventing mass atrocities against the stateless Rohingya in Myanmar: A call for solutions"	USA
2019	Syed, I.	16	"To Intervene or Not to Intervene: Ethics of Humanitarian Intervention in Myanmar"	Pakistan
2019	Adams, S.	15	"The Responsibility to Protect and the Fate of the Rohingya"	USA
2020	Kashfi M., Salahi, S., Sadeghi, M.	8	"Feasibility of Implementing of R2P in Myanmar"	Iran
2020	Simon, D.J.	15	"Rwanda and the Rohingya Learning the Wrong Lessons?"	USA
2021	Mennecke, M., Stensrud, E.E.	19	"The Failure of the International Community to Apply R2P and Atrocity Prevention in Myanmar"	Denmark, Norway
2021	Zahed, I.	23	"The Responsibility to Protect? The international community's failure to protect the Rohingya"	Australia
2020	Islam, M.	30	"The Dilemma of Stateless Rohingya: Priority for Responsibility to Protect (R2P)"	UK
2021	Gepp, M.	23	"The Road Not Taken: Failure to Protect from Atrocity Crimes in Myanmar"	Austria
2021	Diamond, N.	7	"The Failure to Protect in Myanmar: A Reflection on National Protection of Rohingya against Mass Atrocity Crimes and Prospects for the Responsibility to Protect"	Germany

8.2. Appendix II - Coding Protocol 1.1.

Article	Justifications for R2P In Myanmar	Challenges for R2P Implementation	Suggestions for action
1. Kingston (2015) "Protecting the world's most persecuted"	• Subject to ethnic cleansing and possibly genocide • 'The world's most persecuted minority' • Abuse at the hands of the state	• 'Dilemma of comprehensiveness' • UNSC veto blockage • ASEAN's institutional incapacity	• Utilize the complete toolkit of R2P other than military means • Preventative measures • Increased international attention
2. Diamond (2021) "The Failure to Protect in Myanmar"	• Calls for R2P within civil society	• Lack of understanding for its full implications • Focus on military means	• Accountability measures • International pressure to change attitudes
3. Gepp (2021) "The Road Not Taken: Failure to Protect from Atrocity Crimes in Myanmar"	• Clear evidence of mass atrocities • Responsibility of the international community to act	• Little political will among veto powers • ASEAN's non-interference and sovereignty approach • UNSC deadlock	• Non-forcible actions under pillar III • Used as a tool of moral and political influence • Shaming states; advocacy of R2P; peaceful measures
4. Syed (2019) "To Intervene or Not to Intervene: Ethics of Humanitarian Intervention in Myanmar"	• A textbook example of ethnic cleansing • Conflict unsolved for 70 years, will not solve itself • International implications and spillover effects	• Lack of political will among states • China veto power	• Influence state interests • Incorporate ethical motivations • Intervention structured around moral justifications
5. Mennecke, Stensrud (2021) "The Failure of the International Community to Apply R2P and Atrocity Prevention in Myanmar"	• Escalation of the conflict • Lack of protection from the state • Calls for R2P by the civil population	• A mix of unwillingness and inability • Lack of unanimity of the UNSC • Non-interference principles of ASEAN	• Preventative measures • Identify new risks, triggers and targets • Accountability measures • Compile and process evidence

6. Ibrahim, Nordin (2015) "The Principle of Responsibility to Protect: The Case of Rohingya in Myanmar"	• The occurrence of atrocity crimes • The unwillingness of the Myanmar to protect its citizens	• Non-intervention principles of ASEAN	• International discussions to put pressure on states and influence interests • R2P advocacy
7. Zahed (2021) "Responsibility to Protect? The international community's failure to protect the Rohingya"	• Meets the requirements for R2P •	• UNSC deadlock • ASEAN non-interference principles	• Economic and diplomatic sanctions; aid restrictions, travel bans; asset freezes; aid conditionality
8. Kashfi, Salahi, Sadeghi (2020) "Feasibility of Implementing of R2P in Myanmar"	• Falls under R2P commitments	• Passivity of the Security Council	• Reactive responses • Negotiation; inquiry; mediation • Various economic or diplomatic sanctions
9. Islam (2020) "The Dilemma of Stateless Rohingya: Priority for Responsibility to Protect (R2P)"	• Spillover effects and regional security tension • Failure of Myanmar to protect the Rohingyas	• UNSC deadlock • Failure of ASEAN to respond due to non-intervention principles	• Make use of peaceful means • Enforce strong pressure on Myanmar
10. Southwick (2015) "Preventing mass atrocities against the stateless Rohingya in Myanmar: A call for solutions	• Legal obligations • Crimes against humanity, ethnic cleansing, genocide • Internal and external consequences	• Lack of understanding for implications or comprehensiveness • ASEAN reluctance	• Enforce strong pressure on Myanmar • Emphasize human rights principles
11. Adams (2019) "The Responsibility to Protect and the Fate of the Rohingya"	• Genocide • Civil society calls for R2P	• UNSC inaction	• Sanctions and investigative mechanisms • Promotion of R2P principles
12. Simon (2018) "Rwanda and the Rohingya: Learning the Wrong lessons?"	• Evidence of genocide and severe human rights violations • Failure of the state of Myanmar to protect its citizens	• Structural weaknesses • Veto power within the Security Council • ASEAN preserving sovereignty	• No suggestions

8.3. Appendix III - Coding Protocol 1.2.

Justifications for R2P in Myanmar	Challenges for implementation	Suggestions for action
1.1. Situation falling under R2P	2.1. Security Council Deadlock	3.1. Preventative measures
1.2. Severity of the conflict	2.2. Reluctance of ASEAN	3.2. Accountability measures
1.3. Civil society demands	2.3. R2P's implications and comprehensiveness	3.3. Other non-forcible measures under Pillar III
		3.4. Continued international pressure and R2P advocacy