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The Dilemma between Human Security and State Sovereignty in the light of Arab revolutions in MENA: Libya as a case study

Dina Taman

PhD Student - Faculty of Economics and Political Science,
Program of Euro-Mediterranean Studies,
Cairo University

Dr. Mohamed Sahwky

Abdel Aal El Enany
Professor of Political Science and International Law.
Faculty of Economics and Political Science, Cairo University

Abstract

In 1994, the international community adopted the concept of human security to protect the security of individuals by exalting the value of human security over the traditional security concept, depending on two dimensions: freedom from fear and freedom from want. By time, the concept of state sovereignty began to diminish for many reasons that appeared on the political arena. By studying the reasons that led to the weakness of state sovereignty, we find that they are closely related to human security concept. Therefore, it became necessary to study the impact of human security on the state sovereignty, especially after the using of R2P in Libya to protect the human security of citizens, which caused the failure of the state and the weakness of its sovereignty. By studying the consequences of the military intervention in Libya, it becomes clear that the sovereignty of the state is the first pillar to protect the security of citizens, especially in peoples of a tribal nature, in which the absence of state authority may lead to civil wars that are difficult to control.

Keywords: Human Security – State Sovereignty – Responsibility to protect- R2P – Libya – Arab Revolutions – MENA.

المخلص

في عام 1994، تبنى المجتمع الدولي مفهوم الأمن الإنساني لحماية أمن الأفراد من خلال رفع قيمة الأمن الإنساني على مفهوم الأمن التقليدي، اعتماداً على بعدين: التحرر من الخوف والتحرر من العوز. بمرور الوقت، بدأ مفهوم سيادة الدولة يتضاءل لعدة أسباب ظهرت على الساحة السياسية. وبدراسة الأسباب التي أدت إلى ضعف سيادة الدولة، نجد أنها مرتبطة ارتباطاً وثيقاً بمفهوم الأمن الإنساني. لذلك، أصبح من الضروري دراسة تأثير الأمن الإنساني على سيادة الدولة، خاصة بعد استخدام مسؤولية الحماية في ليبيا لحماية الأمن الإنساني للمواطنين، مما تسبب في فشل الدولة وضعف سيادتها. وبدراسة تداعيات التدخل العسكري في ليبيا يتضح أن سيادة الدولة هي الركيزة الأولى لحماية أمن المواطنين، خاصة في الشعوب ذات الطابع القبلي، والتي قد يؤدي غياب سلطة الدولة إلى نشوء الحروب الأهلية فيها والتي يصعب السيطرة عليها.

الكلمات الدالة: الامن الإنساني – سيادة الدولة – مسؤولية الحماية – ليبيا – الثورات العربية – الشرق الأوسط وشمال افريقيا.

I. Introduction

In 2019, the international community celebrated the 25th anniversary of the Human Security concept. The concept that was adopted internationally by many states to protect the individuals' security by exalting the value of human security over the traditional security concept. This depends on two dimensions: freedom from fear and freedom from want. After this long period and with the emergence of many political changes on the international scale, such as the civil wars in Libya and Syria, the refugee crisis that swept the world, in addition to the violence and terrorism that persist in many countries. Consequently, it becomes imperative to study the implications of applying this concept on the international peace and security.

Recently, there is a broad debate about the fragility of the State sovereignty principle, and the urgent need to review this principle and its basic pillars. Given that the state sovereignty is affected by changes that take place in the international arena. Due to the changes in the features of conflicts around the world, the response strategies of the international community have changed. So, the Concept of human security and the concept of state sovereignty are closely related to each other.

The upholding of the value of the individual security and the protection of their rights and security are the main reasons that give the international community a strong pretext to directly intervene in states. This is considered as an explicit violation of the principle of state sovereignty that have been concluded between states since the Treaty of Westphalia. Undoubtedly, developing countries are the most vulnerable to such interference in their internal affairs, unlike the major developed Western countries. There is no clear example of this from the use of the concept of the responsibility to protect in Libya and the military intervention in the interest of protecting human security.

Therefore, this research paper will study the main question: what is the dilemma between the Human Security and State Sovereignty in the light of Arab revolutions?

The paper will use the analytical approach and the case study method to study the threat of human security on state sovereignty in the light of Arab revolutions in the Middle East and North Africa countries. By studying the R2P in Libya as a case study. The study focuses on:

- 1- Studying the definitions of the concepts of state sovereignty and human security.
- 2- Determining the challenges that face the concept State Sovereignty.
- 3- Discussing the relationship between the concept of Human security and the concept of state sovereignty.
- 4- Presenting the case of responsibility of protect in Libya as a form of protecting human security in detail and determining how it represents a clear violation of the state sovereignty.
- 5- Predicting the future of state sovereignty, especially in the Middle East, due to the civil war in Libya and many other Arab countries.

II. Literature Reviews

In this paper the literature reviews are composed of three types of studies: State sovereignty studies, human security studies, and the studies interested in the relation between state sovereignty and human security.

a. State Sovereignty studies:

1. **“The principle of sovereignty under the current changes”**: This is a thesis of master's degree presented by Amira Hanashy, Montessori University of Constantine, Algeria, 2007/2008.

This thesis discussed that the principle of sovereignty is permanent concept that will continue to exist in our world, but what will be changed is the image of sovereignty, including its truth and its responsibilities. Due to the globalization and international cooperation, as a form of international development, the limits of state sovereignty are reduced. the terrorist attack of September 11, 2001, played a great role in changing the nature of the conflict, in international relations, from a conflict between the superpowers around the world to a conflict between the United States and the phenomenon of terrorism. Also, it showed the weakness of the power of the international regime before the power of the US that does not rely on international legitimacy in fighting any enemy that could threaten its interests.

2. **“State Sovereignty between the Traditional Concept and Internationalization Phenomenon”**. A study presented by Hashim bin Awad Al- Ibrahim for the master's degree, Middle East University, Jordan, June 2013.

This thesis discussed the relationship between the legal rules in the United Nations Charter and the practices of states and the United Nations and the points of contradiction and agreement that they contain, especially with

the development of the conditions of many countries and its impact on local legislation. The thesis concluded that the status of full sovereignty will change in light of the current developments in the international system. But national sovereignty will remain the same as the nation-state itself. No one will be able to expect the collapse of the nation-state. Rather, the opposite is true. But the nature of the functions or roles played by the state will be undermined compared to what was the case under the traditional international system. Then the state will remain with its basic symbols, including the principle of sovereignty, but it will undergo some changes in line with the development of the international situation.

b. Human Security Studies:

1. **“The reconstruction of Human Security through the framework of security as emancipation”** study of Uluc karakag, Degree of Master of International relations, Ihsan Doğramacı Bilkent University, Ankara, July 2014.

This study presents a critical examination of human security through the framework of security as emancipation. After the Cold War, Human Security plays a great role in achieving the expectations towards a change where the people come in the focus of security. By comparing various perspectives in critical security studies, the study mentioned that the framework of security-as-emancipation paves the path for redefine the reconstruction of Human Security by (1) presenting contradictions within Human Security and (2) transforming Human Security to an emancipatory Human Security perspective. There is a contradiction between the co-existence of both state-centrism and market-centrism within human security, both of the state and the market are urgent to re-conceiving the role of the state as well the role of the market. In accordance with the contradictory aspects, the reconstruction of Human Security puts forward a novel stance on both political community in terms of the role of the state and political economy in terms of the role of the market. In conjunction with this, the thesis asserts that an emancipatory Human Security perspective could realize the promise of being human-centric toward individual agency and just change.

2. **“The relationship between human Security and National security of the state: Egypt and Saudi Arabia”**, Study presented by Aida Salah El Din Degree of Master of Arts in Political Science, AUC, May 2011.

This thesis has studied the importance of human security in a global era. It emphasized that human security is mainly linked to stability of regimes and the national security of the state. The study discussed the several reasons that led to the fear, the poverty and lack of freedom of people within these countries. These reasons are the corruption, dictatorship, and violations of human rights. Therefore, the research paper concluded that marginalizing human security can lead to very serious consequences such as the collapse of regimes and the collapse of states.

c. The relation between the State sovereignty and human Security:

1. **“Human Rights and the Sovereign State an Examination of the compatibility of State Sovereignty with the Humanitarian Necessities of a Global World”**, Study of Leah D. Yaffe, Duke University, 2013.

This thesis discussed the dilemma between the human rights and sovereign states. It tried to relate between the two concepts in considering that the human rights need the resources and structure of the country for their actualization, but they are simultaneously put at risk by the unchecked power of the state. Because the human rights movement relies on state stability, but the stability of the state does not rely on the provision of human rights, an imbalance of power exists. Examining notions of sovereignty that antedate our own, I conclude that the human rights movement must become an international force strong enough to counterbalance powerful individual states; in order to encourage states to adhere to human rights norms. This involves greater coordination between many elements of the human rights movement, including individuals, NGOs, regional organizations, multilateral institutions, and the international justice system.

2. **“Human Security in the European Union’s Foreign and Security Policies: The Application of the Concept of Human Security in the European Union’s Relations with the Western Balkans”**. Study presented by Claudia Heynen. Faculty of Social Sciences of the University of Iceland, 2015.

This thesis explores the EU’s application of human security – a controversial and somewhat that will define the security concept in which the

referent object is the individual, not the state – in its foreign and security policies towards the Western Balkans (defined here as those states or distinguishable regions which emerged from the former Republic of Yugoslavia and Albania) post-1990. Utilizing social constructivist and securitization theories, this project seeks to establish the extent to (and the key instruments by) which the EU has employed human security in the region, and to judge the success of these efforts. After establishing a theoretical basis and discussing the state of the EU and its relations to the region, the thesis' aims are achieved through the analysis of case studies on the Republics of Slovenia and Kosovo. Each study examines the same components of human security – personal, political, and economic security – allowing for the comparison of results against a further variable: the different instruments employed by the EU, particularly the enlargement process and CSDP missions such as EULEX. The thesis closes by discussing the EU's partial adoption of human security, the relative success of its application in Slovenia and Kosovo, and what can be drawn from these experiences.

▪ **The difference between the previous literature reviews and this study:**

For many decades, the protection of state sovereignty dominated the political decisions in MENA, but after a series of Arab revolutions accompanied by many political changes that started by getting rid of authoritarian regimes in some countries in MENA in addition to the intervention in Libya as a response of the civil war, many concepts, which are approved by the international community, should be studied to measure their efficiency in the coming period and their impacts on the countries of the region.

Therefore, this study discusses the dilemma between the human security and the concept of State Sovereignty in the Mediterranean region at a very critical period of history. One of these concepts that the thesis discusses is the R2P in Libya as an example of international intervention for protecting human security and what are its effects on the state sovereignty and the future of the countries where it will be applied.

By comparing this study with the previous studies, it is evident that this research paper is different in the scope and the time. Many factors are provided to this study first the theoretical framework and the case study. For this reason, the study concentrates on the dilemma between the human

security and the state sovereignty in the Mediterranean region as a response to the R2P in Libya as an example to measure the impacts of the human security on the state sovereignty in the light of the Arab revolutions in the Mediterranean Countries from the beginning of the revolutions in 2010 until the End of 2020.

III. Methodology

The study will use several research approaches to study the dilemma between the human security and state sovereignty in the light of Arab revolutions in the Mediterranean countries.

First, the historical approach: As it appears clearly from the name of this approach, it depends mainly on studying the history of a particular political reality to analyze it. Without studying the past political events it would be hard to analyze the present political events and to predict the future scenarios. According to the advocates of this approach, political theory can be only understood when the historical factors like the age, place and the situation in which it is evolved are taken into consideration. As the name of this approach is related to history, it emphasizes on the study of history of every political reality to analyze any situation. Therefore, this study uses this approach to monitor the various developments in national sovereignty.

Second, the Analytical approach: is the use of analysis to break a problem down into the elements necessary to solve it. Therefore, we are going to use this approach to examine the existing relationship between sovereignty and human security during the Arab revolutions.

Third, the case study method: Case study method allows the researcher to closely study the data within a specific context. In this thesis, we are going to present the responsibility to protect (R2P) in Libya to investigate the relation between the human security concept and the state sovereignty.

IV. Human Security Concept

4.1. Definition of Human Security

There is not a consensus and determined definition of human security, which itself represented a source of criticism due to the ambiguously of the concept (Tadjbakhsh & Chenoy, 2007, PP42-47). Since 1994 only in 2012 resolution 66/290 the United Nations General Assembly (UNGA) defined the human security as an approach to “*assist Member States in identifying and*

addressing widespread and cross-cutting challenges to the survival, livelihood and dignity of their people.” (IISD,2019).

4.2. Dimensions of Human Security

The origin of the concept of human security can come back to the publication of the Human Development Report of 1994, issued by the United Nations Development Programme (UNDP 1994), in which the reduction of a broad range of threats to people is required. The report defined that the scope of global security should be increased to cover threats in main seven areas: (UNDP,1994).

- ***Economic security***: assuring every individual a minimum requisite income.
- ***Food security***: guaranteeing “physical and economic access to basic food.”
- ***Health security***: guaranteeing a minimum protection from disease and unhealthy lifestyles.
- ***Environmental security***: protecting people from the short- and long-term ravages of nature, man-made threats in nature, and deterioration of the natural environment.
- ***Personal security***: protecting people from physical violence, whether from the state, from external states, from violent individuals and sub-state actors, from domestic abuse, from predatory adults, or even from the individual himself (as in protection from suicide).
- ***Community security***: protecting people from loss of traditional relationships and values and from sectarian and ethnic violence.
- ***Political security***: assuring that people “live in a society that honors their basic human rights.”

4.3. Criticisms of the concept of human security

Since its emergence, the concept of human security was a very debatable topic. The concept faces many criticisms from a great number of experts. In this part we are going to discuss in detail the critics toward the concept as being: (Pérez de Armiño ,2007, pp. 63-69 & Youssef, 2012, pp. 536-537.)

1. ***Imprecise and vague:*** the concept of human security is imprecise, too broad, and vague. Therefore, the proponents and critics of the concept disagree on where to place its boundaries, because its definition is broad and not static unlike other academic concepts, especially the classic national security model itself (Youssef,2019). The human security covers many fields including: climate change, health, war..., which means that anything and everything could represent a threat to security. The ambiguity of the concept leads to prevent the formulation of convenient policies and to hamper decision making that would solve the problem.
2. ***Western concept:*** For many politicians, especially in developing countries, the concept of human security represents a western tool used by the developed countries to intervene into the internal affairs of developing countries to impose the western democracy and values (Tabyshalieva. 2006, pp.36) instead of local values in Asia and Africa. (Sané,2006, pp. 4-5)
3. ***Theoretical Concept:*** It is a theoretical concept that is practically inapplicable and not adjustable, whereby anything can be considered as a threat for security, which makes its realization impossible on the ground. (Jolly & Ray, 2006, p1)
4. ***Not a new concept:*** It is only a repetition of other stable concepts. There is no new value that it adds to the concepts of international law and international relations. (Oberleinter, 2002, pp.1).
5. ***Militant concept:*** Some scholars consider the concept of human security as a militant concept that is used to allow militant political actors to promote some issues without helping the community or the politicians and legislators to implement convenient policies. They believe that due to its multidimensional and broad nature, the human security approach serves as an excuse for the militarization of different public policies, both nationally and internationally (Pérez de Armiño, 2007). Further, this risk is particularly noticeable in the case of development cooperation and humanitarian action policies.
6. ***Justification for international humanitarian intervention:*** Although the supporters of human security concept expected that it helps in solving the political conflicts in a peaceful way, the actual experience (such as in Asia Pacific region especially in East Timor...) have proved that the concept of human security is not applicable without the traditional form of international intervention in the internal affairs of any country. Therefore,

it becomes clear that this concept contradicts the requirements of the national interest of states, because it would open the door widely to give a justification for international humanitarian intervention. (Acharya, 2001)

V.State Sovereignty Concept

Sovereignty reflects western political and philosophical thoughts (Brand, 2008, pp.280-281). Being one of the most complicated and ambiguous principles in political science and international law, the concept of state sovereignty is hard to be defined because it is directly related to the various transformations of international relations and the features of the states themselves. The concept of State Sovereignty has passed through many phases throughout history:

Phase I

This phase was characterized by absolute monarchy, in which the king had supreme and comprehensive authoritarian power and was not bound by laws, legislation, or customs. The most important thinkers and treaties of this stage will be covered below:

1. **Plato and Aristotle:** There is no doubt that the two great philosophers Plato and Aristotle had great contributions regarding the idea of State sovereignty in their works. In very early period, they discussed the idea of the *polis* or the city-state (Hansen & Nielsen, 2004), which represents for them the most important factor that guarantees the satisfaction of all the needs of the community or the human goodness. (Roy, 1999)
2. **Jean Bodin (1530–1596):** The first modern concept of sovereignty was discussed in France by Jean Bodin who is considered as the father of sovereignty, he believed in the sovereign absolutism. The French political philosopher was a member of the nationalist party (*les politiques*) that put the interests and well-being of their country above religious, personal and any other considerations. Being an opponent to the Saint Bartholomew's Day Massacre and the Monarchomach theory, Bodin wrote his great work "*Les Six livres de la République*" in 1576, in which he drew a distinction between the sovereignty and government. For him, a sovereign authority must be undivided, or absolute and unitary, the singular possession and expression of the will of a prince (Greydanus, 2011). Bodin used his theory about sovereignty as an attempt to solve various problems of his time and his place in addition to put an end to the religious conflict between the Huguenots and the Catholic League (Andrew, 2011, pp77-81).

3. **Thomas Hobbes (5 April 1588 – 4 December 1679):** Hobbes was an English philosopher, who is often described as a strikingly original thinker (Sommerville, 2014) and as one of the founders of modern political philosophy. Being a witness of one of the most instable and troubled periods in English history, including the British civil war, The Puritan Revolution, the execution of Charles I, the kingless government period known by the Commonwealth and the Protectorate, and finally the Restoration of the Stuart monarchy, made of him a great defender of the absolute monarchy as an only way to maintain law and order in the country.(Harris,2009, pp.10).
4. **The Peace of Westphalia Treaties (1648):** The majority of international relations (IR) and law scholars consider the year 1684, in which the Westphalia peace treaties were signed, as a new phase in the evolution of international society, the beginning of the modern international system (Osiander, 2001) and a starting point of International Relations (Heiðarsson, 2012, pp.20) based on the concept of sovereignty. The **Peace of Westphalia** was composed of three separate peace treaties concluded in the period between January and October 1648 in the Westphalian cities of Osnabrück and Münster. It succeeded in putting an end to the Eighty Years' War (1568–1648) between Spain and the Dutch Republic and the Thirty Years' War (1618–1648) in the Holy Roman Empire, the longest and destructive religious wars not only in Europe but also in human history(Wilson, 2010, pp.787). These wars destroyed Germany and killed around eight million persons as a result of military battles, violence, starvation, and fatal diseases like plague (Clodfelter, 2017, pp.40). Although the word “sovereignty” itself was not mentioned clearly in any of the peace treaties of Westphalia (sovereignty does not exist in Latin, the original language in which the treaties were written (Croxtton, 1999, pp.569-570)), Sovereignty was the keystone in the peace treaties of Westphalia (Janis, 1994, pp.391-393). Regarding the IR, the peace Westphalia established three main principles that guaranty the sovereignty of any state. These key principles were:
- a) The sovereignty of states and the fundamental right of national self-determination.
 - b) The principle of legal equality between states.
 - c) Non-intervention of any state in the internal affairs of other states.

Phase II: Sovereignty after the WWI (1914-1918)

Creating a deep break with the old order, The First World War (WWI) is considered today as the true "*matrix of the Twentieth century*" (Souton, 2000, pp.842-845). This global war and the ensuing treaties took an ideological turn and claimed to impose a new international order based on innovative principles: collective security, right of peoples to self-determination, sovereignty of all states, including "small", liberal, and democratic requirements in the economic and political fields (Souton, 2000). However, the expansion of colonialism during the 19th century, especially in the Third World, has undoubtedly resulted in losing many countries to their sovereignty for the authority and control of colonial conquerors (Nagan & Haddad, 2012). The results of decolonization waves, started from 1776 up to 1991, led to more than 200 sovereign states in the 20th Century.

Phase III (after the WWII):

After World War II, the international community faced many challenges represented in maintaining the international peace and security and reconstructing the European continent. All these factors prompted Britain, China, the Soviet Union and the United States to sign the United Nations Charter at a conference in San Francisco in June 1945, in which Article (2) emphasized on the concept of state sovereignty by mentioning that "*The Organization is based on the principle of the sovereign equality of all its members*" (The UN Charter, 1948). However, the United Nations declaration alone was not sufficient to emphasize the concept of state sovereignty. To study this, we will divide the twentieth century into two phases. The first phase includes the first half of the twentieth century and the second phase, which includes the second half of the twentieth century.

- ***The First phase of the 20th Century:*** During the first half of the twentieth century, the political system, in general, is defined as being Westphalian, in which the State is sovereign, and it is the central actor of the international system. (Álvarez, 2012/13)
- ***The Second phase of the 20th Century:*** in this phase, the international community witnessed a new world order represented in former empires that lost their power by the end of imperialism and the Cold War. In addition, this phase was also marked by Europe's keenness to preserve peace and rebuild the continent from the devastation caused by the wars it fought that's why they accepted the Marshall Plan and the establishment

of the EU. Moreover, the globalization led to reorganize the world. All these reasons caused in a decline in the concept of state sovereignty.

VI. Challenges of State Sovereignty

Since the twentieth century, the international community has faced many changes that affected directly and indirectly the concept of State Sovereignty. These challenges are composed of two types of factors: external and internal. The external factors include globalization, international organizations, Multilateral Mechanisms for settling international disputes, the world economy, hegemonic power, global media empires, multinational corporations, global financial flows, internet and power blocks, and international law (Chaturvedi, 2009, pp.7-10). While, the internal factors include civil wars, violent non state actors, migration, Environmental degradation, Minority rights and NGOs. In the following part, we are going to elaborate in detail some of the main challenges that represent obstacles before the concept of state sovereignty.

6.1.External Factors

Globalization: The importance of national sovereignty has always played the main role in political science since Jan Boden's era. The threat of disappearing or changing in the nature of State sovereignty was developed at the end of the 20th and the early of 21st century by the raising of the concepts of globalization and new world order. Being a result of political, social, economic, civilizational, and many other complicated factors of the modern world, globalization is a process that connects all the countries and the people together to give a global character to any local situations or conflict. For this reason, the globalists believe that the authority of states was greatly reduced and weakened voluntarily by national states themselves (Grinin, 2012, pp.217). Globalization is composed of many sub factors that threaten state sovereignty like global financial flows (trade), multinational corporations, global media empires, Internet, etc.

1. Global financial flows (Capital flows or trade): Capital flows refer to all the movement of money between states as a result of investment flows into and out of states on a global scale in addition to other factors such as real estate and cross border mergers and acquisitions (Chen, 2019). Throughout the past decades, the global economic was integrated in the world of international finance, especially, financial markets that have witnessed an extraordinary augmentation in the cross-border capital flows around the

world (Pak,2004, pp.165). By time, the players of Global financial markets became stronger than national governments that found themselves enforced to pursue the orders of these players even if their regulations are against the political will of the sovereign peoples and their representatives elected by democratic methods (Bassanini & Reviglio, 2014). However, in recent years the financial globalization has led to many concerns in the wake of international financial turmoil and instability and many considerable debates took place regarding the impacts of financial globalization on the own autonomy sovereignty of the states, because it is hard to ignore the negative effects of the declining role of the state on the economic sector. Economists may disagree on the impact of the state on raising or reducing rates of growth in the national product, or on the efficiency of the public sector compared to the private sector, but most of them agree that the corrective government actions can be justified as a tool to bridge the gap between the factors that cause divergences from the free and competitive markets and the economic inefficiencies (Belsky & Wachter,2010). Therefore, it is difficult to deny what countries can do in correcting the production structure, by encouraging the growth of some sectors at the expense of others. Further, the importance of its intervention to reduce the income gap and to encourage the trend towards economic integration between several countries (Amin, 2017, pp.80).

- 2. Multinational Corporations (MNC) or Worldwide Enterprise:** The Multinational Corporation is defined as a corporate organization that owns or manages business of goods or services in at least one or two countries other than its home country and it gains around 25% or more of its revenue from out-of-home-country operations (Pitelis & Sugden, 2000). MNC is considered as a post-war phenomenon that has never slowed down their expansion to the extend, they became key players in the global economy. Therefore, their strength and their power provoke both interest and concern among nations (Harvey, 2014, pp.23). Their enormous resources and the high-tech sectors in which they work seduce those in power in their quest for a more prosperous economic future. It is true that the benefits of such investment in the national territory are considerable including: contribution of capital, job creation, increased exports, and access to technology and investment in basic research. However, these benefits involve a high cost that no state can ignore, which is a real loss of economic

and political autonomy (Trotier, 1986, pp.420). Not only do MNCs own the methods to use knowledge in production, but also they have a growingly complex comprehension of how exploit the political changes in the international system in addition to affect policy of state for obtaining legitimacy (Kapfer, 2006, pp.1-5). While dealing with MNCs, it is quite clear that not all countries stand in the same position, the situation of developed countries is better than the situation of developing countries because they have good governance system. (Kapfer, 2006)

- 3. Mass communication and Global media empires:** the relationship between the media and the state sovereignty is ambitious and highly complicated issue. While, the work of non-State actors, such as the media or journalists is based on the freedom of information. The conflicts between the media and governments arise when they started to exercise their right in publishing, on international scale, any News related to the domestic policies of these governments. From one hand, in June 2006, around 70 developed and development countries accepted comprehensive Freedom of Information Acts (Mustonen, 2006) as a matter of a greatest important fundamental right to confirm the transparency and accountability of states as well as to protect the citizens against mismanagement and corruption for allowing them to make conscious decisions (Siraj,2010, pp.213). On the other hand, the Developing countries are afraid of threatening their stability and political independence by the influx of information that carried the foreign economic, political, and moral values that are practiced in developed countries. For this reason, they believe that the trans- border information flow should be restricted or controlled to protect their existence as sovereign states (Damon, 1986, pp.262-263). The intensity of this disagreement increases when any internal crises of a country grow the mass media try to cover these internal circumstances. It is evident that the conflicts increase between countries and the media in an attempt to control circumstances and prevent foreign interferences and dictations from the standpoint of preserving their sovereignty.
- 4. Information technology and Internet:** replacing the great role of land and machinery in the past centuries (Price, 2004), data and information are considered as the main assets of the 21st century, where the brains and minds play a vital role. Thus, he who owns data will not only control the future of humanity but also will dominate the future of life itself

(Hummel,2018). Cyberspace is composed of physical and nonphysical components that use computers and the electromagnetic spectrum to save, adjust and exchange data through computer networks (Liaropoulos, 2017). The internet or the whole cyberspace represents a virtual link among the network nodes, and as a consequence it cannot be esteemed as a legal structure, which has geographical or physical borders that protect the sovereignty of any state (Adams & Albakajai, 2016). Therefore, many scholars consider the Internet as a main threat to state sovereignty because it challenges the primary functions of the state including guaranteeing national security, monitoring economic activities, and preserving civic values and moral principles (Perritt, 1998). By the beginning of the 21th Century, the spread of internet and the social media has played a vital role in motivating people to revolt in the Arab region.

International Organizations: The United Nations (UN) is considered as the main organization that worked on providing peace and security around the world after the WW2, and on supporting the concept of state sovereignty in the Article 2 (4) of its Charter that eliminated the use of forces in settling conflicts among states, or the Liberte de Guerre. But the establishment of some regional organizations, such as the European Union (EU), created a serious dilemma among legal and political scholars about the issue of nationalism and super nationalism of the states in the European Union. The unique model of European union and the new political and legal policies, which facilitated the move of goods, people, services, and capital among 28 countries, represented challenges for those believing in the concept of absolute and unitary sovereignty (Dlessio,2014, pp.73). This new regional body encouraged the scholars, who think that the international community should accept the end of sovereignty, to believe that Europe leads the world to” the post sovereignty era”, which is characterized by being “beyond the sovereign state”. (Maccormick, 2002, pp.130-131; Walker,2003, pp.14-15).

International Law: the international law is based on the concept of the state, while the state is based on the concept of sovereignty. Historically, the concept of the state sovereignty goes back to the emergence of the state itself. However, the development of international law has greatly developed to include many issues such as human rights issues, economic and environmental issues...etc. The matter that allows the foreign interference in the internal policies of the states. The danger lies in the fact that those who

pay the price for the weakness of the concept of state sovereignty are the developing countries and the third world countries, as they are more vulnerable to the interventions of the major countries that manage the scene to dictate the policies that must be followed according to their interests and wills. Consequently, international law becomes a double-edged sword. On the one hand it protects the state, and on the other hand, it can undermine it and push it into chaos if it loses its sovereignty over its territories.

4.2. Internal Factors

The Non-Governmental Organization (NGOs): According to the United Nations (U.N.) Department of Public Information (DPI) an NGO is defined as being “*a not-for profit, voluntary citizen’s group that is organized on a local, national or international level to address issues in support of the public good. Task-oriented and made up of people with a common interest, NGOs perform a variety of services and humanitarian functions, bring citizen’s concerns to Governments, monitor policy and program implementation, and encourage participation of civil society stakeholders at the community level* (Global Policy Forum). The number of NGOs has dramatically increased after the two world wars in many fields (e.g., environmental protection, development, human rights promotions, humanitarian relief and women empowerment...). The UN supports the work of many NGOs as stated by the United Nations (U.N.) Department of Public Information (DPI)” *Over 1,500 NGOs with strong information programmes on issues of concern to the United Nations are associated with the Department of Public Information (DPI), giving the United Nations valuable links to people around the world. DPI helps those NGOs gain access to and disseminate information about the range of issues in which the United Nations is involved, to enable the public to understand better the aims and objectives of the world Organization*” (Global Policy Forum). The international support in addition to the importance of the services provided by these NGOs led to the augmentation of the influence of these organizations to the extent to become a real threat to the state sovereignty. The Non-governmental organizations weaken the traditional role of the state, especially in the case of the need for rapid support resulting from natural disasters, war disasters or epidemics, which lead to affect the relationship between the citizen and the state, to undermine the sovereignty of the political bodies in the state and to increase the dependence of the citizens on these NGOS instead of the state (UK Essays, 2018). In view of all that has been

mentioned, these organizations become competitors to the state, and could, by time, create a state within the state.

In the same way, the international non-governmental organizations (INGOs) (such as: Red Cross, Médecins Sans Frontières, Save the children, Oxfam, CARE, plan international...) play an important role in changing the balance of power from states to non-state actors. In fact, the INGOs play a diplomatic role on the international level, as they can provide aid to countries that are subject to economic sanctions because of their advantage in providing a helping hand to citizens, which can reduce the negative effects of sanctions imposed on their countries. Also, some countries accuse these organizations of implementing foreign agendas and threatening security and stability in these countries due to their ability to work and to fund development projects in foreign countries in their attempt to support and develop infrastructure in several areas: health, education ... As for human rights organizations, the reports that they publish and submit to the United Nations and other international organizations exert pressure on the governments and countries (Thomas, 2001, pp.391-392). By doing so, they play the role that states are unable to play in criticizing the internal policies of other countries, meaning that it breaks one of the diplomatic norms of international relations. Ultimately, the more the country is poor, weak, fragile, and unable to meet the demands of its citizens, the more the NGOs will be powerful and undermine the sovereignty of the states in which they operate. Given these points, the NGOs represent a real threat on the state sovereignty.

Civil war: A civil war or an intrastate war is an armed conflict between a state and organized non- state actors in the same state, which aim at controlling the power in a state or a region, separating from the state, or changing the government strategies (Gleditsch). Although civil wars do not directly threaten the sovereignty of the state (Halleck, 2009, pp.48), the repercussions of these wars cause a direct threat whether by paving the path before the external intervention for humanitarian reasons or the separation and the division of the state into more than one state (e.g. Yugoslavia, Sudan,..) .

Violent Non-State Actors (VNSA) :(or also known as Non- State Armed Groups (NSAGs) or Non-State Armed Actors), It is so difficult to find an accurate definition to the violent non-state actors due to the diversity of their types, their motivations, and their characteristics. Generally speaking, they refer to the armed groups that are independent of states and use violence to

meet their targets (Hofmann & Schneckener, 2011, pp.1-2.). According to Phil Williams there are five types of VNSAs including: Warlords, Militias, Insurgencies, Terrorist organizations, and Criminal organizations and gangs (Williams, 2008, p.4). In spite the fact that these groups are different in purposes, motivations and ideologies, experience has proven that there is a link between them. Further, a group can move from one type to another or practice more than one type of violence or illegal actions if necessary. In line with the previous description, a number of terrorist organizations can fall under the definition of violent non-state actors, such as: Al-Qaeda, ISIS "Islamic State of Iraq and Syria", Boko Haram, the jihadist fundamentalist group Al-Shabaab(or Harakat al-Shabaab al-Mujahedeen) in East Africa , in addition to the trans-national organized crime groups responsible for international human trafficking, drug smuggling and money laundering such as (Sinaloa Cartel,...), international pirates, rebellion movements, or the groups supported by states to threaten the peace and security of other states (Mishra, 2017). Nowadays, the increase in the number and the importance of violent non-state armed groups around the world became the main reasons that led to the instability of many States, which involves a serious challenge to the supremacy of the nation-state model and raise questions about the traditional notion of sovereignty, responsibility, and legitimacy (Laborie Iglesias,2011). Meanwhile, due to the transnational nature and the existence of goal incompatibilities, It is difficult to fight these groups with traditional strategies of deterrence without a complete understanding of their intentions, because it becomes an insecure adventure that may be a direct cause to the persistence of force to erode confidence in the legitimacy and credibility of states by undermining their ability to fully exercise their sovereignty over their territories and to protect their citizens. (Elbahy, 2019)

Migration: being one of the ancient phenomena in the mankind history, the migration played a great role in building many countries and enriching the humanity through the transfer of civilizations and the integration of cultures, but it has turned, in the twenty-first century, to be a real problem and became a socioeconomic burden that worries many politicians in Western countries. The growing number of economic, social, and political problems in many developing countries led to the increase of the number of international migrants around the world from 173 million in 2000 to 258 million in 2017 (Petricevic, 2018). The majority of those international migrants preferred Europe

and the United States to start a new life with better standard of living. After the Arab revolutions, a great number of people were pushed to migrate across the Mediterranean to escape the scourge of wars. Those migrants and refugees fall victims of anti-immigration calls adopted by political leaders and the populists who believe that preventing the influx of migrants protects the European identity, values, culture, and sovereignty as well as putting an end to the unemployment and economic problems among European people. It is obvious that the relationship between immigration and state sovereignty has become a major dilemma that Western societies suffer from. The state sovereignty was one of the main reasons that pushed the British to take the Brexit decision, after the result of the in-out referendum, many academic scholars and analysts try to understand why the majority of British favoured an exit from the EU; The majority of the leavers believe that the “the decisions about the UK should be taken in the UK”. The British people, who voted to leave, think that the EU played a negative role in reducing the state sovereignty for the EU states, which is considered as rejected matter for the British. The problem of immigrants in the destination countries is very complicated issue. From one hand, it mainly depends on the illegal immigrants who are unqualified and enter the country without official papers to become an economic, social, and cultural burden on the receiving country, where unemployment and crimes are widespread among them. On the other hand, cultural differences sometimes lead to the isolation of immigrants and their children from their new societies, and even to the rejection of these societies, which creates a heterogeneous society.

Environmental degradation: Nowadays, the traditional concept of state sovereignty, which dominated the world for centuries, is threatened to be undercut in the very near future by many factors: first, the increasing of the ecological interdependence. Second, the global realizing of the importance of the concept of global public goods (GPGs) on the international scene. Finally, the growing role of the civil- society actors who work as international justice protectors considering themselves as "free from sovereignty". The increasing of ecological interdependence between nations for solving many environmental problems (e.g. transboundary pollution, migration of species plants and animals, environmental migration, climate change, internal natural resource degradation,...) leads to the "erosion of sovereignty", because states control less their boundaries in the environmental field than in other fields (

such as: trade , migration, human trafficking,...). Being aware of the challenges that face their national sovereignty, the Sovereign states resist generally to entering in a collective action to protect the environment in the sake of national objectives described as priorities and exercises of sovereign powers. Usually, the attack on sovereignty is brandished by various States during discussions at international forums and conferences to take a stand against any action that could have any effects on their territory, as shown when the issue of carbon taxes was raised at the beginning of the negotiation of the Kyoto Protocol. The United States and Japan have rejected the hypothesis of an international carbon tax, mentioning the conflict of sovereignty. Meanwhile, the discussion on the “*No taxation without representation*”, the slogan of the American patriots, won in the discussion on climate change. Likewise, China and India refused to make quantified and binding emission commitments, in the name of their sovereignty in terms of development rights and choices (Lerin & Tubiana, 2009).

Minority rights: The International law assigns the responsibility of protecting the rights of minorities to the country in which they reside. Some problems appear when states that have “kin”, which live in other countries and they face any kind of racism, discrimination, or human rights abuses, in this case, the state resorts to the concept of the responsibility to protect, which was particularly issued to protect of vulnerable and Oppressed groups or minorities. Some consider the responsibility to protect as the peak of the development towards sovereignty as a responsibility, far from the historical concept of sovereignty, especially absolute sovereignty, which was considered as a tool for power or control over the land. (Turner& Otsuki, 2010).

- By taking a quick look at the challenges facing state sovereignty, we find that many of them are closely related to the concept of human security and its seven dimensions, which means that protecting these rights will inevitably lead to a threat to the concept of state sovereignty, especially in the developing countries.

VII. The relationship between Human Security and State Sovereignty

Although the supporters of human security concept have not denied the importance of the state as a provider of safety and public goods for its people, from their point of views in many cases the greatest threat to human security comes from the actions of the states and their governments towards

their own peoples (Leucea, 2014, pp.35-36). After being unchangeable for centuries, recently, the State sovereignty concept has become doubtful because many peoples have been subjected to violations of human security on the hand of their states.

Due to the human security concept *the citizens' security is state security; if citizens are insecure, then states are insecure* (Howard-Hassmann, 2012, p. 90). which made of the human security a concept beyond the state security. In addition, it pointed out that the states should protect the unsecured citizens of other states; in order to protect their own interest from any threats (e.g., illegal migration, terrorism, climate change, environmental degradation...).

For many analysts the concept of human security represents a challenge to the traditional concept of state sovereignty, because the paradigm of human security is hard to be achieved as long as the state plays the main role and the legitimate sovereign actor in international relations and international law (Kerr, 2018). Therefore, the defenders of human security look to the state Sovereignty as an outdated principle and as a major obstacle before protecting human security around the world. (Leucea, p 37)

There are three factors that represent mechanisms and tools for applying human security. Even if the emergence of the concept of human security came after their appearance, experience has proven that the protection of human security is achieved by protecting human rights, and either through humanitarian intervention to protect individuals or the application of the principle of the responsibility to protect. Hence, we cannot separate these three concepts from each other. Thus, adherence to these concepts directly affects the state sovereignty and increases the depth of the dilemma between the concept of human security and the concept of state sovereignty. These factors are human rights, humanitarian intervention and Responsibility to protect.

In this section, these factors and their impacts on both concepts are discussed in detail:

1- Human rights

On December 10, 1948, the General Assembly of the United Nations met in Paris to sign the Universal Declaration of Human Rights (UDHR) as a major consequence of the WWII known as the most destructive global conflict in the recorded history of mankind.

In responding to universal human demands, the international community committed itself to ensure that life, freedom, food, shelter, and nationality are fundamental rights to all people equally without discrimination and no one has the right to unjustly deny them. The World leaders decided to Prevent the repetition of the Second World War by protecting the fundamental rights of the people around the world and by adopting the International Bill of Human Rights, which was composed of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the International Covenant on Civil and Political Rights (ICCPR) and its two Optional Protocols. Since this time, the human rights defenders worked as non- state actors, whether individually or in NGOs, to protect and to support the human rights of people against any violence under the umbrella of the international protection of the United Nations and in accordance with the International Declaration for the Protection of the Rights of Human Rights Defenders 1998 and other international treaties and agreements.

Over time, a serious problem was created between the states and those defenders. The states have accused the concept of human rights of opening the door to foreign intervention in the internal affairs of other states, which is considered as a clear and explicit threat to the concept of state sovereignty. While the human rights protection is one the main responsibility for authority and the authority is the main element of sovereignty (Liang,2014, pp.10-11). Rather, it is worth saying that the basic problem lies between human rights and the authority, which is consider the main elements of sovereignty (Liang, 2014, pp. 10-11).

However, the relationship between human rights and state sovereignty has become an extremely complex issue characterized by being controversial and contradictory. This dilemma between the two concepts led to questioning the universality of human rights itself, which became a controversial topic that cannot be easily justified or understood. (Kadir et al, 2017)

By the emergence of human security concept, it became quite evident that there is a strong link between individual, national and international security. In other words, Individual security forms the basis of national security, which in turn forms the basis of international security. (Ramcharan, 2004)

In the light of the above, we find that the crisis between state sovereignty and human rights extended to include human security. Human security and what it represents in terms of defending and preserving human rights represented a threat to state sovereignty and opened the door for foreign interventions and dictates. Moreover, what make matters worse and more complicate are, the humanitarian intervention and the R2P, the mechanisms that have been taken to implement the protection of human security, which will be discussed in detail in the following points.

2- Humanitarian intervention

During the 20th Century, around 35 million persons were killed in internal civil conflicts and international wars, around 150 million persons were died by their own states. After the WWII, a great number of genocides were committed against humanity in Bangladesh, Rwanda, Burundi, Indonesia, Biafra, Uganda, and Kampuchea. The failure of the international community to deal with the genocides in different parts of the world, and the threat that this represented to international security and stability, led to revive and to re-use of the doctrine of humanitarian intervention (Wolf, 1988).

The legality of humanitarian intervention is the subject of a wide debate among specialists because it hasn't any support in the international law or any international document. On the contrary, the article 2(4) in the UN Charter stated: "*Every State has the duty to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State*". Although the legality of humanitarian intervention is not explicit in the law, many scholars considered it as a legal act under the customary international law (All Answers, 2018). This argument depends on one of the distinct features of International Law, which states that any violations of law may conduct to the emergence of a new law; in such a manner an international custom could be purposely created. (Portela, C., 2000)

For more understanding the concept of humanitarian intervention, first of all, how it is defined should be discussed. It is hard to find a determent legal definition that defines the concept of humanitarian intervention, usually each field of study (such as law, ethics, or politics) play a great role in choosing its appropriate definition. According to the Encyclopedia of Public International Law (1995), the humanitarian intervention is defined in a conventional sense "*Humanitarian intervention may be seen in any use of armed force by a state for the purpose of pro-testing the life and liberty of its*

own nationals or those of third states threatened abroad, although this type of intervention is mostly discussed as an aspect of self-defense.” While The United Nations defined the humanitarian intervention as: “*A humanitarian intervention is an armed intervention in another state, without the agreement of that state, to address (the threat of) a humanitarian disaster, in particular caused by grave and large-scale violations of fundamental human rights.*” (Roberts, 2000, p.1). In addition, the Humanitarian intervention is defined as being “the use of military force from a state against another state to prevent or to end the violation of human rights of individuals or groups there, usually the state that is exposed to the humanitarian intervention is incapable or unwilling to protect its own people, or in most cases the state itself that violates their rights”. (Marjanovic)

Generally speaking, the humanitarian intervention is established on several factors which are: using force, occurring without permission, and preventing the grave violations (Zariouh, 2013, pp.8-9). It depends principally on the idea that “*when a government turns savagely upon its own people*” it turns out to be the responsibility of “[a]ny state capable of stopping the slaughter to try to do so.” (Walzer, 2006, p.101-108).

At this point, we must emphasize that the human rights and the human security of individuals are the main core of humanitarian intervention, which represents a violation to the state sovereignty. This prompted Kofi Annan to respond to the widespread criticisms of the humanitarian intervention and the unjustified threats it poses to developing countries by developed countries to interfere in their internal affairs, in the Millennium Report, by saying that “*The fact that we cannot protect people everywhere is no reason for doing nothing when we can*” (the Millennium Report, 2000, p 47-48). He recognized that the concepts of sovereignty and noninterference presented ‘*vital protection*’ to developing and fragile states. Then, he raised a question about the means that could prevent the violations of human rights if humanitarian intervention forms an ‘*unacceptable assault on sovereignty*’. Furthermore, Annan puts the two concepts against each other and pointed out that although majority of the people would accept the two of them the ‘*defense of humanity*’ and the ‘*defense of sovereignty*’, it is difficult to determine which concept should dominate during conflicts or wars. (Jonsson, 2014, p.25)

In view of the forgoing, Humanitarian intervention represents a clear violation of state sovereignty.

3- Responsibility to protect (R2P)

In a response to the call of Kofi Annan in the Millennium Report, the government of Canada adopted an initiative to bridge the gap between non-intervention and protection, for this reason it established the International Commission on Intervention and State Sovereignty (ICISS). In 2001, the commission (ICISS) published its report on Responsibility to protect. In this report, the new concept is determined as a concept that depends on the sovereignty as a responsibility; in order to change the role of the states from the right to protect to the responsibility to protect (Voordewind, 2017). The R2P is composed of a number of correlational responsibilities, toward the individuals whose rights have been violated, which are to prevent, to react, and to rebuild (Solberg-Henriet, 2015, p.11). Since its establishment, the concept of R2P in the UN faced many criticisms. One of the most important criticisms directed at the concept of the responsibility to protect is that some states may interpreted the “Responsibility to Protect” as a “Right to intervene”, which leads to an outright violation of state sovereignty in the name of protecting individuals. (Solberg-Henriet, 2015, p.11)

Several explanations have compared between the humanitarian intervention and the responsibility to protect; the most important of them are listed in the following table:

Table 1: Difference between Humanitarian Intervention and R2P

	Humanitarian Intervention	R2P
Basic notion	The right to intervene	Responsibility
Emergence	since 1648	Since 2005 by an international agreement by the leaders of the world in the UN.
Scope	state-centric	people-centric
Objectives	Protecting human rights of individuals	Protecting the threatened individuals or groups of a state from large-scale massive, human rights violations, genocide, war crimes, crimes against humanity and ethnic cleansing.
Examples	<ul style="list-style-type: none"> - The Anti-Ottoman intervention of the three Great Powers Russia, Britain, and France in - The Greek War of Independence (known as the Greek Revolution) in 1824. - The intervention of India in East Pakistan in 1971. 	Libya

Mechanisms	Military forces	Prevention, reaction, rebuilding, & diplomatic pressure
Legality	There is doubt about the legality of some cases that are motivated by interests. For this reason, it could be sanctioned by international the article of international law.	Legal by international law.
Role of the UN	No international approval is required for any humanitarian intervention.	The authorization for using force should be approved from the United Nations Security Council.

Source: data collected by the researcher from many references.

Although the defenders of the principle of the responsibility to protect (R2P) made clear the difference between it and humanitarian intervention, the fear of compromising the sovereignty of states remained dominant in the procedures for approving the report during the discussion of the concept in the United Nations. The World Federalist Movement – Institute for Global Policy (WFM) published a report about the positions of states towards the R2P. This report depends on government statements announced in the informal meetings of the General Assembly before the September High-level Plenary.

According to this report, governments had different positions regarding the concept of the responsibility to protect, which will be discussed their clarifications in detail below: (WFM)

Some powerful states embraced strongly the R2P, such as: UK, Canada, France, Germany, and Australia.

- **Russia rejected the R2P:** Russia has refused the principle of R2P, because it is not sufficiently clear or comprehensible. Also, it explained its rejection to the fact that the United Nations, in its status, is able to find solutions to the crises facing states and does not need new mechanisms. Russia added in its refusal that the principle of the responsibility to protect contradicts the Charter of the United Nations.
- **China rejected the R2P:** China made it clear that the concept needs more time for discussion, especially as the international community exercises its responsibilities appropriately. In addition, the concept needed to be referred to the Security Council before deciding on it.
- **Egypt, Syria, Algeria, Iran, Indonesia, India, Cuba, and Belarus** rejected the R2P: the countries that rejected the concept for reasons related to the concept is a vague concept, violates the sovereignty and

finally they believe that the responsibility to protect individuals should be the responsibility of the state.

For example, Egypt clarified that the protection of citizens is the responsibility of the state and not a shared responsibility. Egypt also stressed that the responsibility to protect civilians is a moral responsibility of the state towards its citizens and cannot be in exchange for a threat or a surrender of its sovereignty.

- **The African Union** accepts the R2P due to the security challenges that threaten many countries in Africa. In addition, the genocide in Rwanda that led to convince the Africans that the UN is not keen to African civilians. For all these reasons, the AU adopts the R2P for protecting their peoples. (Dembinski, & Reinold, 2011, pp.10)

After reviewing human security and its various mechanisms that protect the security and safety of individuals from any violation or challenge to their humanity in their countries, it is quite clear that human security is an important and necessary concept for the preservation of individuals, but the mechanisms for its application would violate the sovereignty of state. Human security is not convenient with the definitions of Sovereignty in international law, international treaties, and the United Nations Charter.

VIII. R2P in Libya to protect Human Security

The success of the revolutions in Egypt and Tunisia in removing the head of the regime in the two countries led to the outbreak of the revolution in Libya, hoping to remove the Gaddafi regime. The demonstrations began on February 15, 2011, in Benghazi, after the authorities arrested human rights lawyer Fathi Terbil, who was defending citizens against the government in the case of the Abu Salim prison massacre, which resulted in the killing of 1,200 prisoners in 1996. After few days, the demonstrations against Gaddafi's regime were spread in all the Libyan cities calling to the regime change. For eliminating these demonstrations, the former president Gaddafi used all his forces. The protests quickly led to a military confrontation between the demonstrators and Gaddafi's forces, and the military system witnessed splits in its ranks. The escalation of violence led the National Transitional Council, the representative of the Libyan revolution, to request the help of the international community to protect the lives of Libyans. Meanwhile, the figures estimated by the World Health Organization and the reports of international organizations about the killing of thousands in the

confrontations between Gaddafi and the rebels led the UN Security Council to declare the Resolution 1973 that decided Libya is considered as a “no-fly zone”. For containing the situation and protecting civilian lives, the UN resolution was approved by the African Union and the Arab League. Then, circumstances were developed, which led to NATO’s military intervention in a precedent that the world had not witnessed before. Although the international community including many regional organizations demanded the UN to take an action towards the regime in Libya for saving people, the military intervention by the NATO remains a controversial issue among many international actors. On 17 March 2011, the United Nations Security Council adopted the historical resolution no 1973 that made of Libya a no-fly zone and gave the international community the right to use “all necessary measures” including the military intervention to protect civilians in Libya from Gaddafi and his forces. So, in this part we are going to elaborate in detail the different reactions of the international actors:

The African Union: due to the strong relations between the African Union and the African countries, the stance of the AU wasn’t strong from the beginning. It’s true that it condemned the aggressive use of the forces from the part of Gaddafi, but it called to respect the sovereignty of Libya and presented a peace roadmap that Gaddafi accepted but the transnational council refused. (Hove, 2015, pp.5-8)

The Arab league: at first it suspended the membership of Libya as a member country in it. Then, on 12 March 2011 it called the UN to consider Libya as a no-fly zone. Meanwhile, it refused any military intervention to be used.

The European Union: after the Tunisian and Egyptian revolutions, the EU faced for the third time the lack of common decision and each state choose to highlight its national interests regarding the situation in MENA (Taman, 2016). Therefore, the division in the point of views remained among the member countries:

France: being considered as “Sarkozy’s war” (Erichsen & Lecomte, 2013), the French president supported the idea of military intervention to improve his image domestically by achieving victory on the economic and political scales.

The United Kingdom: in his speech before the British parliament the Prime Minister David Cameron mentioned that “*The military action by coalition forces in Libya may have helped to prevent a "bloody massacre" in Benghazi*”. (BBC,2011)

Germany: according to the Germany government “*the military solution is risky and dangerous*” (*The Guardian*, 2011). Therefore, it did not accept and abstained from voting for the military intervention in Libya.

Italy: due to the historical relation that ties the two countries, the Italian stance was tried to keep the balance by participating into the NATO coalition and by announcing its fear from the military intervention as Berlusconi its former prime minister said “*I had my hands tied by the vote of the parliament of my country. But I was against, and I am against this intervention which will end in a way that no-one knows*” (*Reuters*, 2011).

According to many scholars and observers, the military intervention in Libya is considered as being the first comprehensive test to apply the principle of responsibility to protect. The Secretary-General Ban Ki-Moon had decided the “*Resolution 1973 that affirms, clearly and unequivocally, the international community’s determination to fulfil its responsibility to protect civilians from violence perpetrated upon them by their own government*” (Ban Ki Moon, 2011). Therefore, in this part we are going to evaluate the steps of applying the doctrine in comparison with what was determine in the R2P statement to show whether the Libyan case represented a positive or negative implementations of the R2P.

On the one hand, according to some scholars including Norooz, the Libyan case represented a positive model of applying R2P and achieving the Resolution 1973 (Norooz, 2015, p.28). It applied all the mechanism and tools required to end up with a military intervention: First, Gaddafi committed war crimes against humanity, which was clear from the reports of international organizations. Second, the aggressive response of Gaddafi towards the protests represented a real threat to its neighbourhood countries. Third, the resolution of military intervention was taken collectively and due to the call of national council demands. Forth, it was for humanitarian reason and for specific time and reason. (Norooz, 2015, p.28)

On the other hand, many academics and observers looked to the military intervention in Libya as being a failed model to the R2P for many reasons. First, the AU said that the military intervention tended mainly to get rid of Gaddafi and his regime more than protecting civilians, for this reason the intervention forces did not give time to discuss the peace road map presented by the union. Second, for many human right organizations the NATO killed more civilians than Gaddafi’s forces, the BBC mentioned that

the rate of murders during the air operation by NATO was around 2,000 to 30,000 Libyans, which means that it didn't achieve the main goal of the R2P (BBC, 2011). Libya was turned into a failed state after being destroyed with missiles and bombs by land, air, and sea, in one of the largest humanitarian disasters occurred in the world, resulting in the death of thousands of citizens, the spread of diseases, the destruction of infrastructure, the spread of corruption and the increase Poverty and population displacement rates.

The dire consequences that followed the military intervention of NATO under the umbrella of the responsibility to protect in Libya, for the first time, led the international community to try to avoid the repetition of this painful experience. Therefore, Brazil submitted to the United Nations Security Council the initiative of responsibility while protection (RWP); in order to draw the attention of the international community to the importance of resorting to diplomatic and peaceful solutions rather than causing "painful consequences of military interventions" (UNSC, 2011). The Brazilian initiative was welcomed by the member states of the United Nations not to replace the concept of R2P but as a new phase in the path of protecting peoples.

IX. The consequences of R2P in the Libyan case

The revolution in Libya and the using of the R2P concept for the first time in Libya had many unexpected consequences on the neighbouring countries, especially in Africa. It cannot be denied that Colonel Gaddafi had played a great Africa for a long time. So, in this section, we will discuss the various impacts of the R2P in Libya by studying its national, regional, and international consequences:

9.1. Consequences on Libya

The completely unstable situation inside Libya is prompting massive internal and external security challenges. Then, some of these challenges facing Libya are discussed in the following points:

The security vacuum and political instability: the state has become a shelter for terrorists and jihadist groups. The civil war, taking place there, encouraged them to establish a stable and secure state for them.

Economic crisis: The political crisis in the state led to many economic crises, and as a result, citizens suffer from a lack of work Opportunities, low salaries, an increase in food prices and a shortage of goods, which may lead to increase the rate of crimes in Libya and across borders.

Conflicts to control Oil: Gas and Oil are the main sources of income in Libya. Therefore, all the warring parties, as well as terrorist groups, work to control over the oil and gas infrastructure to ensure economic and political dominance.

Legitimacy Crisis: after the fall of the president Gaddafi, the state has suffered of instability, insecurity, and armed conflict. Several parties struggle to rule Libya. Therefore, it is obvious that there aren't real "national actors", but the greater number of actors are "local players". (Fitzgerald & Toaldo, 2016)

9.2. Consequences on the region

The military intervention in Libya affected the Middle East and the Mediterranean countries, as well as the neighboring countries in the African continent. Some of these impacts will be mentioned below:

Migration crisis: Libya is considered as a transit country from a very long time, where a great number of Africans used to seek it hoping to direct to Europe. Therefore, the illegal migration is not a new phenomenon. Rather, this problem appeared before the fall of Gaddafi, who succeeded in controlling it. Moreover, he was exploiting it to threaten Europe to turn it into a black continent before he reached an agreement with the Italian Prime Minister Berlusconi. After the fall of the Gaddafi regime, Libya became a centre for human and arms smuggling, which represents a great threat to the Mediterranean region as whole, whether in the north of the Mediterranean in Europe and south of the Mediterranean in North African countries (Dirus & Eaton, 2019). According to the UNHCR, in 2016, at the peak of the civil war, around 181,400 people run away from Libya and other states in the region like Algeria and Tunisia directed to Europe, especially Italy, by using the central Mediterranean. By August 2017, Fahmi Salim Ben Khalifa, the so-called "king of smuggling", was detained by a Salafi group in Zuwara and delivered to the Special Deterrence Force in Tripoli. At the same time, a lot of other powerful smugglers, whether on national or international levels, enjoy their freedom and they have not yet been arrested. In 2017, the number was decreased to reach 119,400, and it continued to decline until it reached 23,400 persons in 2018, which represented a decrease of 87% in comparison to the same period from the precedent year. The main reason for the decrease in the number of immigrants is the signing of a memorandum of understanding between Italy and Libya, in which Italy has accepted to provide technological means to assist the Libyan armed forces to control the illegal

immigrants. Moreover, Tripoli obtained more than \$ 100 million from Italy and the EU Trust Fund for Africa for providing training, tools and instruments. It should be mentioned that the agreement was extended in February of this year until 2023. (Hernández, 2020).

Human Trafficking Crisis: being considered as the third profitable trade in the world after the drug trade and arms trafficking, the insecurity and civil war in Libya led to increase the number of victims of this crime. Many African migrants passing through the country were sold into "slave markets" before being subjected to forced labour or sexual exploitation. As they went to northern Libya trying to reach Europe via the Mediterranean, they find themselves as merchandise, especially in the market of Sabha, a crossroads town in southern Libya, where they were resold in garages or in car parks, at a price between 200 and 300 euros. Then, they left for two or three months to work on construction sites or in agriculture. The testimonies of those who finally succeeded in getting rid of this hell indicated that they had been subjected to violence and torture (La Dépêche du Midi, 2019). In 2018, the increase in the number of people being sold and exploited in Libya led the United Nations Security Council to impose sanctions on six leaders of human trafficking networks working in Libya. This is the first time that smugglers and traffickers have been placed on the international sanctions list. (BBC News, 2018)

Violent Extremist Organizations: Many Violent extremist organizations (VEOs) have spread in Libya to extend to become a source of concern for neighbouring countries and the entire region. Examples of these terrorist groups located in Libya are Al-Qaeda, ISIS, and Libyan jihadist Salafists such as the Benghazi Defence Brigades. However, the Libyan National Army was succeeded in seizing the eastern region of the city of Derna in 2018 and controlling Benghazi. (Dirus & Eaton, 2019, p.14)

Mali crisis: After Gaddafi lost hope of achieving Arab unity as he wished; he headed to Africa and had hope for uniting African countries around Libya. Gaddafi established the League of Grand Sahara Tribes project, which involved the Tuareg communities, especially, the Malian Tuareg ethnic community that was keen to be independent or autonomy from the domination of the state of Mali from a very long time (Larémont, 2013). During his presidency period, Gaddafi used to support the African resistance and rebellions by giving them all means of support to threaten his neighbours.

Therefore, Gaddafi supported the Tuareg group in Mali and integrated them into his Islamic Legion to participate in the Libyan wars such as: the war in Chad from 1978 to 1987 (Chauzal & Damme, 2015). After the falling of Gaddafi and the collapse of his regime, these men returned with their weapons to northern Mali, more particularly to the Azawad region, cradle of the Tuareg, located between western and northern Mali, between Timbuktu and Kidal (*La Presse*, 2012). According to an official in the defence ministry of Mali " *the rebels were equipped "just like Libya's army", with heavy machine guns on four-wheel drive vehicles, anti-tank and anti-aircraft rockets as well as light weapons*" (Lewis & Diarra, 2012). Thus, it is quite clear that the death of the Gaddafi and the collapse of his regime led to the destabilization of Mali and of all the region.

9.3. Consequences on the R2P as concept

The first and last experience so far of implementing the responsibility to protect in Libya has led to the reluctance of the international community to make another decision to repeat the experiment. This was evident, when Russia and China had not agreed to intervene in Syria to save civilians. It was the destruction and devastation inflicted on the whole country, which led to the lack of confidence among the members of the Security Council, as it became clear that there was a gap between what was expected and what was implemented on the ground. Therefore, there has become an urgent need for a sincere conversation between supporters and sceptics about the extent of the intervention during applying the third element of the R2P, in order to know who will do it and the conditions that will be used in any military action. (Garwood-Gowers, 2013, p.614).

VIII. The Future of State sovereignty after the Arab Revolutions in MENA

The Arab revolutions in 2011 were played a great role in reviving the concept of sovereignty in its traditional form, including the right to self-determination and the self-will of Arab peoples. Although the Arab revolutions have not achieved their goals, they led to a state sovereignty fragmentation. For example, the conflict of powers in Libya gave the opportunity to The Islamic State, known as ISIS or ISIL, to expand in weak countries such as Iraq, Syria, and Libya, and to impose itself as an alternative to the state.

These conflicts in the region have made it clear that the phenomenon of tribalism cannot be underestimated. Rather, it is the basis of political relations within many Arab countries. Despite the high level of education and the phenomenon of urbanization in these societies, the Arab citizen had to resort to sheltering in the tribe when he sensed danger and lost the sense of security and stability (Herráez,2019); in order to ensure the minimum of rights, which is the right to life. (Bakis, 2019)

The nature of Arab societies cannot be ignored, as the level of violence between tribal societies is higher than between non-tribal societies. Hence, violence and civil strife can lead to assaulting the institutions and pillars of the society and the state, which leads to undermine and ultimate demolition of the state (Levitsky & Ziblatt, 2018). The armed conflicts can push the tribe to search for arms and to rely on force for ensuring survival and building alliances that go beyond the borders of the state that has failed to ensure its protection and its existence. (Bakis, 2019)

Consequently, the presence of the state and its role is necessary because the state organizes as a monopolizing actor the violence, the trade, the exchange of goods and services. In addition, it reduces the possibility of armed conflict (Steven,2011). It is true that the division of powers constitutes, among other things, the main elements of the strength and stability of any society and its institutions to avoid the personal systems or the interlocked and organized administrations, in which everything falls with the fall of the maximum responsibility of the state. The existences of democracy, separation of powers, free and wealthy societies are not an absolute guarantee to protect the country. On the contrary, it is possible that the institutions and the pillars of the state and society could be attacked from the inside and could be destroyed if the nature of these people is ignored.

In conclusion, despite that the state sovereignty of Arab countries faces many threats after the Arab revolutions; this does not mean the complete collapse or disappearance of the state sovereignty of these countries. By tracing their history, it is evident that these threats were existed all the time in different forms, yet these countries were able to continue all over times.

IX. Conclusion

The concept of human security appeared after the Cold War in a period that witnessed several changes at the international level, the prevalence of the concept of globalization and the international changes that accompanied it.

Then, the world became in need of new methods to deal with security issues away from the traditional methods, which led to directed towards human security as an alternative that coincides with the stage. It focuses on protecting individuals from need and from fear. However, since its inception, human security has faced many criticisms due to its lack of clarity and that it opens the door to foreign intervention in the domestic affairs of the states. In this period, the concept of state sovereignty, which is considered the fundamental concept of international law, was facing many challenges, whether internal or external, to the point that some describe it as outdated concept, which is no longer suitable for the modern era and must be overcome. The concept of human security by permitting the intervention in the states to protect individuals represented an explicit threat to the state sovereignty.

The violations of Human rights, humanitarian intervention and the responsibility to protect are mechanisms that allow states to intervene to protect the safety of individuals. These created a close relationship between human security and state sovereignty. These threats were tragically appeared when the international community intervened in Libya to protect individuals after the outbreak of the Libyan revolution against the president Muammar Gaddafi. This intervention had dire consequences for Libya and the whole region, but rather on the concept of the responsibility to protect, which is based primarily on protecting the human security of individuals. These consequences led many specialists to liken this period to the period of the Thirty Years War that passed in Europe.

There is no doubt that the war in Libya had a great impact on how the international community should deal with the concept of state sovereignty and humanitarian intervention, which would affect the concept of human security because the international community did not allow the repetition of what happened in Libya due to lack of international confidence in the method of implementation. The negative impacts of the R2P in Libya will make countries, especially developing countries, clinging more and more to their sovereignty, which will weaken the concept of human security. So, the international community will return to adhere to protecting the human rights without using the military forces by the humanitarian interventions and the concept of state sovereignty will be strengthened.

In conclusion, the sovereignty of the state will remain the main pillar on which the state is based, despite the various factors that affect it. There is no

doubt that there is a close relationship between human security and state sovereignty, as military intervention to protect human security is one of the most important threats to the stability and existence of the state, because the security and stability of state institutions is the main guarantor of the safety of citizens. Therefore, the international community must take into account that the role of the state as a provider of security cannot be replaced by the military intervention. Then, the human security should be protected through development, empowering citizens in countries, and helping to reconstruct or strengthen the institutions of the states, and by creating a kind of cooperation between developing and developed countries in times of peace for the possibility of intervention in a peaceful form in times of crisis.

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