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Overlooking mass atrocities: the absence of the Responsibility
to Protect in the Uyghur crisis.

Supervisor: Prof. Pietro de Perini

Candidate: Sarah Krechting
Matriculation No.: 2049599

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“This thesis is my most decisive academic contribution to date” is how I explained it to my mother. Given this personal judgement, I recognise the profound luck that I hold in being surrounded by an extensive support-system. This thesis would not be complete without extending the necessary appreciation to those who fall within this frame.

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Abstract

The Responsibility to Protect is among the most fundamental methods for preventing and addressing atrocity crimes across the globe. Its implementation, although long questioned, has brought about humanitarian interventions into the borders of several states. Still, despite its use, the doctrine appears forgotten in the continued human rights atrocities that occur in Xinjiang, China against the ethnic Uyghur population. In recognition of this, it is imperative to discover why there is an absence of the Responsibility to Protect in this case, to constitute a basis for resolving this impediment. It appears that there is a scholarly gap concerning the facets that contribute to this non-use, which may be filled by thorough research. This thesis aimed to do exactly this. On the basis of the three main international relations theories; realism, liberalism and constructivism, the actions and rationales of the international community were scrutinised. This led to the idea that there is a plethora of elements that can explain state behaviour in preventing the use of the Responsibility to Protect in this specific case. Self-interest was the most commonly recognised factor for shaping state's actions. This finding plays a key role in the search for solutions that can enable the use of the doctrine to aid the Uyghur population.

Keywords: The Responsibility to Protect, China, Uyghurs, realism, liberalism, constructivism, self-interest.

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Introduction

“The obligation of subjects to the sovereign is understood to last as long, and no longer, than the power lasteth by which he is able to protect them” (Hobbes, 1651, p. 136). These famous words by the realist Hobbes in his acclaimed work *Leviathan* sketched the idea that the bond between a state and its citizens is contingent upon security and state leaders owe their citizens safety, beyond mere rulership. Throughout the centuries that followed, this state protection became understood as coming not only from the state, but also against the state. With conflict no longer being recognised as a phenomenon that is exclusively inter-state, the focus on human security intensified. Soon, international cooperation and interdependence grew and state leaders were being incriminated for committing human rights atrocities; a phenomenon which was previously overlooked. Human rights and the support thereof officially became engrained in international relations. In 2005, a full 354 years after Hobbes’ *Leviathan*, this notion became universally endorsed, under the title of the Responsibility to Protect. The unification of states under this common doctrine signified a perennial change in the understanding of state sovereignty. Leaders now bore the primary responsibility to safeguard their citizens from being subjected to grave human rights violation. The flipside of this obligation surfaced as the authorisation of external interference by the international community. Since then, the doctrine’s promises have been called upon many times and its intervening mechanism has even been invoked in a number of cases.

1. Research aims

The use of the doctrine is entirely dependent upon the nature and velocity of the human rights violations in any given state. Since the endorsement, many cases have arisen that have or could potentially fit the requirements for the use of the Responsibility to Protect. One of such cases is that of the Uyghurs in Xinjiang, China. It is said that one out of every six Uyghur citizens have been placed in re-education camps on the basis of their ethnic background, under the guise of what China calls counter-Islamic extremism. There, citizens have been reported to face numerous human rights violations, ranging from sterilisation, to torture, and even murder (Raza, 2019).

Yet, at the international level, the Responsibility to Protect has not been referenced as presenting a viable solution to the continuing human rights atrocities in the Chinese province. This constitutes a great conundrum and naturally raises the question of why the doctrine is absent in this case. It is the aim of this thesis to contribute to the formulation of an answer to this controversy. By delving deep into the idiosyncrasies of the Responsibility to Protect, as well as the current state of affairs that governs the international community, this research aims to discover the patterns that prevent international actors from discussing and subsequently implementing the doctrine. In pursuit of this objective, the thesis shall employ the contributions of the three main international relations theories: realism, liberalism and constructivism. It has long been the belief of this author that in order to understand the empirical functioning of international doctrines and the manner in which these are employed by states, it is imperative to scrutinise them through a theoretical lens. Theories aid in the ambition of making sense of the world and as such, the main international relations theories, each with their extensive range of contributions, can play an effective role in uncovering the justifications behind the non-use of the Responsibility to Protect in the Uyghur case.

2. The suppression of Uyghurs

The suppression of this ethnic group is no new occurrence, in fact it dates back centuries. The Uyghurs come from Turkish descent, but their region was conquered by China in the mid-1800s. Despite the merging of the two regions, the citizens of Xinjiang held on to their cultural identity, historical roots, and religious conviction; which is primarily Islamic. This quickly led to a widespread self-rule sentiment. Although the wish for independence is a long standing one, it started to become more apparent during the late 20th century. Both violent and non-violent acts of resistance became common practice. These acts soon led to major constitutional setbacks, when the Chinese government effectively restricted the right to the freedom of speech to quell the oppositionists. It soon became taboo to associate oneself with the oppositionist movement, however the need for self-identification translated itself into a growing importance of the Islam (Smith Finely, 2007). This deepening of their faith however, did not maintain its foothold for very long. When the War on Terror commenced shortly after the turn of the new century, the Chinese government began accusing the Uyghurs of Islamic terrorism. In the summer of 2009, the situation escalated when peaceful protesters were met with heavy military resistance. This resulted in the deaths of an unknown number of Uyghurs. Following the

bloodshed, the Chinese government took actions which are still problematic to this day, namely the severe limitation of press freedoms and the use of internet (de Varennes, & Gardiner, 2018).

The decades long systematic oppression reached a critical juncture in 2016, when the Chinese government heightened its control over the Uyghurs by detaining over a million of their people in so-called political re-education camps. The purpose of these camps was said to root out Islamic extremism. It was only in 2018 that this became public knowledge. In the past few years, significantly more information has surfaced about the ongoings inside the walls. According to witnesses and ex-detainees, the camps house both adults and children who are subjected to serious human rights abuses. The Chinese government holds fast that the purpose of the camps is to support nationalistic and secular thought patterns. The rhetoric goes that when individuals sufficiently align with these characteristics, they will be released from the camps (Raza, 2019).

The reality of the situation, however, appears very different. Women who managed to escape the camps have described the serious human rights offences that they were put through. One woman said “I was gang-raped and my private parts were tortured with electricity. You are left with marks on your body that make you not want to look at yourself” (Ziyawudun, as cited in Kaplan, 2021). The same woman also explained that she was given sterilisation pills. Similar stories have emerged, raising questions regarding the attempts of mass-sterilisation. Another result of these actions is that countless families are separated. The Chinese government has been accounted to take advantage of this by placing the children who are left behind in boarding schools of a similar purpose. There, the children are indoctrinated into the government’s view of the ideal Chinese citizen (Human Rights Watch, 2019).

3. Impediments at the international level

Human rights atrocities of such volume can be investigated in the light of the Responsibility to Protect, yet this has not yet been done so in and by the determining organs of the United Nations. The absence of a Responsibility to Protect dialogue presents a serious obstacle in addressing the human rights violations in Xinjiang. Scholars recognise that the problem lies not in states being unaware of the crimes, but rather the uneasiness in the wake of discussing the use the doctrine against a powerful state. The risk that comes with singling out a superpower is not one many

states want to face. Not only are there potential economic setbacks, but the relationship between states may be negatively affected as well. As such, scholarship on this topic suggests that it is simply not in the interest of states to engage China through the Responsibility to Protect (Simpson, 2021). This is however in complete opposition to the human rights commitments and the reconceptualisation of sovereignty as affirmed during the 2005 World Summit.

4. The status quo its implications

The current situation in the United Nations is sketched by continuous seesawing. Several states have banded together by writing joint statements in favour of pursuing actions against China. The most recent of these took place the 31st of October 2022 when a conglomerate of 50 states, of mostly Western nature expressed their deep concern regarding the situation. This statement was made as a response to the failure to adopt a resolution on a report, made by the Office of the United Nations High Commissioner for Human Rights on the human rights atrocities in Xinjiang. The statement reads: “In view of the gravity of the OHCHR assessment, we are concerned that China has so far refused to discuss its findings. In that context, we urge the Government of China to uphold its international human rights obligations and to fully implement the recommendations of the OHCHR assessment” (United States Mission to the United Nations Office of Press and Public Diplomacy, 2022, October 31, p. 1). This statement, as with many others, was met with a counter-statement by China and 66 other states in its backing. Terms frequently read in these counter-statements are ‘sovereignty’, ‘internal affairs’ and ‘non-interference’ (East Turkistan Government in Exile, 2022, October 31). All things considered, the status quo is in many ways a deadlock painted by finger-pointing from both sides.

In Xinjiang this lack of constructive solutions can be felt strongly by the population. That is to say, the situation remains as dire as ever. Little by little information about the ongoing in the province is coming to light. For instance, many new reports speak of forced labour in the re-education camps, which has led to a call by experts to avoid buying products produced by companies tied to Xinjiang. Big companies, such as Amazon, Microsoft, Coca-Cola, Adidas and many others have been reported to in some way be linked to the forced labour (Zinkula, 2022). The knowledge of such ties has led many individuals to call for a boycott of these companies. A Japanese man of Uyghur origin pleads: “by refraining from buying Chinese

goods as much as possible, you can help the Uyghurs being forced to labor” (Gheyret Kenji, as cited in the Shankei Shimbun, 2023). Meanwhile, more and more stories arise on the realities inside the re-education camps. Women who were able to leave the camps speak of rape, torture and sterilisation (Hoja, & Tarim, 2023). Although these stories have been coming to light for many years now, it appears that there is no end to them. This sketches the scenario that the human rights violations are ever-ongoing.

5. The explanatory power of international relations theories

The crux of the problem is becoming clearer, but the particularities remain ambiguous. The reasons for the absence of the Responsibility to Protect in this case are still in need of examination. Given that this predicament is one of international relations, it may be beneficial to approach this through an international relations lens. The most prominent theories that explain international relations are realism, liberalism and constructivism. Where realism focusses on self-help and power-politics, and liberalism focusses on cooperation and interdependence, constructivism focusses on identities and discourse. The inherent differences of these theories allow them to, in combination, cover a large range of explanatory factors. Moreover, as mentioned above, theories aid in making sense of the world. They are able to elucidate state behaviour and as such, they will provide a suitable foundation for creating inferences from the data that will be presented in the analysis chapter.

6. Definition of terms

In order to give clarity to the main and potentially challenging terms that will be employed throughout the thesis, this section will consist of their definitions. By including this section, ambiguities regarding the meaning and use of concepts can be largely avoided. The following terms will be defined: the Responsibility to Protect, *jus cogens*, atrocity crimes and self-interest.

6.1. The Responsibility to Protect

The Responsibility to Protect functions as a milestone in international relations, as it has laid the foundations for the safeguarding of the most dire human rights. Its origins date back to the 1990s, during which time the humanitarian crises in Rwanda and then-Bosnia and Herzegovina took place. Despite the ever-growing importance of international cooperation and human rights, the international community stood idly by for a time, as both these countries experienced mass-killings, otherwise known as genocides. It is indeed, the lack of an international framework on humanitarian intervention that prevented the community from taking action in due time. The contestation surrounding these genocides functioned as an international wake-up call. This led to incumbent United Nations Secretary-General Kofi Annan to pose a question that framed the beginnings of the Responsibility to Protect: “if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, 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, 1999, p. 48 in Macfarlane et. al. 2004).

The following year Canada established the International Commission on Intervention and State Sovereignty where the idea of an international response mechanism to humanitarian crises was coined. The main complications concerned the rigidity of sovereignty, which in its current form prevented the possibility for a framework on humanitarian intervention (Macfarlane et. al., 2004). To this end the Commission completely redefined the notion of Westphalian sovereignty. Sovereignty was previously identified as autonomous control over a given territory, but has been given new life as the responsibility to protect the citizens of the self-governing territory (Hilpold, 2014). This notion became concentrated under the banner of the Responsibility to Protect, which was officially adopted with unanimity in the 2005 World Summit.

The obligations under this framework have become categorised under three pillars. These pillars, which need not be employed in a consecutive manner, outline the steps the international community must take in the face of a humanitarian crisis:

6.1.1. Pillar 1

The first pillar is concerned with the renewed definition of sovereignty, as it obligates states to bear the prime responsibility to protect their citizens from the mass human rights violations:

genocide, war crimes, ethnic cleansing, and crimes against humanity (see 2. *Jus cogens*). This is both a positive and a negative obligation, as the state may neither commit the crimes, nor allow them to be committed (Bellamy, 2014).

6.1.2. Pillar 2

The second pillar asserts that the international community is required to support other states in their endeavor to uphold their responsibility and assist them in cases where they are unable or unwilling to. The manner in which this takes place is by aiding states (**through advice or resources**) in tackling underlying factors that may lead to mass atrocity crimes (Bellamy, 2014).

6.1.3. Pillar 3

The third pillar obliges the international community to take collective action, with the aim of putting an end to the atrocities, in a state that has manifestly refused to cease its crimes. Intervention in this scenario must first and foremost be undertaken through peaceful means, such as diplomacy and humanitarian aid. If these methods prove futile, coercive means may be used instead (Bellamy, 2014).

6.1.4. A point of clarification

It must be noted that this thesis is predominantly focused on – although not limited to – the third pillar of the Responsibility to Protect. Given the status in Xinjiang, the duties under the first pillar are already unfulfilled and therefore unrelated to this research. Similarly, it can be argued that the stage of the second pillar has been passed too. The joint statements as introduced above to a certain degree meet the requirement of the second pillar. Although without reference to the Responsibility to Protect, they urge China to uphold its human rights commitments. In recognition of the many counterstatements, it can be said that such suggestions fall on deaf ears. The supposed failure of the first two pillars warrants implementation of the third pillar. This rationale explains the decision to place particular emphasis on the third pillar. However, considering the non-use of Responsibility to Protect discourse, the second pillar may be addressed in certain instances too.

6.2. Jus cogens

As outlined above, the Responsibility to Protect can be employed in four scenarios: genocide, war crimes, crimes against humanity and ethnic cleansing. These mass atrocities fall within the scope of what is referred to as *jus cogens*. It is important to clarify what this entails, to understand its gravity and because the question of whether the Uyghur suppression can be qualified as such remains contested. Put simply, *jus cogens* are international rules that may not be broken. That is to say that it is a peremptory norm, which is a fundamental principle of international law that cannot be derogated from. These principles are the prohibition of genocide, the prohibition of crimes against humanity, the prohibition of slavery and slave trade, the prohibition of aggressive use of force, the prohibition of piracy, the prohibition of racial discrimination and apartheid, the prohibition of hostilities directed at civilian populations, the prohibition of torture and finally, the right to self-defence. The majority of these principles are related to the integrity of humans and concern the most extreme types of violations thereof (de Wet, 2013).

The significance of peremptory norms in international law is outlined in the 1969 Vienna Convention on the Law of Treaties. It specified that in the design of treaties, *jus cogens* must always be considered as superior. It states:

“A treaty is void if, at the time of its conclusion, it conflicts with a peremptory norm of general international law. For the purposes of the present Convention, a peremptory norm of general international law is a norm accepted and recognized by the international community of states as a whole as a norm from which no derogation is permitted and which can be modified only by a subsequent norm of general international law having the same character” (Vienna Convention on the Law of Treaties, 1969, reprinted in Ciampi, 2011, p. 121).

This Article of the Convention emphasises that *jus cogens* are also *erga omnes*. This means that the laws apply to every single member of the international community. States are in all

ways tied to the principles and violations are punishable. Similarly, no state may make a reservation to them.

The Responsibility to Protect can be applied in the case of three *jus cogens*. Although the doctrine is officially applicable in a fourth scenario, namely ethnic cleansing, this mass atrocity is generally recognised to fit within the crimes against humanity umbrella. By only functioning within the setting of *jus cogens*, the Responsibility to Protect truly operates as a critical and final measure to preserve human rights.

6.3. Atrocity crimes

This thesis generally makes a significant number of references to the existence of so-called ‘atrocity crimes’ in Xinjiang. Now that *jus cogens* have been thoroughly worked out this term can be properly defined. The reason being that *jus cogens* fall within the umbrella term of atrocity crimes. It can be explained as a combination of different international crimes, including – although not limited to – genocide. What then sets atrocity crimes apart from *jus cogens* is that the latter is a principle of international law, whereas the former is what this principle governs. Lawyer and diplomat David Scheffer describes atrocity crimes as the following:

“a basket of particularly heinous crimes that are suitable for criminal prosecution before international tribunals and national courts and for which states and certain non-state organizations and groups should be held responsible. Atrocity crimes also are collectively executed crimes of such magnitude and destructive character as to be particularly prominent and logically inconsistent with the protection of human rights and the maintenance of international peace and security in an increasingly interdependent and sophisticated global society” (2006, p. 238).

The Responsibility to Protect becomes warranted in territories where atrocity crimes are ongoing. Any situation in which the doctrine should be applied must therefore fall within this frame.

6.4. Self-interest

Out of the four terms, self-interest is perhaps the most challenging to define. Not only does it function as a widely encompassing concept, but it can also at times be hard to discern in state behaviour. Rationalist scholars such as Shepherd argue that in international relations, states tend to make choices based on a cost-benefit approach. It is indeed these calculations that have earned states the title of 'rational actors'. The actions a state takes are generally undertaken with the aim of strengthening the nation in some way, be it economically or security-laden. With the exception of unravelled leaders, paranoia, extremist ideologies, and other such anomalies, a state's first concern is with its own interests (Shepherd, 1988). It must be noted, however, that these facets of statehood are fall within a rationalist explanation of state actions and it is not to say that states are completely selfish actors. In fact, it is in the interest of many states to aid others and to promote human rights globally. International organisations are the living proof of this. But what then makes self-interest different from rational decision-making? In this thesis, a state's self-interest is scrutinised not only in relation to itself, but also in relation to other states.

The self-interest of states is commonly understood as the cross-border actions or behavioural patterns of one state or a group of states that serve their own national or transnational agendas. As such, it may – although not necessarily – differ from rational decision-making insofar as the actions are said to be done for the benefit of others, such as aiding a developing state, or promoting human rights abroad, when these actions are actually for the benefit of the acting-state. These actors oftentimes favour having an altruistic image, leading to self-interested acts to be in the guise of something else. What is frequently seen is that states follow their self-interest when the economy is involved. It is argued that powerful states will employ preferential treatments when giving foreign aid. The states that are chosen to receive this aid are generally predicted to create a revenue for the donor state, as well as strengthen their position in the international arena (Bermeo, 2018).

For humanitarian intervention, around which this thesis primarily revolves, self-interest plays a larger role than previously recognised. Prado Pérez defines this as: "strategic considerations that lead a state or states to believe that they are better served by getting involved in certain humanitarian crises abroad than by not doing so" (Prado Pérez, 2015, p. 29). As this definition indicates, the decision to intervene is based upon the belief and thus the cost-benefit calculation of the intervening state. This includes both its reasoning for intervening, as well as its sought

outcome. The result of such an approach is that the receiving state is excluded from partaking in this cost-benefit calculation and the interference in their domestic affairs are based on the needs of another state (Prado Pérez, 2015).

7. Research question and hypothesis

The actualities of Uyghur life in Xinjiang calls for an urgency that cannot be overstated. Given the grave nature of the situation, the absence of a Responsibility to Protect dialogue is more relevant than ever. In conjunction, these issues form a conundrum that requires intensive research. To this end, the main international relations theories provide a suitable framework to attempt this. As such, a most evident research question arises, namely: *how can the main international relations theories explain the absence of the Responsibility to Protect in the Uyghur crisis?* By framing the question in such a way, it encapsulates all three elements relevant to this research; the main international relations theories, the Responsibility to Protect, and the Uyghur suppression.

In response to this question a hypothesis has been drafted with the aim of presenting a viable answer. The hypothesis is: *the main international relations theories complement each other insofar as to explain that self-interest is the explanatory factor for the absence of the Responsibility to Protect in the Uyghur crisis.* This hypothesis will be accepted or rejected at the end of the thesis. The reason it was framed in this way is because decisions based on self-interest by the international community are expected to be recurrent theme in the case of the Responsibility to Protect *vis à vis* the Uyghur crisis. Moreover, all three theories should in some way be able to explain this occurrence. This, as well as the rationale behind the hypothesis will be argued for below.

For realism, a possible explanatory factor is that the majority of the international community does not want to risk conflict with China, be it economic or political. Realists argue that states prioritise their survival over any other goals and avoiding conflict with major power China appears a beneficial way to attain this. In other words, it is within their self-interest to remain in China's good graces.

For liberalism, it can be speculated that it has the ability to explain self-interest from both an institutional and economic point of view. Liberals argue that institutions have been made to achieve mutual benefits and cooperation. In the grand scheme of things, it can be argued that no individual state benefits from invoking the Responsibility to Protect on China, because it hampers their cooperation with the state. From an economic perspective it can be said that liberalist interventions are often done in states where the donor state is in some way profiting from intervening. Liberalist thinking underlines the importance of free trade and trade cooperation. The profit of intervening in certain countries is oftentimes gained by establishing trade agreements with the receiving country. In the case of the Uyghurs, however, no such profits can be made, hence the lack of interest in intervening.

Finally, for constructivism it can be surmised that it can address the self-interest by considering it to be a result of identities and norms. In terms of identities, the same arguments can be made as for the realist scholars, who argue that smaller states are unwilling to conflict with a bigger and more powerful China. However, for constructivists, this unwillingness stems from the identities of the target state and the rest of the global community. China is a major player in power politics, which has shaped its identity into a globally influential state. For many other states in the world, particularly those who are less influential, their identity may prevent them from willing to engage. With regards to norms, it can be argued that since the Responsibility to Protect has long been contested it is not a fully internalised norm, and therefore it is not in states interest to adhere to it in light of the consequences they would face from China.

8. Justifications and the need for research

Uncovering the underlying factors that prevent the use of the Responsibility to Protect in Xinjiang is extremely relevant. The suppression of the Uyghur minority is still ongoing and as such there is a certain urgency to the deliverance of academic contributions. There is a particular ambiguity surrounding the international blockages that allow for the continuation of the crisis. By discovering what factors play a role in preventing a Responsibility to Protect dialogue, these may finally be addressed and subsequently resolved. Correcting these oversights may also become manageable with the support of the academic community. Academic deliberation and research can present relevant contributions to the practical governance approach of many policymakers. By giving policymakers access to the expertise

and epistemic justifications of academia, a whole new range of options may become available to them. Academics also have the tools to their disposal to make inferences about the long-term effects of policies. By and large, research on the absence of the Responsibility to Protect in the Uyghurs case produces invaluable contributions. This is exactly what this thesis aims to achieve. By adding a diverse theoretical element to the research, the entire scope of explanatory factors may be addressed. Within this broad framework it is expected that clarifications can be found.

Researching the failure of dialogue in this specific Uyghur case is also essential for making inferences on the broader topic of the Responsibility to Protect. In many ways, the inability to utilise the doctrine in China is a reflection of the decades long struggle to find a suitable framework for the Responsibility to Protect's implementation. These complications can be traced back to the initiation of the Responsibility to Protect in the International Commission on Intervention and State Sovereignty Report of 2000. Although the Report presented viable goals, many of these were lost when it was reviewed and finalised into Responsibility to Protect. As a result, the actual definition and workings of Responsibility to Protect remain largely ambiguous (McClean, 2008). By giving prominence to the conditions that play a role in the Uyghur case, these may similarly be recognised in the broader research on the shortcomings of the Responsibility to Protect and aid in the quest for solution-finding.

9. Chapter outline

This Master thesis consists of five chapters, each with their own set of sections and subsections. Chapter 1 is the theoretical framework. It thoroughly addresses realism, liberalism and constructivism. It does so by delving into the origins of each theory, developing a clear historical analysis that makes reference to renowned scholars of each school. This is followed by an intense study on the specific branches of each theory, bearing in mind that the word limit of this thesis allows for only the most praised and relevant branches to be addressed. Each section is then finalised with part dedicated to the relationship between the respective theories and the Responsibility to Protect.

Chapter 2 is the literature review, which covers three themes, by contrasting existing literature. These themes are presented in the form of questions:

Does the Uyghur suppression constitute a violation of a *jus cogens*?

Why is the Responsibility to Protect contested and how can this be addressed?

Is the Responsibility to Protect doctrine generally successful enough to be employed?

Within the subsections for these themes, the gaps in the literature are uncovered and the existing pieces are criticised or praised for their ability to contribute to the academia.

Chapter 3 is the methodological chapter of this thesis. It consists of a thorough research design and the methodological limitations. The research design incorporates answers to several framework related questions. These include reasonings for the employed research philosophy, research type, research strategy, time horizon, data collection method, and data analysis methods.

Chapter 4 is the analysis, which examines data on the basis of several sections. These sections are derived from the literature review and all play a role in explaining the factors that limit the use of the Responsibility to Protect. These determinants are then – when necessary – applied to the situation of the Uyghurs, to analyse how they operate in preventing the use of the doctrine in this specific case.

Chapter 5 is the discussion of the thesis. It revisits the data that is presented in the analysis chapter and works through this section by section to elucidate how the three different theories employed by this work are able to explain the findings. After each part has been interpreted by the theories, the conclusions thereof are be juxtaposed to one another to identify the commonalities and differences between them. In closing, the chapter gives a decision on the validity of the hypothesis of this research.

Chapter 1 - Theoretical Framework

This chapter seeks to introduce the theories that will be utilised in explaining the absence of the Responsibility to Protect in the Uyghur crisis. The theories that will be employed for this purpose are realism, liberalism and constructivism. These three theories are recognised as the main contributors to the field of international relations. They are widely acknowledged as being capable of explaining statehood, state actions, international engagements and so on. Therefore, it is expected that they will equally be able to shed light on the complications that arise with the Responsibility to Protect, in particular in Xinjiang. It is important to note why these specific theories were chosen over others, such as the post-colonialist theory or the feminist theory. The reasoning for this lies in the extremely expansive nature of realism, liberalism and constructivism. Each of these theories has become developed and refined over the years through the large number of contributions of scholars who place themselves within the sphere of either one of the three. Moreover, this research aims to identify the elements influencing the lack of something. This is a particularly challenging task, that may be done more effectively when drawing upon the wide range of contributions as presented by the main international relations theories.

This chapter is divided into three sections, each with their respective set of subsections. Naturally, every theory has one designated section. In these sections, the theories will be presented on the basis of their historical origins and main rationale. The most renowned scholars of each theory will similarly be mentioned in relation to their greatest inputs. The chapter will subsequently identify any internal branches of the theories that may prove relevant to reaching the objectives of this research. Finally, the theories will be juxtaposed to the Responsibility to Protect, regarding the ability that they have in explaining the existence and use of the doctrine.

1. Realism

1.1. Establishing realism

The origin of the theory dates all the way back to the rationale of the Athenian Thucydides; an intellectual who, in his work ‘the Melian Dialogue’, wrote of the horrors of the Peloponnesian War that lasted from 431-404BC. Although international relations as an academic discipline had not yet taken form during this era, the writing of Thucydides reflects the outlook that realist scholars have. In his work he highlighted the continuous existence of fear that governs mankind. When this fear is contained, it can create the necessary and rational drive for survival. If it is not, however, it can have disastrous effects. Another recurrent element in his writing is that of power and the continuous struggle for it. He described how the accumulation of power assists a person or state in their fight for survival. With mankind living in an unending state of uncertainty they must rely only on themselves to achieve this (Porter, 2022). These lessons are the conclusions that he derived from closely observing the war and constitute the basis for ideas that would later be expanded upon by scholars such as Morgenthau.

Almost two millennia later the torch was passed on to Niccòlo Machiavelli who wrote his famous piece called ‘the Prince’. In it, he claimed to seek the ‘effectual truth’ over the ‘imagined truth’, with which he meant that states should only focus on pragmatism. In order to reach a certain goal, they should completely disregard the idea that morality or immorality have a say in the decision-making. In other words, any end may be justified if it is done to reach a political goal. These actions, in turn, cannot be considered good or evil. This rationale paved the way for extremist thought, which was further spread by his disciples. Some would even argue that this type of thinking enabled the atrocities portrayed in the two World Wars (Korab-Karpowicz, 2018).

A century following Machiavelli’s contribution, another scholar with considerable influence took the centre-stage, namely Thomas Hobbes. He is especially well-known for his pessimistic outlook towards human-nature, as being one of a ceaseless struggle for power, brought forward by egoism. In his work ‘Leviathan’ he states: “if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their end (which is principally their own conservation, and sometimes their delectation only) endeavour to destroy or subdue one another” (Hobbes, 2002, p. 94). In his view, this individualism is only a natural response to the anarchic world in which mankind finds itself. In the purest form of nature, there is no such thing as laws and government. As such, each human has any method of survival to their disposal, whether it be violent or not. Accordingly, every human may expect forceful treatment from another at any given time. This ties in with Thucydides disposition

towards fear and Machiavelli's notion of a temperament that is free from virtue and malevolence. Hobbes' writing however, has a particular emphasis on people as individuals, rather than state actions. Notwithstanding that he makes the comparison that human nature, as he describes it, is directly reflected in the behaviour of states (Korab-Karpowicz, 2018).

The rationale of these forefathers of realism constituted the genesis of realist thought, which would not mature into an international relations theory until the end of the Second World War. In 1948 Hans Morgenthau formed realism into a coherent theory, which explained international relations as the inevitable by-product of the self-centeredness of humankind. Rooted in the horrors of the War, he faulted the struggle for power as the common denominator of interstate conflict. In efforts to explain this, he classified 6 principles of realism. (1) Politics is decided by the objective and unchallenged laws that are derived from human nature. (2) National power determines national interests. (3) National interests are subjected to continuous change. (4) Moral principles cannot explain the actions of states. (5) Morality expressed by states is not a result of universal morality. (6) International politics is its own disciple (Morgenthau, 2005). In particular in the Western world, Morgenthau's writing would soon become the framework for realist thought.

1.2. Delving deeper into the idiosyncrasies of realism

All the known establishers of realism have each brought their own contribution to the table. While international relations became more and more relevant as a scientific study in the second half of the 20th century, the number of studies in which realism was used as a theory to explain the political and conflict-related ongoings in the international arena skyrocketed. During this time a new stream of realism emerged which was instigated by the scholar Kenneth Waltz. In his 1979 book 'Theory of International Politics' he coined with the idea of neorealism otherwise known as structural realism, which differed from its parent school in its complete focus on state behaviour as a result of the international structure. Where classical realist scholars focus on human nature as the enabler of international conflict, neorealism focusses instead on how the international structure of anarchy enables it. In this sense, neorealism emphasises the importance of international relations, with its actors being unitary states

(Hobson, 2000). An element that has remained the same is that a state's actions reflect the indisputable wish for self-preservation. How this is done, however, is contested. Where Morgenthau argued that every state attempts to maximise its power, Waltz found that the international balance of power could be established without the need for all states to maximise their gains. Moreover, neorealism argues that state interests may also be influenced by factors other than self-preservation (Telbami, 2002).

1.3. Offensive and defensive realism

Neorealism houses two streams of thought that are on opposing ends with regards to the methods that secure state survival. These two streams have become classified as offensive and defensive realism.

Perhaps the most known scholar for offensive realism is John Mearsheimer, who argued that states seek to maximise their power in order to survive. Having a superpower status in the international arena deters other states from launching an attack, because the superpower has the military calibre to retain the upper hand. In his book 'the Tragedy of Great Power Politics' he states: "apprehensive about the ultimate intentions of other states, and aware that they operate in a self-help system, states quickly understand that the best way to ensure their survival is to be the most powerful state in the system" (Mearsheimer, 2001, p. 33). Accordingly, the larger the capability-gap between a set of states, the less likely the superior is to fear the inferior. With this knowledge, states will use any means, be it political, economic, or military to further pursue their race to the top. In many instances, these means may even be expansionist. As states compete for the top position, friction and suspicion naturally occurs, as one state will always lose security as another gains it (Mearsheimer, 2001). This phenomenon is also known as the 'security dilemma'. If the winning state is able to keep its position, the contending state has little it can do about its losing status.

On the other hand, defensive realism stipulates that as opposed to the natural state of behaviour being an arms race, states are pushed to adopt policies that reflect restraint and security maximisation. In its simplest sense, offensive and defensive realists can be distinguished as one stream argues for the maximisation of power, and the other for the maximisation of

security. This is not to say that defensive realists reject the notion of conflict. Instead, scholars believe it is limited to a situation of undeniable belligerence from a second party. One such scholar is Robert Jervis, who postulates that states oftentimes may not recognise in which situation they reside, hence the continuation of conflict. This uncertainty is brought forth by the anarchic composition of the international world and in turn leads to security maximisation. Jervis further elaborates that conflict may be avoided when a state is confronted with another of a similar thought pattern. Not only is this preferred as it is less costly, it is also more likely given that the anarchy of the international system dissuades conflict. In the event, however, that a state meets an aggressor, the defensive realist thought aligns with that of offensive realists (Jervis, 1999).

1.4. Realism and the Responsibility to Protect

The concept of the Responsibility to Protect as a doctrine that allows states to undermine the sovereignty of another for moral purposes is something that would have left realist scholars such as Morgenthau speechless. The Responsibility to Protect is in many ways the opposite of what realist scholars would argue for. In that sense, realism does not offer a comprehensive explanation for its existence. Just as Morgenthau wrote, and Machiavelli before him, morality, let alone universal morality has no place in the decision-making of states. Although the idea of militarily intervening in another state is not beyond realist thought, the idea of doing it for the benefit of the people of said state is an inconceivable step. Furthermore, when approaching the first pillar of the Responsibility to Protect, it can be argued that it has also completely redefined the notion of Westphalian sovereignty. The concept which was previously identified as autonomous control over a given territory, has been given new life as the responsibility to protect the citizens of the self-governing territory. This reconceptualisation of sovereignty goes toe to toe with the realist logic that all states are entitled to sovereignty to employ as they see fit, for it is an instrument to their survival. As such, realism could say that it is not inconceivable for a state to violate a *jus cogens* for the sake of its survival.

Perhaps not in its traditional way, offensive realism has some foothold in the Responsibility to Protect. In theory, the doctrine ought to be applied without favouritism. The reality, however, begs to differ. It is becoming more and more apparent that states will predominantly advocate

for an intervention under the Responsibility to Protect framework when they have a direct stake in the issue. Economic gains tend to be the common denominator for states willing to engage in a humanitarian intervention. A fitting example is the Libya crisis in 2011, during which the United Kingdom and the United States were strong advocates for a Responsibility to Protect intervention, under the human rights promotion narrative. Yet, shortly after the internal conflict was concluded, weaponry commerce between these Western states and Libya surged. Concurrently, the United States started establishing military bases in Libya, in order to further expand its influence (Graubart, 2013). This case teaches that the morality of the interveners only goes as far as the insurance of economic benefits. In many ways, this mirrors the offensive realist rationale, as the actions of these intervener states portray expansionist tendencies. It is important to recognise that when the theory of offensive realism was created, the world order looked significantly different, with the Responsibility to Protect being an unfathomable concept. Similarly, the manner in which the game of power politics is played nowadays has taken a much more economic tint. Many scholars such as John Smith (2016) argue that economic expansion is the imperialism of the 21st century. That is all to say that the self-interest of the intervener states reflects the offensive realist thought in today's day and age.

2. Liberalism

2.1. Establishing liberalism

Liberalism, like realism, dates back centuries and has been identified in the writing multiple scholars. For instance, in the 16th century the Dutch lawyer Hugo Grotius wrote of the idea that both individuals and groups of people were deserving of rights (Miller, 2021). Yet, it was not until John Locke created his philosophies in the 17th century that liberalism was pieced together. Accordingly, Locke is considered the father of liberalism. In his 1689 work the 'Two Treaties of Government' he set the bar for liberalist thought, by arguing for the freedom and equality of all men. He therewith directly challenged the notion that God has created men for serfdom to the monarch. Since the leadership of a state is established through the support of the general public, it would not hold if the people lose their confidence in the monarch. The endorsement of revolutions flows directly from this train of thought. On top of his belief in consensus-based ruling, Locke outlined the importance of the separation of the church and the

state. Rather than emphasising divine law, which was conveyed to the world through prophets and priests, natural law was brought to the forefront. He described it as the moral and intrinsic values that govern all human behaviour and responsibilities for the simple fact that they are human. As such, they are indiscriminate and eternal. Although divine law and natural law occasionally parallel, they do not concur, hence a need for a state free from religious influence. Locke's philosophies generally revolved around rights. He believed all men are rightsholders and are entitled to the right to life, liberty and property. Indeed, these principles constitute the core of liberalist thinking (Grant, 1989).

Liberalist thought was further deepened with John Mill's contributions in the 19th century. In his 1859 essay 'On Liberty', Mill explored the notion of liberty from outside interference and the importance of governmental restraints. Specifically, he feared what he called the "tyranny of the majority", which he described as a democracy in which the majority would elect a government that would discriminate against a particular group in society (Mill, 1901, p. 7). This type of tyranny conflicts with the rights of these social groups, who as Locke had argued centuries earlier; deserved the same rights. Thus, in order to avoid the infringement of these absolute and universal rights, Mill argued governmental checks and balances. This thinking is in and of itself utilitarian in nature, with the best possible good for all being pursued.

Mill also had a particular focus on individual rights, which liberalism holds in high regard. In the second chapter of his work, for instance, he defended the idea of the freedom of speech. He writes:

"But the peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it. If the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error" (Mill, 1901, p. 21).

With this, he set a clear stage that individuals should be able to exercise their rights, which in this case is the freedom of speech, without the interference of outside forces. He corroborates this idea further in his essay, by outlining that individualism may flourish when the government

limits its interference. He also applies this rationale to the economy, which functions better when in a state of *laissez faire* (Mill, 1901).

Liberalist thinking eventually found roots in all aspects of the international world. By the end of the Second World War a new era commenced which is generally referred to as the liberal international order. Considerably supported by the United States, the world experienced a widespread proliferation of international institutions on the basis on liberal ideals. In 1945 the United Nations was created on the bedrock of the League of Nations, with Article III of the Charter directly reflecting the individual freedoms outlined by Mill and Locke. Alongside the United Nations; the International Monetary Fund, the World Bank and other economic organisations were established, taking modern capitalism to new heights. Since the early 20th century was the starting point of international relations as a discipline, liberalists were enticed to apply their teachings on a larger level, as to explain the international ongoings. This led to liberalism becoming a full-fledged international relations theory. The general liberal dogma holds that states join international organisations to foster cooperation and interdependence with the ultimate goal of limiting conflict and therewith ensuring market cooperation and the protection of integral human rights (Meiser, 2017).

2.2. The core tenets of neoliberalism

Liberalism attracted more and more attention throughout the course of the 20th century. Dedicated scholars started questioning facets of the theory, which eventually led to the formulation of a new way of looking at liberalism, under the name of neoliberalism. It holds a particular emphasis on the importance of free market economies. Built on the views of Friedrich Hayek, states should remodel their economic systems to what was referred to as the ‘minimal state’. Like the *laissez faire* system, states would reduce their involvement in the economy, but they would protect the right to private property, assist the poor and preserve some form of economic structure. In this sense, neoliberalism diverges from classical liberalism, as it does not rule out state involvement in its entirety. In fact, neoliberalist argue that states must be involved in the economy with the purpose of aiding it, without simply controlling it. Accordingly, the stronger the state is, the better it can invoke these market-oriented policies. This rationale took the centre stage in the 1970s, when state leaders rapidly came to the

conclusion that they should form their economies around neoliberal ideals (Bockman, 2013). Particularly well-known for supporting this position are the scholars Keohane and Nye, who in their 2001 book 'Power and Interdependence' argue for the effect that the neoliberal policies have on world politics. With the privatisation of corporations and the growth of globalisation, they argued that states would continue to be increasingly economically interdependent. As a result of different economies, and political capabilities a clear rift is visible between powerful and less powerful states, which creates a hierarchy within international relations. In particular for the stronger states, this presents possibilities for persuasive policymaking. Moreover, the trend of globalisation ensured a new type of positive cooperation that is fostered by interdependence (Keohane, & Nye, 2001).

As indicated, neoliberalism has a particular market-oriented focus. It's thinkers generally find no room for economic and social rights in the realm of human rights, as no one person has a valid claim on the aspects of social and economic rights, such as health care, housing, food and so on (Chapman, 2019). Yet despite the international hegemony of the ideology, the Universal Declaration of Human Rights still universally ratified social and economic rights within its structure. Naturally, neoliberalists were sceptical of its impact on the international economic system, yet they still stood by as it came into being. Scholars such as Moyn (2014) argue that this simultaneity of human rights and neoliberalism stems from their shared trajectory. Both dealt with the same institutional obstacles, that when overcame, paved the way from neoliberalist and human rights ideals. Moyn supposes that without the comprehensive post-colonial wave, it is unlikely that these two frameworks could have ever found the foothold they have nowadays. In addition, he argues that despite their inherent differences, human rights and neoliberalism do have several similar obligations (Moyn, 2014). These commonalities allow them to overbridge the persisting friction.

2.3. Liberalism vis a vis Responsibility to Protect

The Responsibility to Protect was devised during the beginning of the 21st century, which falls neatly within the timeframe of the liberal international order. It is therefore not surprising that liberalism and the Responsibility to Protect go hand in hand with respect to their broader frameworks. The emergence of a post-Cold War unipolar world order introduced a newfound

focus on NGO and civil society activity and collaboration. These non-governmental institutions were widely recognised as being able to prompt human rights discourse in the plethora of newly established liberal democracies across the world. With this shift, concepts such as the Responsibility to Protect could be brought into fruition on the basis of ethical persuasion and multi-level cooperation (Hehir, 2013).

From a human rights perspective, the Responsibility to Protect is a clear expression of liberalist ideology, insofar as they both strive to make human rights the nucleus of state actions. Its first pillar unequivocally requires states to refrain from violating *jus cogens*. Although these are peremptory and therefore the direst of human rights, it is consequent that a violation of these rights intrinsically constitutes a violation of liberal rights. As such, upholding the first pillar of the Responsibility to Protect is in the interest of any liberal thinker. Even the third pillar of the doctrine finds a similar interpretation. It in and of itself demonstrates the pursuit for liberal human rights dispersion. Essentially, the Responsibility to Protect functions as a mechanism to maintain, restore, or even install the liberal human rights principles in a country where these conditions are not met. It signals the importance of international cooperation and interdependence. With its use only being permitted in cases of *jus cogens* violations, the third pillar of the doctrine is in many ways the extension of liberal interventionism, which simply refers to international intervention to pursue liberal ideals.

As a matter of fact, when looking at the 2011 United Nations intervention in Libya, it can be argued that this was both a case of the Responsibility to Protect *and* liberal interventionism. The intervention, led by the North Atlantic Treaty Organisation, was a military effort to end the human rights atrocities under the Gaddafi regime (Fryer, 2011). Yet, many experts argue that the international team went beyond its mandate by supporting a regime change towards liberal democratic rule, which makes it a case of international interventionism. This case shows the fine line present between the two types of interventions.

3. Constructivism

3.1. Establishing constructivism

Out of the three main international relations theories, constructivism is the youngest school of thought. It was not until the late 1980s and early 1990s that it officially became recognised as an international relations theory. As a philosophy of learning however, the concept dates back much further to Socrates' teachings. The philosopher was known for spurring his pupils on to engage in critical thought. He would ask them thought-provoking questions or have them carry out exercises that would bring the idea of knowledge into question. Approaching knowledge in such a way is generally referred to as 'epistemology' and it is a core tenet of constructivism. With regards to education, constructivism supports the idea that there is no objective truth that can be taught. Rather, students continuously gather knowledge from their attempts to comprehend the world. Accordingly, it is through their experiences of it that they attach meaning to what they learn (Murphy, 1997).

Since the early days of theorisation, the term 'constructivism' has been used in a large number of sciences, where it oftentimes refers to different ideas. For a time, constructivism was even used to describe an artistic movement originating from Soviet Russia. For the majority of history, however, it reflected Socrates' use of it. In many ways the lessons that can be derived from constructivism as a theory of education are the first steps in the direction of constructivism as an international relations theory. The rhetoric of how people perceive the world and place meaning on it simply moved to a state-based point of analysis.

3.2. Constructivist underpinnings in international relations

Indeed, in the 1980's constructivism took a shift, when the political scientist Nicholas Onuf began applying the philosophy to international relations. In his famous book 'World of Our Making: Rules and Rule in Social Theory and International Relations', he states: "human beings, with whatever equipment nature and/or society provides, construct society, and society is indispensable to the actualisation of whatever human beings may naturally be..." (Onuf, 2012, p. 46). This give-and-take between society and people takes the form of language, symbols, interactions, and so on. People socially construct the world they live in through their need to add meaning to it. Take for instance a flag of a country; to someone who is unfamiliar with the concept, a flag may simply be a configuration of colours and shapes. Society, however,

gives meaning to it and as a result country flag's may be a source of national pride and recognition.

Another example that highlights social construction is that of money. Capitalism and globalisation ensure a global goods and service-based market that all countries contribute to. The common denominator for all is money. However, just like country flags, money is a socially constructed phenomenon. It has been given the value as an exchange mechanism by human belief and it is indeed human belief that upholds it. Onuf and like-minded scholars even go as far as to say that states themselves are nothing more but social constructions (Palan, 2000).

Constructed realities go beyond the domestic sphere and instead affect all of the international system. Social institutions and structures directly affect the international sphere and ensure that it is a reflection of more socially constructed practices. Through human interaction and beliefs, the international system has the ability to endure (Palan, 2000). This interaction leads to what constructivists consider social norms. These norms are understood as “a standard of appropriate behaviour for actors with a given identity” (Kaztenstein, 1996 in Theys, 2018). When these norms, which are either regulative, constitutive, or prescriptive in nature, become more and more deep-rooted in international community they internalise. This results in states upholding certain types of behaviour that may not necessarily be in their interest, simply because they have been conditioned to do so over the years (Theys, 2018).

Three years after the publication of Onuf's book, the political scientist known as Alexander Wendt published an article that is still widely recognised as one of the most contributing literatures of the constructivist school. In his 1992 'Anarchy is What States Make of It: The Social Construction of Power Politics' he argues: “identities and interests are constituted by collective meanings that are always in process” (Wendt, 1992, p. 407). All these factors are mutually constitutive, as they continuously enable one another. As a response to realist theory, he stipulates that self-help is therefore a social institution, as opposed to being structural products of anarchy. The manner in which it takes form is completely dependent upon the identity of the state and how it defines its need for security. This same idea affects the interactions between states. Wendt emphasises that these are all based on the interpretation of ones' own identity and another's actions. The sequence of these interactions is portrayed in *figure 1*.

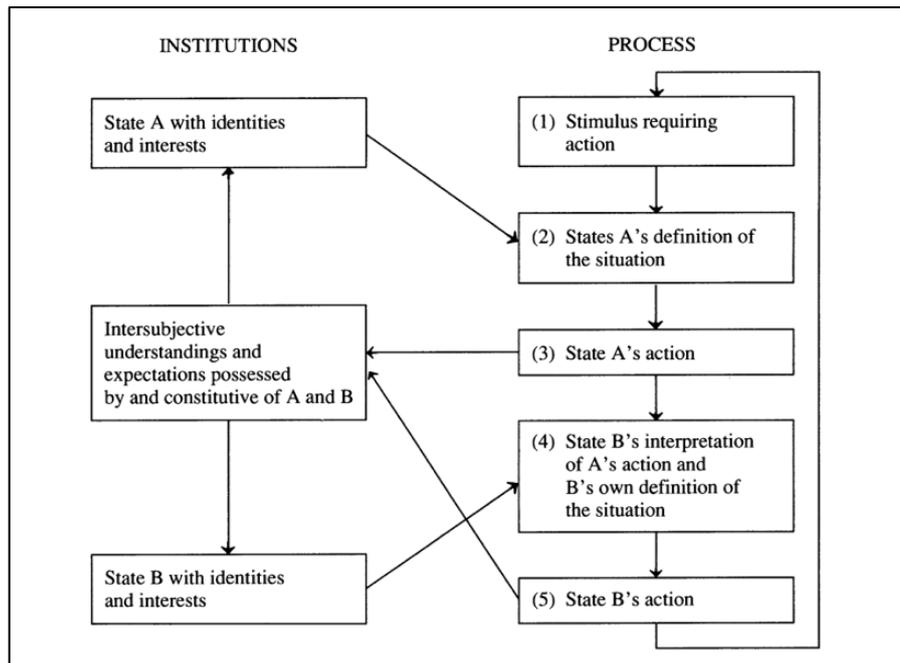


Figure 1 – “The codetermination of institutions and process”. Source: Wendt, 1992, p. 406.

This figure supports the idea that state actions in world politics is completely relational and based on perception. Where realists find that hostility is a natural reaction under anarchy, with cooperation being a hard-won goal, Wendt puts forth the idea that hostility is not a given and that cooperative relations can be developed if this coincides with the identities and perceptions of the states in question (Wendt, 1992).

This idea was further developed by the scholar Martha Finnemore, who in 1996 published her book ‘National Interests in International Society’. She defends the notion that a state’s interests are not a constant factor and thus their actions in the international world are completely susceptible. She writes: “states are socialised to want certain things by the international society in which they and the people in them live” (Finnemore, 1996, p. 2). This is where the theory inherently differs from realism. Rather than power and wealth being a state’s end goal, they are in fact the enablers of the states’ goals. These characteristics influence a state’s perception of itself and consequently its interests (Finnemore, 1996).

3.3. The different streams within the broader framework

Like with many other theories, constructivism branched out into different streams as it became more studied. Although it has many different interpretations, the most commonly known branches of constructivism are systemic constructivism, unit-level constructivism, and holistic constructivism.

The first of the three, systemic constructivism, is known for its focus on the relationship between states as unitary actors. Using an international structure-based approach, it is much less concerned with internal political workings. Domestic political ongoings are seen as unable to explain international relations and as such they are not taken into consideration. The main supporters of this approach are scholars such as Wendt, who as previously mentioned, explains international relations on the basis of the causal relationship between identity, interests and actions respectively. The social identities of a state are theorised to be the direct product of the international structures in place, and these structures in turn are said to be the translation of state practices. Again, this perspective rejects the involvement of internal politics (Reus-Smits, 2005).

Unit-level constructivism is generally considered to be at the opposite end of the constructivist spectrum. That is to say, that it has a completely polar view from systemic constructivism. It focusses on the domestic political elements and their relationship with the identity of the state. Unit-level constructivists recognise how social trends such as public opinion are formed by the foreign policy endeavours of a state. Well-known for his writings on this type of constructivism is Peter Katzenstein, who compared the security policies of Germany and Japan. He argued that although the two states had very similar histories of facing military defeat, being occupied and undergoing democratisation processes, they still adopted completely different domestic security policies. This, he asserted, was in consequence of a stark difference in social and legal norms. However, just as systemic constructivism has difficulty explaining the internal factors of influence, unit-level constructivism cannot properly account for the commonalities in the international sphere (Reus-Smit, 2005).

The last of the three is known as holistic constructivism and it finds a common ground between the two types. Unlike the dichotomous nature of the other two, holistic constructivism combines both the international and domestic spheres. By approaching the theory in this way, holistic constructivists are able to explain the relationship between changes in both spheres, as well as pinpointing their causal relationship. They generally see these internal and external

workings as two sides of the same coin. For instance, Reus-Smit (2005) identified the way that changes in human consciousness can translate into constitutional developments. This process is a domestic one and it allows for the creation of a legitimate governance of states. When this happens in influential states, it eventually leads to a spill-over effect into other states. Therefore, what starts as a domestic feature has the potential to completely transform the international system (Reus-Smit, 2005).

3.4. Constructivism vis a vis the Responsibility to Protect

The relationship between constructivism and the Responsibility to Protect is a declaratory one. When compared to its realist and liberalist counterparts, constructivism has the ability to explain the origins and the endurance of the doctrine on the basis of identities and interests, and how these are impacted by norms. Constructivists would argue that the establishing body of the Responsibility to Protect, namely the International Commission on Intervention and State Sovereignty, is a so-called 'norm-entrepreneur' (Ralph, 2018). The growing moral consensus on human rights and atrocity-prevention following the Rwandan genocide and the ethnic cleansing in Kosovo led the most influential states to seek action. Less-willing states who followed the trend for reputational purposes soon found themselves tied to a steadily internalising norm.

The Responsibility to Protect can also be scrutinised when looking at discourse. Constructivism uses discourse analysis to uncover the manner in which words have meaning and how these are a part of the socially constructed world. The role of language is fundamental in explaining and maintaining identities. When the idea of the doctrine first emerged, an ontological shift occurred that repositioned security as a human-based necessity. Not only has it laid the foundations for the safeguarding of human rights, but it has also completely redefined the notion of Westphalian sovereignty. Sovereignty, which was previously identified as autonomous control over a given territory, was given new life as the responsibility to protect the citizens of the self-governing territory. This change was a breakthrough for both the ontological and epistemological ways in which states would understand and view integral human rights.

Constructivist discourse also has the ability to explain the doctrine as a practice. Scholars argue that its power comes from the opportunity for deliberation by the member states. The way that a member state uses language to support a human rights claim in the setting of the Responsibility to Protect can be the decisive factor in determining whether the doctrine will be employed or not (Ghaliagha, 2014). This can be linked back to Onuf who has argued: “indeed, saying is doing: talking is undoubtedly the most important way that we go about making the world what it is” (Onuf, 1998, p. 59 in Ghaliagha, 2014). This is particularly true in the setting of the doctrine. The Responsibility to Protect is in its essence a norm, and not codified international law. As such, its usage comes predominantly from norm appreciating and the advocacy of willing states. Therefore, the outcome of a humanitarian crisis can be largely contingent upon who speak for the international community.

4. In summary

This chapter aimed to introduce the theories from which this research will derive its conclusions in relation to the analysis. These theories; realism, liberalism and constructivism, each have a distinctive way in measuring and elucidating state behaviour.

Realism is the oldest school of thought and portrays states as egocentric actors operating in a world of insecurity enabled by anarchy. Their drive for survival translates into either the quest for power maximisation as proposed by offensive realism, or security maximisation as proposed by defensive realism. Although the theory holds an explanatory deficit on the topic of the Responsibility to Protect, offensive realism may put forth the rationale that underlying economic motives entice states to engage in humanitarian interventions.

Liberalism, as the second theory of the three to emerge as an international relations discipline, places considerable emphasis on the role of international cooperation and human rights dispersion. International organisations and agreements are the produce of these goals. Liberalism’s subset, known as neoliberalism, supports that free-market cooperation fosters interdependence and is among the largest explanatory factors for international relations. Based on the principles of human rights diffusion, liberalism goes hand in hand with the Responsibility to Protect, as both seek for the existence of universal human rights adherence.

Constructivism takes a more sociological approach to international relations. The theory recognises the direct affiliation between identities, interests, perceptions and actions, and identifies them as being mutually enforcing concepts. The identity of a state structures its interest, which in turn – and through the influence of perceptions – decides its actions. It studies these phenomena on an international level, under systemic constructivism; a domestic level, under unit-level constructivism; and in combination, under holistic constructivism. The theory proposed a discourse-related understanding of the Responsibility to Protect, as well as a norm-based one.

Together, these theories will aid in formulating a response to both the hypothesis and the research question of this thesis.

Chapter 2 – Literature Review

This chapter will attempt to juxtapose literary pieces from the existing academia. In particular, the utilised texts are based on the topics relevant to this thesis, such as atrocity crimes and the Responsibility to Protect. By doing so, several benefits can be reaped. The first is that an accumulation of academic work will provide a deeper understanding of the intrinsic workings of the concepts. The second is that by contrasting existing literature, gaps and underdeveloped areas will be revealed. The importance of doing so can be recognised insofar as it demonstrates the deficits in the field and it gives scholars the opportunity to begin researching them. The third is that the literature review offers a platform for scrutiny and criticism of the existing work.

In taking these factors into consideration, three main themes for deliberation were constructed. The first theme (henceforth ‘Theme A’) asks the question: *does the Uyghur suppression constitute a violation of a jus cogens?* The relevance of delving into this theme stems from the position this peremptory norm has within the framework of the Responsibility to Protect. As defined in the introduction, the doctrine works on the basis of three *jus cogens*, namely genocide, crimes against humanity (including ethnic cleansing) and war crimes. By stipulating whether the Uyghur oppression fits within the scope of one or more of these grave human rights violations, it will become clear whether the Responsibility to Protect could be employed here. Moreover, there appears to be a certain unwillingness at the supranational level to label the crisis, resulting from the international debate over what the suppression truly constitutes. Therefore, it is entirely possible that researchers will have differing opinions on the matter, making it an interesting theme for scrutinisation.

The second theme (henceforth ‘Theme B’) poses the question: *why is the Responsibility to Protect contested and how can this be addressed?* This theme flows naturally from the first one, as it embodies the next step to uncovering the potentiality of a Responsibility to Protect dialogue in the Uyghur case. While the doctrine’s blueprint declares the need for international engagement in the event a violation of the four abovementioned *jus cogens*, there is still much contestation on how it should truly be implemented. This pertains to a number of topics, such as the form of cooperation that necessary for interventions, as well as related implementation technicalities. Furthermore, for the effective use of the doctrine, it must be decided how these

challenges can be overcome. The importance of this theme is found in its ability to propose solutions to the deliberations, which strengthens the framework for its application to the ongoing in the Xinjiang province.

The third theme (henceforth 'Theme C') concerns itself with the question: *is the Responsibility to Protect doctrine generally successful enough to be employed?* Much like the first two themes, this question is linked to the others in a sense that it ensues from the former two. The success of the Responsibility to Protect is a heavily debated topic among scholars and as such it is expected that a plethora of different viewpoints will be assembled. Finding opinions on this topic is important, because even if the doctrine were employed in Xinjiang, it would be fruitless if it comes to nothing. Moreover, if it is surmised that the doctrine is inherently unsuccessful in its ambitions, this may contribute to explaining the absence of the Responsibility to Protect in this case.

1. Theme A: does the Uyghur suppression constitute a violation of a jus cogens?

1.1. Genocide

The lack of a clear classification of the Uyghurs case makes it particularly challenging to address the violations and even more so through the use of the Responsibility to Protect. Yet, a growing impression, voiced by the academic world sketches the idea that more and more individuals are starting to frame the violations in the light of a genocide. Such is the case for Ciara Finnegan (2020), who has written an article largely on the nature of the abuses that the Uyghurs face. She goes beyond arguing for the existence of a genocide in its traditional form, as stipulated in the 1948 Genocide Convention. Instead, she considers the ongoing in Xinjiang to be part of a so-called cultural genocide. Such a genocide is characterised by actions that root out a group's identity and culture, through the destruction of books and cultural heritage, the banning of using ones' national language, and the forced displacement of children and adults. This in and of itself does not include the physical extermination of a group, but it does completely eradicate their way of living. Raphael Lemkin who first coined the term 'genocide' included this definition in his formulating of the term. The cultural element, however, was lost in the drafting of the Convention, as the then-drafters felt it lacked gravity when compared to

physical extermination. This, in Finnegan's view, is a large oversight in the safeguarding of minority groups (Finnegan, 2020).

Finnegan argues that there is a particular importance in viewing genocide in this light. The reason for this pertains to the evident connection between culture and minority groups. Influential treaties such as the International Covenant on Civil and Political Rights draw up a direct link between the two societal aspects in the attempt to safeguard them both from external interferences. It is indeed culture that shapes the identity of a minority group and it is subsequently culture that distinguishes a minority group from the societal majority group. Thus, minority groups, who are generally the victims of genocide, stand out due to their differing culture. For China, she claims that this does not only result in the attempt to strip the Uyghurs of their culture, but also to then rebuild the population in a manner befitting the majority culture in China (Finnegan, 2020).

This is a standpoint that is corroborated by the scholar Michael Clarke (2021). He emphasises that the introduction of economic projects in Xinjiang, such as the construction of pipelines created a straight link between the province and the rest of the mainland. In this way, the Chinese authorities have been able to exercise additional control and intensify their culture-reformist agendas. He further reveals the existence of a cultural genocide by referring to the historical colonisation in Australia. The connection here, is that in both olden days Australia and contemporary China, indigenous groups have been broken down, with the aim of building a new order from its ashes (Clarke, 2021). Both scholars agree here that the ultimate goal is a unified and heterogeneous China.

Much like Finnegan, Clarke finds that the attempt at restructuring the Uyghur identity, by means of re-education constitutes a cultural genocide. The idea that China sees the citizens as a biological peril clearly shows the seriousness with which the Chinese government views the matter. Clarke also refers to Lemkin's words when explaining the contents and importance of understanding cultural genocide and in his application of the concept, finds the Chinese government is indeed guilty of such crimes. Unlike Finnegan, however, he emphasises the colonial nature of the project (Clarke, 2021). This notion is shared by Turdush and Fiskesjö (2021) who also lay the blame on Chinese colonialism for having created a causal relationship with suppression. Yet when contrasting these two articles, Clarke's argument is all the more

convincing as he refers to the genocide as a component of colonialism, as opposed to Turdush and Fiskesjö's who view it as a result of colonialism.

Turdush and Fiskesjö differ in another central way from the previous two scholars. Although they are in agreement that the suppression constitutes a genocide, they analyse it not on the basis of culture, but on the basis of gender. Their findings show that countless Uyghur women are forced into marriages with Han Chinese men, with the purpose of birthing Han Chinese children. Even more extreme are the reports on the mass sterilisation of Uyghur women to stop the biological advancement of the group in its entirety. This makes for a very strong point and arguably fills the gaps in the works of Finnegan and Clarke, who focus predominantly on the extermination of the group through culture-diminishing acts. While what Turdush and Fiskesjö bring to the table is the biological extermination of the group by preventing reproduction as a whole (Turdush and Fiskesjö, 2021). All things considered, such a form of genocide would, on the long-term, prove to be an even more effective method of extermination than cultural genocide, making it imperative that this form of gender-based genocide is discussed.

Ultimately all of the abovementioned scholars agree on the idea that some form of genocide is occurring in Xinjiang. Although they each mention extremely relevant factors, one commonality and a gap consistent to this exists in the literature of Finnegan and Clarke. The recurrent factor across both of their works is that they mention a form of genocide that is not specifically mentioned in international law. This in and of itself is not an oversight, rather, it is the failure to mention the existence of an occurrence that does fall under the traditional definition of genocide. As mentioned explicitly by both Finnegan and Clarke, many children of Uyghur families are being forcibly removed from their parents. When referencing the Genocide Convention, it can be concluded that the official definition of the term includes this act. On these grounds, the argument that China is engaged in a genocide becomes much stronger. Thus, what these articles are missing is the recognition that the suppression may indeed be a cultural genocide, but also most certainly a traditional genocide. Turdush and Fiskesjö do make the link to a traditional genocide, however they do this on the basis of a different argument. The two scholars discuss the forced sterilisation of women and how this act fits within the scope of a genocide as outlined in Article II of the Convention. This is a connection that is also not made by Clarke and Finnegan. Making this link is needed to strengthen the cultural genocide argument, but perhaps even more so to make the work politically usable.

1.2. Crimes against humanity

Out of the three *jus cogens* that the Responsibility to Protect concerns itself with, there are clear arguments supporting the idea that the suppression is a genocide. However, there are also views that point in a different direction, namely by categorising the suppression as a crime against humanity. Shalihah et. al. (2021) are amongst the scholars that take such an approach. They, like many others, refer to the Rome Statute of the International Criminal Court, under which the facets of crimes against humanity are outlined. Article 7(1) legally defines it as a systematic act against a population that grossly violates human rights. The crimes under this framework include: murder, displacement of the population, torture, forced disappearances of individuals, apartheid, enslavement, imprisonment, extermination, extreme sexual violence, persecution, and other inhumane acts (Rome Statute, Art. 7(1), p. 9, as cited in Shalihah, 2021). By adopting a legal approach in the analysis of the crimes in Xinjiang, Shalihah et. al. have started what Ryan (2021) considers an unfortunate but necessary process. The need of identifying whether the Uyghur suppression can legally be considered crimes against humanity stems from its implications for state action. Ryan, like Shalihah et. al. agrees that the violations fit the image of crimes against humanity and argues that by waking the international community up to this, they become legally and normatively tied to take action. This contrasts with Karamik (2021), who argues that legal grounds for action already exist, but that states fail to engage China nonetheless. The middle ground of these views is held by Fox (2022), who realises both that international labels are necessary and that there are still international blockages. She therefore, focusses on the judicial loopholes that may ensure accountability.

It is clear that there is a consensus amongst these scholars that crimes against humanity are being committed. Yet, labelling the human rights violations in Xinjiang as such appears to be proceeding at a slow pace. One factor that could explain this is the contestation over which conditions of crimes against humanity are being met. Indeed, there are some discernible differences across the literature. For instance, Karamik lists the forced detainment of Uyghur citizens in re-education camps as being an indicator. She argues that this coincides with the crime of imprisonment as listed under the Rome Statute among the illegalities under crimes against humanity. This condition is consistent throughout the literature of different scholars as well. It is generally paired with other aspects, such as mass surveillance (Ryan, 2021) and the absence of judicial access (Fox, 2022). The only article that does not refer to the re-education camps is that of Shalihah et. al., which seems like a missed opportunity to strengthen the

argument for crimes against humanity. They instead argue for aspects such as the infringements of the freedom of religions and the limitation of access to social institutions. Interestingly enough, they emphasise that the situation in Xinjiang does not suffice to constitute crimes against humanity. Similarly, Ryan holds a certain reserve to classify the suppression in this light. Although she does suggest that the violations fit within the framework, she does not do so without question. This is in stark contrast with the other two authors, who do see the violations as sufficient grounds for classification.

Another crime against humanity that does not receive equal recognition by the scholars is that of sexual violence. The existence and weight of this crime is detailed by Turdush and Fiskesjö in their gender-based analysis of a Xinjiang genocide. Yet, even within the group of scholars who link the suppression to crimes against humanity the recognition of this level violence can be discerned. Such is the case for both Ryan and Fox, who directly refer to these ongoing. Shalihah et. al. also make reference to sexual violence, but in a more specific manner. They emphasise the forced sterilisation of Uyghur women. Sterilisation is an aspect that is listed in the Rome Statute as falling under sexual violence and as such the mention of this strengthens their argument for crimes against humanity. However, it can be said that the exclusion of the other types of sexual violence occurring in Xinjiang, as outlined by Ryan and Fox, not only overlooks very serious breaches of international law, but also weakens the argument for crimes against humanity. The same can be said for Karamik, who makes no connection to sexual abuse when listing the crimes undertaken in Xinjiang.

The general agreement between the authors points towards the existence of crimes against humanity. The key question that subsequently remains is how the awareness of such crimes can be translated into accountability. Several of the abovementioned scholars have attempted to answer this question, but a truly effective answer is still missing. This is perhaps the most crucial gap in the literature. As one of the most influential Courts with respect to *jus cogens*, the International Criminal Court appears a logical organ to ensure accountability. However, Karamik recognises the existence of blockages on all fronts. She emphasises that China is not a member of the International Criminal Court. Although this is not the only method for accountability within the Court, she notes that the impervious position of China within the United Nations makes it difficult to circumvent their unaccountability through means such as Security Council referrals. Instead, she notes that unilateral state action may be the only possible way to manoeuvre the hindrances. Notwithstanding that even this is unlikely to result

in significant change (Karamik, 2021). Fox takes another road, by arguing that the International Criminal Court may still play a role as it has jurisdiction over international cases if some of the violations take place on the territory of a High Contracting Party. This is indeed the case, as groups of Uyghurs were deported from Tajikistan and Cambodia. Yet, the Office of the Prosecutor organ of the Court has already rejected a proposal in 2020 to investigate the case. Alternatively, Fox presents the possibility for cooperation between bordering nations, to help Uyghurs that have been granted asylum there (Fox, 2022). Still, this does seem like it will be able to lead to legal accountability. Yet another angle is identified by Shalihah et. al. who refer to the potential for international pressure. However, they stumble upon similar blockages in recognising that organisations such as the Organisation of Islamic Cooperation have remained silent (Shalihah et. al., 2021).

What becomes clear when looking at these proposals is that none are able to effectively place China in a position where it must take accountability for its actions. As such, there is a clear point that academia needs to work towards if it wishes to aid the process of resolving the crisis. It can be said that the most promising solution is that of Fox, who highlights the workaround of the International Criminal Court. Yet, without the backing of the Office of the Prosecutor, this method is on hold. Thus, it is imperative that scholars identify other ways in which to approach the issue.

1.3. All or nothing?

The literature on the crisis in Xinjiang appears particularly diverging, making it ever more challenging to reach a consensus on the situation. Whether a genocide or a case of crimes against humanity, it is apparent that crimes of great gravity are ongoing in the province. Even with literature that does not specifically refer to genocide or crimes against humanity, no literature could be identified that rejects the idea of a *jus cogens* violation altogether. Still, as outlined by Ryan, the specific labelling of the crisis is imperative for the aim of reaching accountability and enabling international engagement. Many scholars are of the mind that the crimes are a genocide, while a similar number of scholars are of the mind that it constitutes crimes against humanity. The logical question to then ask is: *what if it is both?* Notable, is that all scholars who refer to the crisis as a crime against humanity do not rule out the existence of a genocide. Alternatively, however, none of the scholars who argued that the crisis is a genocide spoke of the existence of crimes against humanity. Ryan (2021) successfully captures the

reasoning for this in her reference to the international importance of genocides. She calls genocide the ‘crime of crimes’; a title which it derives from its international weight (Ryan, 2021, p. 23). The international community has a certain tendency to view genocide as the gravest violation of human security. As a result, crimes of lesser volume – as opposed to mass extermination – are not met with the same urgency (Ryan, 2021). This, of course, presents a major complication with regards to international action. Particularly, when realising that the grounds for action based on crimes against humanity are aplenty. On a positive note, every scholar that has been discussed above is open to the possibility of a genocide. As such, it can be said that the intensity of the situation is not being underestimated.

In order to identify whether the articles by Clarke, Finnegan, and Turdush and Fiskesjö missed the opportunity to address the violation of another *jus cogens* in their work, their accounts of the atrocities can be juxtaposed to those mentioned in the works of Ryan, Fox, Karamik, and Shalihah et. al. Although omitting the existence of crimes against humanities is not necessarily a fault if the purpose of an article is to look into genocide, it does strengthen the argument. Moreover, in her work, Finnegan speaks of the accountability challenges that accompany the lack of an international framework on cultural genocide. Yet, if crimes against humanity are truly ongoing in Xinjiang, this accountability can come from elsewhere. That said, the crimes commonly mentioned by at least two of the three authors are: the unlawful detention of Uyghurs, forced separation of children, torture, rape, and persecution. Not only are these conditions consistent with the crimes mentioned by the authors who wrote about crimes against humanity, but they are also consistent with the definition of the *jus cogens* under the Rome Statute. Given this, it can be argued that the atrocities, as mentioned by the first three scholars, are underreported. It also helps provide a clearer answer to the question of this theme, namely: *does the Uyghur suppression constitute a violation of a jus cogens?* When taking all of the reported ongoingings as given – in lieu of China’s denial – it can be concluded that the general academia on the case recognises the existence of both (unconventional) genocide and crimes against humanity. This is a promising development, as it enables the jurisdiction of the Responsibility to Protect.

2. Theme B: why is the Responsibility to Protect contested and how can this be addressed?

2.1. The source of contestation on implementation

The ‘definition of terms’ section of the introduction thoroughly describes the modus operandi of the Responsibility to Protect. The doctrine contains a blueprint, detailing the steps for its use under the three-pillar system. Yet, despite this, serious disagreements persist on when and to what extent it should be implemented. The question of where these deliberations stem from depends wholly on who is asked. Gözen Ercan and Günay (2019) trace the origins of Responsibility to Protect-debates back to its conception. During the period of time when the talks about the doctrine were in full swing, it was decided that it should be placed under the authority of the United Nations Security Council. By doing so, the doctrine became set within the political scene, rather than the judicial one, making it subject to influences of power politics (Gözen Ercan & Günay, 2019). This has resulted in the possibility of economically- and politically-laden implementation. Omar and Zulkifli (2021) also identify this as one of the main factors that hampers the effective implementation of the doctrine. They study the implications of the lack of legal coverings on two levels: the implementation as a whole and the non-existence of enforcement mechanisms. For the first level, they recognise, as Gözen Ercan and Günay did, that the normative character of the doctrine makes it vulnerable to outside pressures. This, in combination with non-enforcement impedes its workability. No state can be forced to undertake an intervention and similarly no state can be punished for not doing so. This, in the scholars’ view, makes the Responsibility to Protect particularly ineffective. It warrants the use only when the needs of influential states are met. In the same light, it becomes obscure when it is not in a great power’s interest to implement it (Omar & Zulkifli 2021).

Illingworth (2022) takes another approach to the implementation complications. He discovered that the mandate of the Responsibility to Protect is inherently limited. This surfaces through a poor institutionalisation process, which ultimately results in the failure of proper implementation, if any. Paired with this, is the complete ambiguity on which group of states are expected to intervene and where the focus of an intervention should be placed (Illingworth, 2022). Gözen Ercan and Günay expand on these arguments by stipulating that the Security Council grants an innately narrow mandate, which evidently led to the necessity of case-by-case assessments. The danger with this, is that many cases that warranted the use of the Responsibility to Protect are left unidentified (Gözen Ercan & Günay, 2019).

Where Gözen Ercan and Günay, and Illingworth focus on how structural and institutional conditions have shaped the Responsibility to Protect, Jacob and Mennecke (2019) take a more contemporary point of analysis. Their understanding of the contestation is threefold. Firstly, they note that the emergence of a multipolar world significantly taints the manner in which international agreements such as the Responsibility to Protect are operated. Secondly, they recognise that a large number of conflicts are ongoing at the local level. This is a type of conflict that the United Nations was not created to tackle. Thirdly, there is a return to pro-sovereignty and non-interventionist rationale, brought forth by the global rise in populist politics. The combination of these elements puts the continuation of the Responsibility to Protect in its current form into question (Jacob and Mennecke, 2019).

It is abundantly clear that despite the linkage of multiple points by the scholars above, there are a plethora of diverging views on why the implementation of the doctrine is so contested. Hofmann and Suthanthiraraj (2019) find this a hardly surprising reality. After all, the Responsibility to Protect is a norm in its essence. A norm goes through several stages in its development towards being fully internalised. Contestation is recognised as a natural element in this process. In fact, it helps a norm progress towards its crown stage. Moreover, the Responsibility to Protect is multifaceted and inherently complex. It operates in dissimilar ways on both the international and domestic level. Its employment in these spheres is characterised by a variety of differing norms, principles, regulations, and decision-making practices to boot. Given this, it is only logical no one actor will view the doctrine in the same way (Hofmann & Suthanthiraraj, 2019). Jarvis (2022) corroborates this point, by stipulating that there is a general misconception of norms as being static and linear constructs. Rather, they are fluid practices that are subject to change and deliberation. For the Responsibility to Protect, he finds that it is undergoing ‘applicatory contestation’. The questions of *when* and *how* it should be used, both proactively and reactively plague the clarity of the norm. Moreover, the increased involvement of non-Western states has significantly shaped general opinion on the usage of the doctrine (Jarvis, 2022).

Norm-based analyses guide the research of many scholars. Indeed, like Hofmann and Suthanthiraraj, and Jarvis; Andika Putra and Cangara (2018) also approach the topic through this lens. They successfully fill the academic gap of the other two works, namely by elucidating in what stage of norm development the Responsibility to Protect resides. In their view, the ambition of reaching the internalisation stage remains unaccomplished. As such, it cannot yet

be considered common practice. They identify three factors that have spurred this developmental pause. The first issue they zoom in on is the political self-interest of states, which prevents them from engaging in conflicts where the doctrine is rightfully applicable. The second issue they raise is the intentional misuse of the doctrine on expansionist grounds. The last issue they identify is a lack of clarity on what crimes against humanity may be defined as, with regards to when they occur and what they cover (Andika Putra and Cangara, 2018). While the focus is on a different aspect here, it appears that the lack of clarity is a recurrent factor within the literature. It begs the idea that the Responsibility to Protect and its *modus operandi* are simply too ambiguous for proper implementation.

Drawing on the literature shows that there are a wide range of factors that constitute and demonstrate the contestation over the Responsibility to Protect. To all intents and purposes, these are sound and well-received. An important oversight to address however, concerns the rationale that the contestation stems from the doctrine still being in the norm development stage. Although it is indeed true that norms undergo a period of contestation before becoming fully internalised, the issue that can be raised here is whether the Responsibility to Protect is actually still in its second stage of development. If one takes the stance that the doctrine is fully internalised, or not a norm at all, the arguments by the scholars no longer hold.

Whether a norm is internalised can be identified through the noticeable effects that it has on state practice. These may be classified as either 'regulative' or 'constitutive'. The former push for conformity through social factors, such as recognition and reputation. The latter generates the institutionalisation of a norm within the domestic setting, which makes it a routine practice (Koltz, 1995 as cited in Glanville, 2016). Naturally, this approach does not overlook the existing issues of the doctrine, such as those seen in the Libya case. Rather, these cases are viewed as enablers of norm internalisation. The regulative effects of the Responsibility to Protect can clearly be discerned here. Despite the disagreements over the Libya intervention, none of the Permanent five members vetoed Resolution 1973, thereby allowing it to be adopted. This clearly portrays the deep-rootedness of the norm in its ability to entice the international community to act, even in the event of disagreement. Furthermore, even when the international community failed to respond in a timely fashion, perpetrating states are strongly denounced nonetheless (Glanville, 2016). As such, it can be argued that states may not necessarily need to be fond of a norm, in order for it to be internalised.

On the complete other end of the spectrum is the argument that the doctrine is not a norm to begin with. A considerable number of states, particularly those belonging to the Non-Alignment Movement, have expressed their scepticism towards the capabilities of the Responsibility to Protect. Furthermore, they view it as an imperialist project by the superpower states. As such, without the full support of the international community, the doctrine can only exist in theory. In light of this deficiency, one can argue that the Responsibility to Protect cannot be considered a norm, let alone an emerging one (Focarelli, 2008). This is not to argue per se that the idea of the Responsibility to Protect being in its developmental stage is inaccurate. Rather, it is important for scholars to recognise the subjectivity in placing the doctrine indisputably on a timeline.

2.2. How can the implementation-process be facilitated?

The sources of the contestation on the implementation of the Responsibility to Protect are in abundance. According to the literature, these issues have contributed to an underuse of the doctrine. Indeed, ambiguity and other complications alike hamper the ability of states to reach a consensus on when the doctrine should be implemented. This naturally goes at the expense of people who suffer under regimes where atrocity crimes are committed. Cases like that of the Uyghurs outline the necessity of the implementation of the Responsibility to Protect, yet calls for action have largely fallen on deaf ears. The matter then boils down to what factors are able to circumvent the existing issues and consequently support the use and implementation of the doctrine.

Scholars such as Weerdesteijn and Hola (2020) stress the importance of the role of the International Criminal Court in enabling this process. They refer to the narrow definition of the doctrine, as covering only four crimes, three of which are official *jus cogens*. These are precisely the type of crimes that the Court is concerned with. Involvement of the Court could therefore provide the Responsibility to Protect with the legal aspect that it is missing. Membership of the Court is also an encouragement for states to respect international laws. The Court has a particularly strong influential nature, which it can employ through methods such as its 'positive complementarity' principle. It involves the Court's efforts to remind states that they are mandated to uphold their judicial obligation to try perpetrators of atrocity crimes. In cooperation with NGOs, advocacy campaigns are employed to achieve this goal. By reference

to- and under the watchful eye of the Court, the likelihood of Responsibility to Protect implementation is significantly enhanced (Weerdesteijn & Hola, 2020).

The notion that the International Criminal Court can play a role is shared by Gözen Ercan and Günay (2019) in reference to Gözen's earlier works, where she outlined that the Court can support the implementation of the doctrine in two ways. The first is through the official recognition of the existence of atrocity crimes in a given country. The second is through the initiation of judicial proceedings against guilty parties. Although both the groups of scholars are in agreement that the Court should play a role in the implementation, Weerdesteijn and Hola do stress the large amount of literature that raise alarm to such cooperation. The risk accompanied by placing the Responsibility to Protect under the Court's wing is the politicisation the Court. If the Court indeed became a political tool this could lead to the misuse of the doctrine by acquisitive states (Weerdesteijn & Hola, 2020).

Gözen Ercan and Günay offer an alternative to the involvement of the Court, namely the support of the European Union. They emphasise that the normative disposition of the Union may allow it to influence the non-use of veto, structural reforms and the legal framing of the doctrine in an attempt to clarify the requirements. In doing so, the obstacles that stand in the way of implementing the Responsibility to Protect are effectively mitigated (Gözen Ercan and Günay, 2019). Omar and Zulkifli similarly recognise the role of the European Union in supporting the implementation process. Based on its strong affiliation with human rights, the Union would be a fitting external agent to publicly advocate for the implementation of the doctrine. However, the authors zoom in beyond international facilitators of implementation to ground-level players. Civil society organisations are such players, which are involved in monitoring and reporting on crises through a bottom-up approach. The benefits from their engagement can be reaped by giving them a platform where they are able to inform the global community on the urgency of situations on the ground, which would serve as a motivation for states to consider the implementation of the third pillar (2021). This rationale is supported by Hofmann & Suthanthiraraj (2019), who make note of a policy brief which holds that too little emphasis is placed on local actors in the face of the exceedingly large role of the international community. The possibility of what they call "the idea of people-to-people R2P" allows for civil society and other local organisations alike to play a role in the implementation of all three pillars (p. 246, 2019).

Each of the recommendations given by the authors holds merit insofar as they are able to facilitate the implementation process of the Responsibility to Protect doctrine. It must be noted however, that the argument for the involvement of the European Union as proposed by Gözen Ercan and Günay has some shortcomings. Ostensibly, the Union advocates for universal human rights. Yet, it is imperative that one takes into consideration that it may not take steps in line with this rationale. Especially in view of the existing internal turmoil and possible disagreements that the intergovernmental organisation occasionally faces. Moreover, the Union consists of 27 states, most of which are representative of the Global West. This can put the motives behind their actions into question. With a growing global anti-Western sentiment, it seems plausible that High Contracting Parties to United Nations who do not fall within this scope may feel disinclined to follow the advocacy of Union.

It seems that the abovementioned factors in supporting the implementation of the Responsibility to Protect are facilitated by different actors. Perhaps the most effective way to approach the issue of implementation is by recognising that all of the possible factors to circumvent these complications should be complementary in nature. That is to say that not one of these suggestions may on its own solve the complications mentioned in section 2.1., rather they should work together to ensure an airtight implementation of the doctrine. Where civil society organisations are limited in their reach, international organisations such as the European Union can take over for them. Moreover, if the Union is then unable to reach a consensus due to internal disagreements, the legal status of the International Criminal Court may provide the basis to overcome this.

3. Theme C: *is the Responsibility to Protect doctrine generally successful enough to be employed?*

The existing literature has confirmed that the Responsibility to Protect could be implemented in the case of the Uyghur crisis, as well as which conditions could support this process. The final remaining question then concerns the chances of achieving a success story. Here too, contestation exists among scholars based on both precedence and diverging approaches. Where some authors highlight the cases portraying the successful implementation of the doctrine, others find it wholly ineffective. The next section will delve into the rationale behind the different views and subsequently juxtapose them.

3.1. 'The doctrine is successful in realising its goals'

In reflecting upon the Responsibility to Protect very few scholars would argue without reservations for its perfect functioning. That said, there are those who mark the institutional and empirical changes that it has been able to administer. One of such scholars is Welsh (2019), who positively recognises the progress that the doctrine has facilitated in capacity-building mechanisms that respond to atrocity crimes. A fitting example of this is the national focal points that have been appointed by governments in order to carry out this capacity-building process. The selection of such focal points even goes beyond the domestic realm and is finding root in international organisations such as the European Union, which is also increasingly concerning itself with atrocity-response (2019). The structural changes were recognised as directly following the establishment of the Responsibility to Protect and could contribute to a faster and more efficient resolution of future cases. This in and of itself constitutes a success of the doctrine.

More commonly, though, another method is used to determine whether the Responsibility to Protect is successful in reaching its goals. Namely, by looking at the cases in which it has previously been applied to fruition. Omar and Zulkifli (2021) have done just that and found that although it is not without its fair share of flaws; the doctrine has a history of successful applications. Two of such cases are those of Libya and Côte D'Ivoire, that both occurred in 2011. The first case took place during the heat of the Arab Uprisings that spread across much of the Middle East from 2010 to 2012. Then-President Ghaddafi shared his intent to have the people of his government in Benghazi eradicated. An intervention commenced that sought to implement the United Nations Security Council's Resolution 1973 which had once aimed to establish a ceasefire in the First Libyan Civil War. With only five abstentions and no veto's, the intervention was officially launched and contributed to resolving the conflict by bringing down the Ghaddafi regime. In the second case, the Responsibility to Protect was invoked in response to political violence that manifested after governmental elections in Côte D'Ivoire. The Security Council implemented a resolution on the basis of the Responsibility to Protect and the violence officially ceased after ex-President Gbagbo was arrested by International Criminal Court (2021).

The intervention into Libyan territory carries considerable weight and is often alluded to when scholars speak of the successes of the Responsibility to Protect. Just as Omar and Zulkifli (2021) had noted, Pacheco (2021) similarly uses the intervention to showcase the successes of the doctrine. Her arguments for this are twofold. First and foremost, the intervention was able to effectively stop Ghaddafi from continuing his extermination of the population. Moreover, the Resolution subsequently managed to start a series of criminal processes against perpetrators under the framework of the International Criminal Court (2021). This latter point sets her work apart from that of Omar and Zulkifli, who did make note of the International Criminal Court's role in relation to Côte D'Ivoire, but not to the Libya case. By incorporating the element of justice into the criteria for success of the Responsibility to Protect, the authors have extended the original scope of the doctrine.

The successes as outlined by Welsh (2019) deserve praise, because they portray indisputable developments at both the national and international level, that would have not been undertaken without the establishment of the Responsibility to Protect. The successes as outlined by the other two works are a trickier matter. This holds particularly true in relation to their argument that the Responsibility to Protect was successfully implemented in the case of Libya. At heart and as described in the introduction, the third pillar of the doctrine seeks to end atrocity crimes committed under any given government. When taken with a pinch of salt, it can indeed be concluded that the intervention was successful in its pursuit of this. That said, it is arguable where the boundary lies for achieving this goal. If one takes the long-term developments in Libya post-intervention as the point of analysis rather than the direct aftermath of the conflict, an entirely differently reality comes into view. In fact, it could even be speculated that Libya is worse off now than it was pre-intervention. This is not to say that the authors themselves are not aware of this conundrum. On the contrary; they too raise the widespread contestation that exists on the intervention. However, when approaching the Libya case from the perspective of long-term outcomes, the entire idea of calling it a 'success' is put into question. The problem then boils down to a matter of classification. It begs the question of whether it should not rather be considered a 'partial success', or a 'success to a certain extent'. This awareness is something that seems insufficiently touched upon in the works of these scholars.

3.2. 'The doctrine is not successful in realising its goals'

While there are success stories of the Responsibility to Protect, there is an equal amount of literature that suggests the opposite. Among such works is the 2019 book of Jacob and Mennecke. While the authors applaud the doctrine for having received a considerable number of mentions in United Nations resolutions over the course of the years, they note the insufficiency of this. It has not translated in the actual provision of tangible measures that prevent, halt and/or resolve humanitarian crises. This lack of actual implementation has affected the Responsibility to Protect to such an extent that the norm has eroded to a point where states no longer know what an intervention under its framework should look like (2019). Andika Putra and Cangara (2018) are in disagreement with this rationale insofar as they see the ambiguity surrounding the doctrine as a cause, rather than an effect. Although they fully recognise the lack of tangible measures, it is the vagueness of implementation criteria that truly constitutes the problem. Their argument is based on – amongst others – the case of the Myanmar Cyclone Nargis of 2008. During this natural disaster, over 100.000 people were killed, went missing or became injured. The survivors of this catastrophe were left in circumstances of uncertainty as the widespread outbreak of diseases and hunger started to afflict them. Although these deaths were not executed by the government, the Responsibility to Protect came into play here as a response to the authorities' unwillingness to permit foreign aid. This refusal ultimately led to another round of mass deaths among the population. In reaction to the crisis, the French Ministry of Foreign Affairs implied the need for the Responsibility to Protect to be invoked. However, several states, including the two permanent members China and Russia turned down the proposal on the grounds of the situation being an "internal matter" (p. 61, 2018). It is exactly this, the scholars argue, that portrays the unsuccessfulness of the Responsibility to Protect doctrine. The inability of member states to reach a consensus on what conditions permit its use goes at the cost of countless lives (2018). Thus, to revisit the comparison between the two abovementioned works; where Andika Putra and Cangara see the non-use of the doctrine as a direct cause of the incoherency on its use, Jacob and Mennecke see it as an effect. Still, regardless of where one places the ambiguity of the Responsibility to Protect in the causal relationship, the authors are all in agreement that the doctrine does not meet the goals that are set out in the Resolution.

When drawing upon the literature, it seems that Myanmar is a state that has long been plagued by unrest. Just as it served as an example for the failure of the Responsibility to Protect in the year 2008, it did so again in 2017. During this time, a militancy of the Rohingya minority group

targeted several security posts. Shortly thereafter, the Burmese military lashed out against the ethnic group by killing, raping and injuring thousands of its men, women and children. Great numbers of Rohingya fled to neighbouring Bangladesh and took refuge in what would become one of the largest refugee camps in history. The situation in the country would once again worsen in 2021, when a military coup overthrew the incumbent government. Protesters took to the streets, but were met with heavy military resistance. The event resulted in an estimated 700 deaths and several thousand arrests (Mennecke & Stensrud, 2021). According to the scholars Mennecke and Stensrud (2021), both of these instances should have warranted the use of the Responsibility to Protect, however this was not put into practice. The lack of an intervention is in their view the result of the structural failures of the doctrine. The effective implementation of the third pillar can only be authorised by the United Nations Security Council, which is held in a deadlock by the veto-powers. This fundamental structural obstacle is one that they perceive should have been addressed when the doctrine was first established. Only the mechanisms of the Responsibility to Protect that do not require Security Council authorisation are able to effectively challenge atrocity crimes. However, the central purpose of the third pillar is lost to the unsurpassable stalemate of permanent members (2021).

When juxtaposing the different works that stress the failure of the Responsibility to Protect, it becomes apparent that there are inherent oversights in the framing of the doctrine, that prevent it from being implemented properly. This is especially the case when looking at the third pillar, which is ultimately the one that would be needed to resolve the Uyghur crisis. There is one important phenomenon that should be taken note of, namely that of political will. The willingness for states to raise the topic of the Responsibility to Protect or to engage in humanitarian interventions is a large factor in the likelihood of implementation. It is arguably affected by power politics, economic incentives and state capacity. Although political will, or the lack thereof, is mentioned in the works of these scholars, the extent of its influence and the multiple facets that fall within its binds it appears underdeveloped. This thesis argues for the important role of self-interest of states in their attitude towards the Responsibility to Protect and it can be said that this has a direct causal link with political motivation to intervene. As such, great weight is placed on its role in international discussions of implementation.

3.3. Increasing the chances of success

The previous two sections have shown that despite the existence of success cases, the overwhelming literature points in another direction. Although section 2.2. identified the methods by which the implementation process can be strengthened, this segment aims to uncover which measures aid in not only the implementation of the doctrine, but also its subsequent success in achieving its goals. As mentioned under section 2.2. of this literature review, Gözen Ercan and Günay (2019) recognise the important role international organisations can play in lobbying for a smooth implementation of the Responsibility to Protect. The focus is specifically placed on the European Union. In their view, the Union is able to provide a toolbox that includes non-military instruments, military instruments, and normative advocacy. The first of the three regarding the use of non-military means is identified through options such as humanitarian aid, civil society funding, development partnerships and targeted sanctions. Humanitarian aid and financing civil society are methods that allow the Union to directly affect the population in question. Although expressed differently, they support the success of the Responsibility to Protect in both its duties to prevent *and* to resolve humanitarian crises. On the other hand, development partnerships and targeted sanctions are means through which the European Union may pressure wrongdoing governments to cease the mass atrocities happening within their borders. The second of the three regarding the use of military means concerns the deployment of the organisation's multinational battlegroups. Although this argument, as reflected upon by the authors themselves, is underdeveloped, since the battlegroups have not yet enjoyed deployment in practice. The Union's defence capacities are relatively limited, but with their development in the foreseeable future these may play a role in third pillar implementation. The third of the three regarding the use of normative advocacy is perhaps the Union's strongest suit. For decades it has been involved in influencing the global order through norm diffusion and incentivising behavioural change in states. Particularly in the prevention stage of the Responsibility to Protect this approach could have considerable merit. The common denominator for each of these proposals is that they are steered by the Union's fundamental commitment to human rights and democratic governance (2019).

Illingworth (2022) approaches the doctrine through an alternative lens, namely an investigative one, by suggesting the establishment of a 'Responsibility to Protect Commission'. This would be a permanently functioning mechanism that is established for the sole purpose of strengthening the doctrine's framework. It would serve in achieving the accountability that is clearly missing in the contemporary world order. Its tasks would include identifying precedent

missteps; exploring, on a case-by-case basis, how states act in relation to atrocity prevention and reaction; and to make suggestions on the steps forwards. Such a Commission would operate under the observation of the United Nations General Assembly and would approach the doctrine in both a national and international manner, to obtain a clear overview of how these different levels interlink in its application. To ensure effectiveness, the proposed Commission would seek to simply scrutinise and recommend in such a way that states would not feel individually targeted (2022). By informing all involved parties, such an organ would be able to support the success of the Responsibility to Protect, as it is able to overcome the recurrent concern with the ambiguity of the mandate. Moreover, by virtue of states knowing exactly which steps to take when engaged in a humanitarian intervention, the chances of successfully resolving atrocity crimes is increased.

Just like Illingworth, Omar and Zulkifli (2021) introduce a similar concept that would directly analyse how states seek to engage in atrocity resolution. Instead of this function falling under a Commission, the authors delegate this task to a so-called ‘Atrocity Lens’. In many ways their concept overlaps with that of Illingworth, as the Lens would deliver opinions on how to contemporary Responsibility to Protect programmes operate and whether there are oversights in these frameworks. Based on the conclusions that it comes to; it would be able to give recommendations on how these programmes can be altered in such a way that they ensure the highest chance of success. The difference with the suggestion by Illingworth lies in the fact that Omar and Zulkifli specifically outline that the Lens should be operational in times of non-atrocities. Another distinction, and perhaps an oversight in the work of these two authors, is that it is unclear to whom this body would be responsible to and how it would function in conjunction with the United Nations bodies. Nevertheless, the foundation of the concept stems from a coinciding rationale that the Responsibility to Protect can best be supported by a recommending body.

The roles that on one hand Omar and Zulkifli and Illingworth and on the other hand Gözen Ercan and Günay have ascribed to successful implementation are inherently different, but in that sense, they could operate in complementarity. Naturally it is understandable that a body dedicated specifically to the Responsibility to Protect would uphold different functions than an already-established supranational organisation. Notwithstanding that the European Union’s soft power mechanisms have been extremely successful in bringing about international change. However, this relates more to the promotion of the Union’s values than with investigation and

recommendation. Moreover, a recurrent theme under section 3.2. is the ambiguity that surrounds the doctrine, which makes it challenging for states to identify how to effectively implement it. Although the measures suggested by Gözen Ercan and Günay would arguably work well in practice, this does not resolve the uncertainty at the international level. On the other end of the spectrum, the notion of introducing recommending bodies seems like a more fitting solution, as it would constitute the first step towards reaffirming the norm and its facets. While it is unlikely that an investigative body could make any binding decisions, the recommendations could nonetheless function as a guide for states to: 1) understand when and how the doctrine must be applied, and 2) efficiently implement it.

4. Final remarks

All in all, the literature has shed light on some very important issues that are of importance to this thesis. The knowledge that can be drawn from the debates will contribute to the effective scrutiny of the hypothesis and the subsequent answering of the research question. To revisit the themes of this literature review, the first one asked the question: *does the Uyghur suppression constitute a violation of a jus cogens?* To answer this question, the Uyghur crisis was placed under the scope of genocide, crimes against humanity, and a combination of the two. Scholars predominantly argued for the existence of a cultural genocide, although issues of gender and colonialism also came up. When taken together, this refers to the colonial project undertaken by the Chinese government to engage in the extermination of Uyghur cultural practices and identities through means of re-education and sterilisation. With the exception of sterilisation efforts, these forms of genocide are not mentioned in the Genocide Convention, which undermines the possibility to lobbying for the use of the Responsibility to Protect on a legal basis. Regardless, a strong rationale is put forth that supports the idea that a genocide is ongoing in Xinjiang. With respect to crimes against humanity, there is a general consensus amongst scholars that these exist within the country, although some characteristics are more prevalent in the literature than others. The most common explanatory factor is the forced detainment of Uyghur individuals, while other aspects are also raised, such as sexual violence and limitations on religious freedoms. When juxtaposed, it appeared that the two streams of literature were more or less in consensus that the situation in Xinjiang in fact constitutes *both* a genocide and a crime against humanity, which heavily impacts the potential for the use of the Responsibility to Protect.

The second theme that was addressed asked the question: *why is the Responsibility to Protect contested and how can this be addressed?* The first part of this question receives a plethora of different responses. The most forthcoming of these illustrates the ambiguity that the doctrine creates regarding its implementation by virtue of it being a politically-laden norm. As a result, it is subject to personal interests and a general unwillingness to engage. In particular this last factor is a concerning one, as it prevents populations suffering under atrocity crimes from receiving aid. In recognition of this, authors have gotten particularly creative in their solution-finding. It is noteworthy that all scholars are in agreement that in order to jumpstart the implementation of the Responsibility to Protect, the guidance of an international institution is imperative. It seems that there exists a dual stream, of which one argues for the support of the International Criminal Court and the other the support of the European Union. With support from local institutions and by providing legal and normative incentives, these international bodies are able to pressure states into considering the implementation of the doctrine where necessary.

The third and final theme of this literature review asked the question: *is the Responsibility to Protect doctrine generally successful enough to be employed?* In answering this question, a grave image is sketched on the empirical use of the doctrine. While there are cases in which it was successful in reaching its goals, such as that of Côte D'Ivoire in 2011 the overarching literature suggests the opposite. That said, scholars have taken note of the structural changes at both the domestic and regional level that can be considered successes, although these are less concerned with third pillar implementation. By the more pessimistic authors, examples such as that of Myanmar in the years 2008 and 2017 are singled out. In their view, these cases portray the inability of the doctrine to effectively address that which it sets out to do. Moreover, it is determined that the Responsibility to Protect is subjected to pressures of structural weaknesses such as the veto right and pro-sovereignty sentiments. Fortunately, the authors have found the possibility for introducing measures that may aid in shifting the matter to one in which successes can be reached. Most commonly, the use of investigate bodies is suggested, as these may provide scrutiny and recommendations for previous missteps. However, the use of military, non-military and normative measures are also supported.

5. Implications for the Uyghur case

When taking in the general agreements of the scholars and following along the trajectory of the themes, several conclusions can be derived. Perhaps the most obvious of these is that the ongoings in Xinjiang constitute a violation of *jus cogens*. This judgement, albeit somber, is a crucial step, as it allows for the Responsibility to Protect to be invoked and ultimately put an end to the atrocities. A challenge, however, lies in incentivising states to subsequently implement the doctrine. Yet, the word ‘challenge’ is used with intent, as there are clear methods to overcoming this predicament. Moreover, once implemented the guidance of experts – whether entrenched in an officially recognised investigative body or not – can bolster the probability of success. It must be noted of course, that it is unrealistic to suppose that with blind optimism alone these steps will lead to a quick and smooth resolution of the atrocities in China. Still, with the possibilities laid out before the international community, it at the very least serves for a means to try.

Chapter 3 – Methodology

The aim of this thesis is to uncover why there is an absence of a discussion and consequent implementation of the Responsibility to Protect in the case of the Uyghur minority in China; explained on the basis of realism, liberalism and constructivism. It is widely known that the Responsibility to Protect has not previously been invoked in the Uyghur situation. This thesis aims to be a contribution to the literature that scrutinises which factors are relevant in explaining this. Ultimately, the reader would have a broader understanding of the underlying conditions and how they affect situation at hand.

The methodology chapter will commence by outlining the research design of this master thesis. Within this section, the research philosophy will be worked out to paint the picture on which research-based philosophy has been chosen to best reflect how the data for this thesis should be gathered. The research design will then move onto which research type is used in this work, focussing on the choices made within the elective freedom of deductive or inductive research and quantitative or qualitative research. Naturally, the choices will be justified in reference to the another. After this, the research strategy will be explained, based on the specific aims of this thesis. The time horizon, including the chosen method and cut-off point for data gathering will then be elaborated. This will include a short summary of the events prior to the cut-off point to ensure that the reader has full comprehension of why the specific point in time was chosen. The final parts of the research design outline will concern the data collection method, including the specific format of the utilised sources, and the data analysis method respectively. The second section of the methodology focusses on the methodological limitations and guarantees. All oversights and research-related constraints will be thoroughly worked out and justified. Following this section, all the previously detailed choices will be wrapped in the conclusion.

1. Research design

1.1. Research philosophy

In any methodology, the research philosophy outlines the specific way in which knowledge will be developed. By addressing the chosen research philosophy, the reader will get a clearer idea of the assumptions that were made in this thesis with regards to the nature of knowledge. This will be done by selecting the philosophy that mirrors the rationale on how the data for this research should be gathered, analysed, and finally utilised. Out of the four main research philosophies; pragmatism, positivism, realism, and interpretivism, the latter best fits this requirement.

1.1.1. Interpretivism

As the name indicates, interpretivism is concerned with the interpretation of data, therewith adding a personalised touch to the research. In many ways it is linked to the theory of constructivism that was worked out in the theoretical framework, as this type of research derives its workability from social aspects such as consciousness, language, and collective understandings. Flowing naturally from this is its qualitative nature. Interpretivism seeks to understand people and knowledge, rather than measure it, which reinforces why this thesis will not be quantitative. It is also precisely in this factor that the explanation for the use of interpretivism lies. It is surmised that the absence of the Responsibility to Protect in Xinjiang is the result of state actions and judgements, for which it is challenging – if not impossible – to ascertain with complete certainty what enabled them. Therefore, interpretation is needed to make sense of the decisions taken at the international level.

1.1.1.1. Branches of interpretivism

Within the philosophy of interpretivism, two branches of thought ought to be identified. These are hermeneutics and phenomenology. The former regards interpretation through textual analysis and understanding. The latter regards interpretation through empirical experience. Given the international and potentially secretive nature of the data that will be utilised, it seems unlikely that phenomenology will appear as a suitable framework (Collins, 2010). Instead, the philosophical approach of hermeneutics will be adopted and applied to literary works.

1.1.1.2. The principles of interpretivism

Klein and Meyers (1999) listed seven principles of interpretivism. Although these principles were specifically designed for field research, their logic can be utilised for the secondary data-gathering of this thesis as well. Six of the principles are relevant here. These are:

1. The Fundamental Principle of the Hermeneutic Circle: the recognition that analysed data is part of a larger whole that should be taken into consideration to fully grasp its essence.
2. The Principle of Contextualisation: when interpreting data their historical and social aspects ought to be taking into account, as the nature of the data is contingent upon these factors.
3. The Principle of Abstraction and Generalisation: unique findings must be connected to one another through the application of the first two principles to theories.
4. The Principle of Dialogical Reasoning: the possibility for discrepancies between the theory and findings must be taking into account and identified through re-examinations.
5. The Principle of Multiple Interpretations: authors must be aware that a difference in interpretation of participants, or scholars in the case of hermeneutics, may result in diverging accounts of the same event.
6. The Principle of Suspicion: interpretivist research must be conscious of the fact that participants or scholars in the case of hermeneutics may present data that is biased.

(Klein, & Meyers, 1999)

The data will be carefully gathered and analysed to uphold the logic of these principles.

1.2. Research type

1.2.1. Deductivism

The reasoning that will be employed in this master thesis is deductive reasoning, in line with the theoretical framework. This entails that a general idea will be tested in order to uncover whether these apply to the topic (Halperin & Heath, 2020). The hypothesis of this thesis, as mentioned in the introductory chapter is: *the main international relations theories*

complement each other insofar as to explain that self-interest is the explanatory factor for the absence of the Responsibility to Protect in the Uyghur crisis. The deductive reasoning of this thesis will ensure that this hypothesis is tested for its validity and it will eventually be accepted or rejected. It is to be noted that this hypothesis will not be accepted nor rejected with 100% certainty, as there is always leeway for an alternative outcome. This work will not be considered constitutive, nor factual, as this requires the work to be tested by other scholars before such conclusions can be drawn.

The application of deductive reasoning is the most logical decision for this work, as the aim is to go from general and broad information to a specific conclusion. This is opposed to inductive reasoning, in which goes from a specific observation to a broader recognition. Although inductive reasoning is often used for case studies, it requires multiple case studies for it to be usable (Halperin & Heath, 2020). This thesis focusses on one case, however, and as such deductivism appears as the more logical choice. The broader idea here, as hypothesised, is that the self-interest of states can prevent the implementation of the Responsibility to Protect. This thesis will uncover whether this is indeed the case for the Uyghur situation. Data will be gathered to support this rationale and the hypothesis will eventually be accepted or rejected.

The benefits of using this deductive approach are many. First and foremost, it must be noted that this reasoning will allow for the identification of a causal relationship between the self-interest and the non-use of the Responsibility to Protect. Furthermore, it will allow for the possibility of generalisation and thus the explanation of other cases on the basis of the outcome of this research (Halperin & Heath, 2020).

1.2.2. Qualitative research

In the frame of the research type, it is also important to mention that this thesis will employ qualitative research. This means that the data which will be collected and analysed is non-numerical. As such, no statistical analyses will be undertaken. Rather, the data will predominantly consist of texts, however it may also include audio and audio-visuals. The data in question here will be secondary data. These sources include academic articles, official UN reports, newspapers, books, NGO reports and so on. This therefore excludes sources such as

interviews and surveys (Halperin & Heath, 2020). It should be noted that for the sake of strengthening arguments, quantitative information may be employed. It will however, not be the dominant research type of this thesis.

Qualitative research will provide answers to what scholars think about the absence of the Responsibility to Protect in China, as well as why they think so. This method will allow for an in-depth analysis of the supposed reasons for this absence.

1.3. Research strategy

A research strategy is commonly referred to as “the general plan of how the researcher will go about answering the research questions” (Saunders et al, 2009, p. 600). This plan is primarily based on the research question and the research goals. However, other contributing factors, such as gaps in the existing knowledge, time and resources also play a role. As previously mentioned, this process will be qualitative, meaning that it will focus on textual analyses. In addition, interpretive elements play a role in how these texts will be analysed. Interpretivism looks at the different outlooks of individuals on a given topic. These differences in outlooks may present themselves in the texts that are scrutinised.

It is also important to mention that since this is a Master’s thesis the research is bound by certain limitations. Time is one of such limitations. Only several months may be dedicated to the writing of this work and as such it is unfeasible that more immersive research methods, such as empirical, longitudinal observation could be utilised. Similarly, the number of resources available to employ this work are limited to (online) libraries and news publications. Given these limitations, the decision to work with a qualitative research strategy seems the most logical choice.

The research strategy of this work is constructed around the type of study that will be employed. In this thesis that is a case study, with the ongoing systematic suppression of Uyghurs in Xinjiang as focus. This case has not been chosen with the aim of uncovering a general pattern across other cases, rather the research question was formulated in such a way that the case is a main element of it. Therefore, this research cannot be replaced or redone with another case.

Consequently, one should be particularly careful with using the results of this thesis in making general inferences. It can however, give an indication of what factors affect the unwillingness of states to apply the Responsibility to Protect, as long as these factors are checked and confirmed with other cases.

As stated, the case study focusses on the Uyghur suppression in China. This case was chosen as it is an extremely relevant crisis in the contemporary world. With China's position as a permanent member in the United Nations, the rules of the game are unlike any other Responsibility to Protect case. Moreover, the ongoing nature of this case makes it exceptionally important and pressing that additional research is done on where the oversights in the system lie.

1.4. Time horizon

In any given research the data can be gathered in two different ways with regards to time. These are cross-sectional and longitudinal. The former concerns data-gathering from one single moment in time. The latter, on the other hand, takes data from different intervals; taking changes and developments into account. Considering the nature of this thesis, longitudinal appears most fitting. The suppression of Uyghurs in China can be traced back decades and has since been labelled 'systemic'. Given this, a longitudinal approach can better capture the historic, as well as contemporary processes. Adding to this is the fact that this thesis aims to uncover why the Responsibility to Protect has *not* been employed in the Uyghur case. Since no one single moment can be identified that prevented this employment it is impractical to use a cross-sectional approach.

The use of a longitudinal time horizon will not be done at specified intervals, as is often the case with comparative works. Instead, it simply stands to explain why data from different years were chosen. Yet, this data will not be chosen entirely without restraints. In order to avoid that the thesis becomes speculative, a cut-off point has been chosen: the 31st of October 2022. This date has been chosen as a contemporary and also influential international development regarding the Uyghur case occurred on that day.

1.4.1. A joint statement by great numbers

In August of 2022, the Office of the United Nations High Commissioner for Human Rights published a report on the Uyghur situation. In it, three year's worth of research had been compiled with evidence regarding the human rights abuses in China. Many of the sources came directly from China itself (Schlein, 2022). The purpose of this was to present the report to the United Nations Human Rights Council, with the aim of creating the opportunity for the human rights violations in Xinjiang to be brought to the table in the Council session of March 2023. In response to the report, China gathered a large group of states in its support to voice a joint statement that condemned it.

A short two months later on the 31st of October 2022 the United Nations General Assembly held its 77th Third Committee session. One of the agenda items concerned the Elimination of Racism. During this part of the session, Canada issued a joint statement on behalf of 50 states, where it recognised the report and condemned China's human rights abuses. Earlier in June 2022, a joint statement was presented by 47 members, meaning that the group issuing the October statement grew with three representatives, therewith making the largest group of states to have ever spoken out against the suppression. This statement, like many of the others, was met with a counter statement of an even larger group of states. For this counterstatement, Cuba delivered a brief address on behalf of 66 states in which it made note of the importance of recognising China's territorial integrity and efforts in countering terrorism within its borders (The Overwhelming Majority, 2022). What set this counterstatement apart from earlier ones is the voluminosity of the group. Although China has previously managed to gather large numbers states to rally its cause, this joint statement was perhaps amongst the greatest in number. What is more, it is recognised as one most recent joint statements presented in high level fora. As such, it appears to be a fitting cut-off point for this thesis.

1.5. Data collection method

As mentioned in the research type and research strategy sections, this thesis will employ secondary sources, that are predominantly qualitative in nature. The secondary data collection will thus focus on existing literature and audio-visuals. The benefit to this is that bias of primary

data collection can be avoided. Of course, it is recognised that secondary sources may have biases as well, however with the proper research methods, such as comparing multiple works, this may be largely mitigated.

The literary works that will be utilised are generally academic articles, newspaper articles and United Nations-recordkeeping activities, such as reports and conference proceedings. Each of these three types of written sources have their own contribution. For news articles it can be said that they present clear depictions of events and their facets. This may prove largely beneficial in the analysis section where ongoing events on a specific date may be outlined. Similar advantages can be discerned with regards to the United Nations-recordkeeping documents, as these are often written during or shortly after United Nations meetings and sessions. Furthermore, they may provide a legal foundation for arguments made in this thesis, as United Nations conventions and resolutions may also be discussed. The academic sources that will be employed tend to derive data from the former two as well. These sources may provide particularly useful as they are often detailed, analytical and connecting. The discoveries and discussions by other scholars will play a large role in the outcome of this work. These literary pieces will be obtained through online libraries, in specific the Padova University Galileo Galilei Library and Google Scholar. Any audio-visual sources that may be employed will be interviews or United Nations conference proceedings. These will be obtained either from United Nations websites, news websites, or even video sharing platforms such as Youtube, solely if the validity can be ensured.

1.6. Data analysis method

The final section of the research design is dedicated to the data analysis method. This indicates how the data that is gathered will be analysed and eventually discussed. For this thesis, content analysis is most fitting. This method looks at uncovering patterns within and across sources, such as recurrent topics, words and images. When these patterns are identified, they become categorised and consequently usable for analysis and comparison (Wilson, 2011). In this thesis, the patterns that are sought out are those that are able to explain the absence of the Responsibility to Protect engagement and intervention in Xinjiang. As hypothesised, it is expected that these patterns concern the self-interest of states. It is also very possible that the

content analysis reveals other patterns that are complementary to- or in lieu of self-interest. These will then also be thoroughly worked out, as is typical with qualitative research. It must be noted that this content analysis shall be applied in a rigorous manner, as to avoid ending up with an overabundance of explanatory factors. The timeframe of the sources will also be taken into consideration as to prevent faulty comparisons.

Within the broader framework of content analysis, two subtypes are identified. These are conceptual analysis and relational analysis. The former examines whether a topic occurs and subsequently reoccurs within and across texts. The latter delves deeper into the analysis by discovering if a relationship exists between the topics (Wilson, 2011). Out of these two options, the first type is the method that will be employed. While relational analysis would be able to uncover the linkages in the international system, it is expected that this presents a task too great given the large number of research tasks and limited amount of space that may be dedicated to this work. However, this is not to say that relational analysis would be the preferred method. As a matter of fact, conceptual analysis will prove particularly beneficial in identifying the patterns amongst the plethora of joint speeches. Given that this thesis researches the *absence* of something, it requires extensive interpretation. Conceptual analysis will aid in this objective, by studying a large range of similar factors.

2. Methodological limitations

The methodological limitations that were recognised post-research are predominantly related to the availability of data. Considering that the research revolves around the *absence* of the Responsibility to Protect in the Uyghur case, this entails that data was often lacking. The downside of this is that some data had to be collected that explained a more general pattern, as opposed to linking directly to Xinjiang. This also increased the interpretive nature of the thesis. It must be noted, however, that this limitation was entirely foreseen. That said, the research still managed to present relevant and viable findings and discussion, due to the manner in which this obstacle was circumvented. As stated above, some data pertained to more general impediments of the Responsibility to Protect, however the analysis ensured each time that these were effectively connected to the Uyghur case. The result of this is that the findings revealed to be extremely relevant to answering the research question.

Another methodological limitation concerns the validity of the arguments. As mentioned above, this thesis sought to achieve the highest validity possible with interpretive work. That said, the findings and discussion covered many aspects relating to the behaviour of states. Behaviour, although measurable, can be unpredictable and the expression of different factors. The awareness of this pushed the research to make inferences on state behaviour only when several empirical examples were presentable. This included demonstrating a phenomenon in multiple case studies outlined the same behaviour, or when a larger community engaged in certain actions. In other words, the principles of interpretivism were adopted into the work to ensure that these common problems of interpretivism did not affect the reliability of the thesis' findings.

3. Synopsis

This section will give a brief overview of all the details and justifications that have been presented above. To start off, the research philosophy that this thesis will employ is interpretivism. This was chosen for the simple reason that the research objectives seek to uncover the facets of the *absence* of the Responsibility to Protect in Xinjiang. By virtue of the research covering something that has not taken place, as well as the fact that it attempts to understand state behaviour – which is not static – interpretivism fits best. This same reasoning also enables the research type of this thesis, which is deductivism. Accordingly, deductivism will aid in going from a broad idea to a narrow one. In this case, it elucidates whether self-interest truly hampers the Responsibility to Protect, specifically in the Uyghur situation. The specificity of the Uyghur case paints the image for the research strategy of this work, which is a case study. The case will be scrutinised on an atypical longitudinal basis, which means that the data collection will not be done in intervals, but rather identify the most important evidence that supports the research. To do this, the data collection method explains that secondary sources will be collected from literature and audio-visuals. As such, the research is qualitative in nature; employing reports, articles, books, and so on. This data will then be analysed through content analysis, in order to find patterns within and across sources, such as images, words, and recurrent themes. This will aid in strengthening the interpretive aspect of this thesis.

Finally, two methodological limitations were recognised post-research. The first regards the lack of available data, which is contingent upon the fact that the thesis concerns the *absence* of

something. As such, it is increasingly more difficult to find clear empirical data to support the arguments. The second regards the validity of the arguments, which is affected by the interpretive nature of the research. Although it was attempted to obtain findings and inferences that are as accurate as possible, the sole fact of requiring interpretation complicates this.

Chapter 4 – Analysis

The purpose of this chapter is to provide and analyse the information that will aid to answering the research question of this thesis: *how can the main international relations theories explain the absence of the Responsibility to Protect in the Uyghur crisis?* The secondary data that will be gathered and presented shall serve as the foundation for the inferences that will be proposed in the following discussion chapter. Accordingly, the analysis will delve into the Uyghur crisis and identify the ongoings that have led to the non-implementation of the Responsibility to Protect in Xinjiang. For the sake of structure and general clarity, this analysis will be divided into six main sections; one for each of the factors that will be used to outline this absence. These sections will aid in creating a thorough understanding why there is a lack of doctrine-implementation in China. Finally, several paragraphs will be dedicated to revisiting the main outcomes of the main body of the text.

Before delving into the actual analysis of the information available, it is first necessary to briefly touch upon the different sections that will be addressed. These sections are aimed at providing information on the different factors that hamper the implementation of the Responsibility to Protect. The literature review plays a decisive role in determining these sections. Theme B of the literature review asked the question: *why is the Responsibility to Protect contested and how can this be addressed?* Additionally, Theme C asked: *is the Responsibility to Protect doctrine generally successful enough to be employed?* The paragraphs under these themes presented a list of arguments that are able to explain why the Responsibility to Protect, in a general sense, is not being implemented properly (or ‘successfully’ in reference to Theme C). This analysis will seek to determine whether these factors are also at play in the case of the Uyghurs. By analysing this, the discussion chapter will then be able to add the subsequent theoretical lens to the data. The six factors that were identified and will thus be the topics of the sections are the following:

1. Power politics and self-interest.
2. The ambiguity of the Responsibility to Protect mandate.
3. Pro-sovereignty and non-interventionist sentiments.
4. The lack of enforcement mechanisms.
5. Veto power.

6. The limits of the Responsibility to Protect mandate.

Each of these factors were named by the scholars as contributing to the non-implementation of the doctrine. As such, it is surmised that this will also hold true in the case of the Uyghurs. It must be noted, that there has as of yet, been no reference to using the Responsibility to Protect to provide relief to the Uyghur community. As such, the data that will be presented in this analysis is based on *inter alia* United Nations resolutions and discussions that are not necessarily in relation to the case pertaining Xinjiang. However, through the analysis of this data, inferences can be reached on how these blockages relate to the doctrine, the lack of mention and subsequent implementation thereof. This chapter will thus consist of six sections in the order shown above, each with their own set of subsections. Following this, it will close with a short recapitulation of the contents of this analysis.

1. Power politics and self-interest

The first point of analysis for examining the status quo is the influence of power politics. It can be argued that politics has its reaches in all areas of international cooperation. This becomes problematic when it is manipulated by great powers to achieve personal goals. For the Responsibility to Protect this poses a similar risk, which is exacerbated significantly by its normative status. The lack of a legal character prevents an objective and uncontested implementation of the doctrine. This is indeed recognised in the case of Xinjiang.

1.1. Power politics and its reaches

1.1.1. International strategic influence

China enjoys its position as global superpower and has consistently pulled its own weight to further entrench its influence. It does so, amongst other things, by promoting economic ties with states. A clear example of this, is China's Belt and Road Initiative, which seeks to create accessways for trade between Africa, Asia and Europe. In May 2017, China held its first Belt and Road Initiative Forum, which welcomed the heads of states and representatives. Combined, this equalled to a number of 159 people. However, less than two full years later in April 2019,

the turnout had risen to 187 attendees. This portrays the success of China's strategic economic cooperation policies. By engaging in economic partnerships with other countries, it increases its presence and therewith influence worldwide (Ho, 2020). China's strategic diplomacy, whether economic or not, is targeted at the differing regions based on needs. With its use, it hopes to foster dependency. The Belt and Road Initiative offers capital loans and investments in the countries involved. Naturally, these are coloured in a political tint. Africa sketches a story that discloses this underlying motive. Many of the states there that receive this funding are unable to repay their debt. In 2018, there was a total of \$60 billion in outstanding loans, of which 95% had not been repaid. This becomes a serious concern when recognising that 40% of African states already exist in a state of debt-distress (Al-Fadhat & Prasetyo, 2022). The danger with this, is that if China were to call for a reclaim on all of its loans, the economies of these African states would collapse. This phenomenon is called a *debt-trap*.

Case studies on Zimbabwe, Djibouti and Cameroon show the integration and influence of such policies. In Zimbabwe, China has responded to the call for infrastructure development and economic growth. The economic situation has grown so dire, that without financial aid from China, the country would venture on thin ice. That said, the extremely large volumes of aid that it has received from China has put it in a position where 1/3rd of its debt is owed to the country. A similar story is sketched in Djibouti, whose needs overlap with those of Zimbabwe, plus the demand to achieve greater economic access to African markets. Djibouti serves as a strategic choice for China, given its geographical location at the Red Sea. This makes it particularly appealing for China to increase its influence there. As a result, more than 2/3rds of Djibouti's debt is owed to China. Finally, Cameroon is a country that, just like the previous two cases, is in need of economic growth and infrastructure development. It too owes a great deal of debt to China, but what makes this case stand out is the fact that it has publicly admitted the inability to repay the debts. China has offered Cameroon a debt relief plan where it crossed out a whopping \$78 million in exchange for access to critical markets (Al-Fadhat & Prasetyo, 2022). It is indeed such a move that shows how China has created a dependency-complex in which it holds the reins. Given its ability to influence the decision-making of countries that are locked in a debt-trap, it is entirely feasible to expect that this will work in its favour when internationally confronted with questions on its treatment of the Uyghurs. In fact, it is extremely unlikely given the unfavourable position of debt-trapped states, that these countries would fail to back China. When then considering that this phenomenon extends far beyond the African continent, it puts China's superpower status in a clear spotlight. As portrayed in *figure*

2, China's loans play a large role in Asia too, where similar stories of strategic influence are heard.

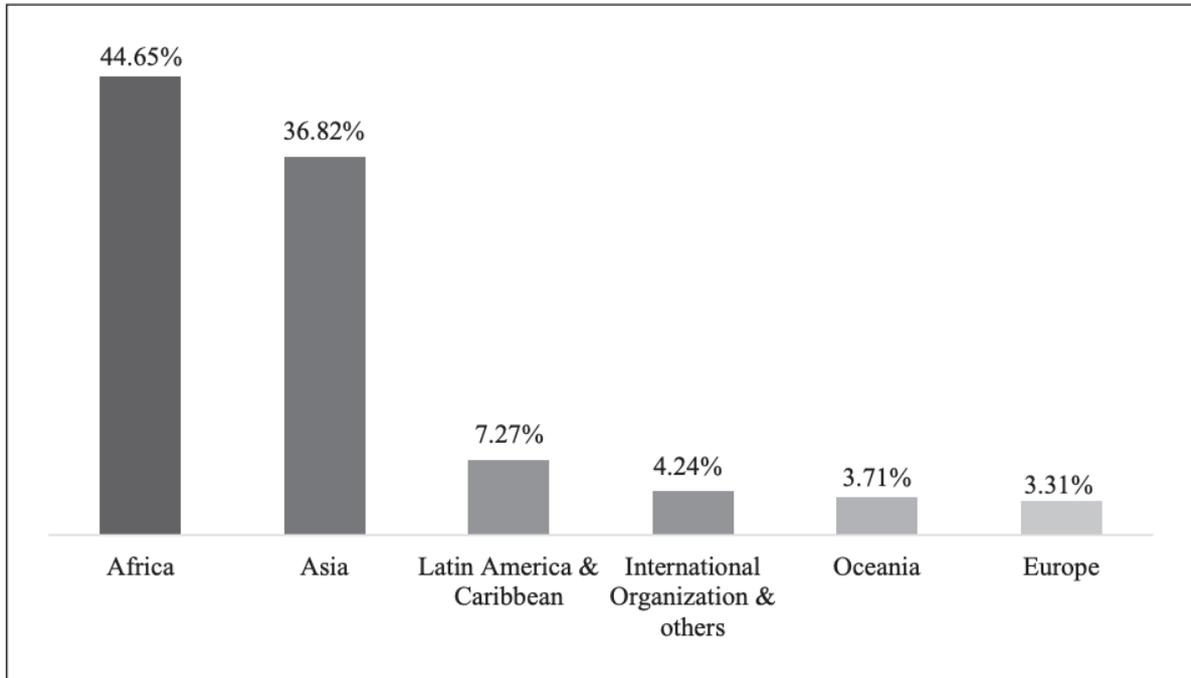


Figure 2 - China's foreign aid distribution per region. Source: Al Fadhat & Prasetyo, 2022.

1.1.2. International backing of China's actions

China seeks to continue its agenda in Xinjiang and the success of its international strategy to enable this can be clearly discerned when analysing the United Nations dialogues on the Uyghur situation. In the past few years, several, predominantly Western states have put forward joint letters and statements expressing their grave concern about the treatment of Uyghur citizens. For instance, in 2019 a formation of 22 states, including Permanent Members France and the United Kingdom, sent out such a letter, addressed to the High Commissioner for Human Rights. The letter sought to remind China to uphold its human rights obligations and to ask for its full cooperation under the United Nations Human Rights Council. It stated:

“We call on China to uphold its national laws and international obligations and to respect human rights and fundamental freedoms, including freedom of religion or belief, in Xinjiang and across China. We call also on China to refrain from the arbitrary detention and restrictions on freedom of movement of Uighurs, and other Muslim and

minority communities in Xinjiang” (HRC41 July 10th Joint Statement on Xinjiang, 2019, p. 1).

Two days after its publication, a group at least twice as large responded in a joint letter where they defended China and praised it for its commitments to human rights and anti-terrorism efforts. Indeed, states such as Zimbabwe, Djibouti and Cameroon, which China has locked in its debt-trap, were signatories to this letter. Moreover, in writing this letter, the states adopted terminology such as “China’s *remarkable* achievements in the field of human rights” (A/HRC/41/G/17, 2019). This approval is recurrent in other letters and statements made in support of China. On the 31st of October 2022, the Third Committee of the United Nations General Assembly held its 77th session. Here too, a joint statement was made by 50 states who called China out on its human rights abuses. In response, several joint statements were presented in support of China. One of those statements was made by Cuba on behalf of 66 states. Noteworthy for the explanatory factor of power politics is the fact that again many states made mention of China’s valiant efforts to support human rights. As outlined by the Permanent Mission of the People’s Republic of China to the United Nations: “during the meeting, many countries expressed support of China in their national statements, spoke highly of China’s achievements in the development of human rights...” (The Overwhelming Majority, 2022, p. 1). What stands out about these comments is that they go beyond simply rejecting the notion that China is committing human rights abuses, or reiterating the importance of non-interference in domestic affairs. By going so far as to praise China for its human rights record, the idea is sketched that these states have a stake in staying in China’s good graces. Recognition of other states, especially in a positive sense can be seen as a means of diplomacy. Therefore, it is entirely plausible that these states are in some way influenced by China, like Zimbabwe, Djibouti and Cameroon in such a manner that they are dependent on its cooperation.

1.2. Self-interest

To an extent, one can argue that the decision to support China for debt-trap related purposes is an expression of the self-interest of these states to keep their economies afloat. As stressed in the terminology section of the introductory section, states tend to pursue their own national and oftentimes economic interests. Alternatively, one can classify this as a necessity, rather than a

choice of free will. How then is the self-interest of states reflected by the manner in which the Responsibility to Protect is neglected in the Uyghur case? The explanation for this is twofold.

1.2.1. Motivational absence

On one hand, it comes down to simple issues of finance and effort. When identifying the core problems causing the motivational lack, it becomes abundantly clear that the world is not as cosmopolitan as some academics may assume. For many states, disengagement with the Responsibility to Protect stems from their reluctance to spend money and risk the lives of their soldiers for mere strangers. This sheer motivational absence was first clearly acknowledged in the build-up to the ultimate inability to prevent the Rwandan genocide of 1999. This disinclination became translated into the United Nations Assistance Mission for Rwanda. Not only did the peacekeeping mission experience a deficit in necessary resources, it also employed inexperienced troops. As a result, the mission ended largely in failure. Built from the ashes of this failure was the Responsibility to Protect doctrine, yet the existing issues have not been overcome (Hunt, & Bellamy, 2010).

1.2.2. Self-interest in relation to politics

On the other hand, the self-interest of states can be seen as greatly contingent upon the abovementioned power politics strategies of China. Although this can be clearly recognised on the basis of economic incentives, another possibility surfaces. It is evident that China has sought to strengthen its position in the world by policies such as the Belt and Road Initiative. This has been accompanied by a global shift that is characterised by anti-Western sentiment. This manifests itself in the rejection of Western policies and pressures. The interest of states can therefore be dependent on the need to rally with a different international order, or when taking a more fixed route: to rely on China. This is otherwise known as *band-wagoning*.

1.2.2.1. Growth in anti-Western sentiment

The drive away from Western hegemony is a phenomenon that has been growing widespread over the past few years. It has become ingrained in continents such as Asia and has also become particularly strong within Africa. When delving into the history of many African countries it is

wholly unsurprising that such sentiments have taken root. In many ways anti-Westernism is an expression of long-standing frustrating brought about by colonialism and subsequent imperialism. The lingering feelings tied to colonialism, slavery and oppression have attached themselves to nationalistic rationales and are often expressed by the countries who suffered under such regimes. This also serves as an explanation as to why states who may seemingly have no other common interests would band together nonetheless in their support of China. That said, anti-Western sentiments are not only the result of enduring grudges. Scholars stipulate that factors like cultural incompatibility may be exacerbating the existing political issues. Globalisation has simplified and accelerated the spread of Western cultures, into all aspects of society. The fear of the loss of indigenous cultures in non-Western states has strengthened this shift away from Western influence (Göksel, 2019).

Another explanatory factor for the anti-Western sentiment which is particularly relevant to the case of the Uyghurs is that the West is understood as enforcing double-standards. During the colonial era, the populations of occupied territories were treated as uncivilised, backwards, and undeserving of the same treatment that was offered to the white Western man. This enabled continent-wide human rights abuses that were met with little to no accountability by perpetrators. Simultaneously, ideas of Enlightenment and human rights took the centre stage in Western politics. For many non-Western counterparts this was not well-received and led them to harbour feelings of resentment towards this hypocrisy. The notion that human rights were universal did not make sense in a continent that was a mere playing field for Western interests. Such ideas have persisted into contemporary understandings of human rights, which appears contributory to the rejection by many non-Western states of interference into the domestic affairs of states in the pursuit of human rights (Göksel, 2019).

A non-Western superpower like China who seeks to promote its personal interests abroad can find much benefit in advocating for the spread of such sentiments. Indeed, China is recognised to do so, by spreading narratives that directly reject Western ideas. China affirms that its governmental regime is superior to that of Western democracy. In addition, it uses racial nationalism to denounce 'white' Western peoples. It plays into the existing narratives in world politics that drive away from the West in order to bolster its own image internationally. Thus, in many ways, it is seen as a governance strategy employed to influence non-Western states (Zhang, 2020). After many years of unwanted dependency on Western states on the basis of

liberal development aid, non-Western states consider the possibility to engage with states of similar values such as China a breath of fresh air.

When answering the question of how this sentiment can be recognised in the Uyghur situation, one must take a close look at the voting behaviour of states. When referring to the global West, it is often implied that this includes North America and several states located in Western Europe. Out of the 50 states that were a signatory to the 2019 joint letter in support of China, none belonged to the global West. Similarly, of the 22 states that signed the precedent letter denouncing China's actions, the vast majority, with exceptions of states such as Japan, belong to the global West. This illustrates the clear divide between the two international groupings. In addition, in some instances China has taken to imposing economic sanctions specifically on these Western actors. This is seen in the back-and-forth sanctioning between Chinese officials and members of the European Parliament. In March 2021 the European Union sanctioned four Chinese officials who are directly involved in organising the Uyghur detainment camps. As a response, China sanctioned five members of the European Parliament. The European Union in turn dealt another blow by freezing a financially relevant investment deal with China (Lau, 2021).

1.2.2.2. Band-wagoning states

When identifying self-interest for smaller states, the concept of *band-wagoning* comes in. Academics generally explain band-wagoning as the act whereby smaller states align with great powers, to reap the benefits of a hegemon's economic and political achievements. Gunasekara (2015) explicitly states that "bandwagoning serves smaller states by securing their interests at the expense of great powers..." (p. 212). China is a state which attracts this type of small state behaviour. For instance, Cambodia has been acknowledged to band-wagon with China in hopes of attaining four different objectives. The first is to preserve its authoritarian regime through security assurances. The second is the hope of a spill-over of economic benefits. The third is for China to serve as a trump card in their antagonism against Vietnam. The fourth is the drive away from the Association of Southeast Asian Nations' benefits, but employ China as an alternative (Po, & Primiano, 2020). Another country with similar motives is Sri Lanka, which finds itself in a position of economic and governmental insecurity. For a country such as China which aims to expand its Belt and Road Initiative, Sri Lanka, with its ports and beneficial

geographical location, is an ideal state to have band-wagoning it. Naturally, it has long been extorting its influence in Sri Lanka, which has ultimately simplified the step towards band-wagoning (Abeyagoonasekera, 2021). Both Cambodia and Sri Lanka are states that have signed the 2019 joint letter, which paints the picture that it is in their direct self-interest to express loyalty to China's position. As band-wagoning states it would be ill-considered to refrain from showing their support.

2. The ambiguity of the Responsibility to Protect mandate

A second factor that scholars recognise to influence the use of the Responsibility to Protect is the unclarity of the mandate. Many states are unsure of how to employ the doctrine, which has prompted them to make subjective interpretations, as well as case-by-case investigations, as opposed to using its blueprint in a manner that reaches the highest potential of the doctrine. A commonly referred to complication of this ambiguity is that states are doubtful of who exactly is expected to lead a humanitarian intervention. The founding entity of the Responsibility to Protect, otherwise known as the *International Commission on Intervention and State Sovereignty* is unable to further elucidate this beyond the requirement that a broader group of states must be the party to do this. As such, although the goal of the Responsibility to Protect is clear, the operating agents that ought to meet this goal are unspecified. Without a clear reference to agency, it becomes increasingly difficult for states to fulfil their moral obligations under the doctrine (Jemirade, 2021).

2.1. China's misuse of the ambiguity

A state such as China, which has a formidable impact on global norms and sentiments, has a clever way of using the general vagueness of the doctrine to its benefit. It has vocalised its approval of a thin version of the Responsibility to Protect. This interpretation of the doctrine allows China to nit-pick how interventions should look in practice. Given that the framework of the doctrine is so unrefined, the superpower manages to do so with little backlash. Free-willed interpretations lead to the national determination *how* and *if* protection is given, therewith placing governments central in the equation, instead of the victimised populations (Foot, 2021). Indeed, China has specifically shared that it believes this is the appropriate way

to engage the Responsibility to Protect. It argued that the lack of clear criterion or a blueprint in carrying out interventions gives all states the possibility to interpret the doctrine as they see fit. In arguing this, China calls directly on how this pertains to the second Pillar. By envisioning the Responsibility to Protect in this manner, it is effectively transformed into a demand-led tool (Foot, 2020). Not only does this take away the accountability and responsibility of nation states to protect populations, but it also puts the dependency of its use on the people. For the Uyghurs, this establishes a significant problem. Oftentimes the ethnic population is prevented from using the internet or other information platforms to broadcast the horrors that they are faced with in Xinjiang. The population has gone through series of electronic lockdown, as was the case during the 2009 crackdown that took the lives of many Uyghurs following the peaceful protest (de Varennes, & Gardiner, 2018). The restrictions that were enforced during this time have eased up somewhat, but even today, Uyghurs are limited to using domestic platforms only that are subjected to heavy controls (Borak, 2022). It goes without saying that this is equally the case for those locked away in the detainment camps, as public knowledge of these ‘educational’ prisons only surfaced several years after they first became active (Raza, 2019). For the Responsibility to Protect to come from within, it is necessary that the human rights abuses are a visible phenomenon. However, what the situation in Xinjiang indicates is that this is not the case in China.

China’s stance on the implementation of the doctrine is also highlighted by the notion that the Responsibility to Protect should respect the reality of national intrinsic elements, such as judicial traditions and the underlying domestic factors that have enabled human rights complications. Not only that, in implementing the Responsibility to Protect, China argues that states must themselves adopt policies in line with their domestic reality as to not overstep the boundaries of state sovereignty beyond what is necessary (Foot, 2020). It can be said, that the existence of such rationales and the public disclosure thereof is constructed through the Responsibility to Protect’s inability to provide a clear a fool-proof mandate that lists a clear and strong set of requirements for states.

2.2. Xinjiang as new form of human rights abuses?

As indicated in the literature review, the atrocities in Xinjiang are heavily contested with regards to their official classification. Although scholars generally agreed that it is a violation of *jus cogens*, the exact definition of what the oppression falls under remains contested. With a Responsibility to Protect mandate that is entirely vague, such a situation works in the favour of the perpetrating country. The then-Executive Director of the Global Centre for the Responsibility to Protect has called the situation in Xinjiang a “slow-motion genocide” (Adams 2020, as cited in Illingworth, 2022). The problem with such an identification is that it signals no clear images of mass-killings, which are generally common to genocides. This coincides with the references that scholars of the literature review made to the situation as being a ‘cultural genocide’ or a ‘gender-based’ genocide. Such types of mass atrocities are not covered in the guiding documents of the Responsibility to Protect, because they are outliers in the broader framework. Whether this is a strategic choice by the Chinese government or not, the reality remains that such an uncommon style of persecution makes the use of the Responsibility to Protect increasingly difficult, as the mandate does not prepare states for such situations.

2.3. The consequences of a broad margin of interpretation

Having a mandate that is open to interpretation is particularly problematic for the populations that the Responsibility to Protect seeks to liberate. As mentioned before, China is rapidly gaining ground as a world player in the international scene. One of the benefits of the superpower status is that it allows states to influence the understanding of international norms. It is important to understand how this process takes place. Scholars Finnemore and Sikkink designed the ‘norm life cycle’ theory, which outlines the stages a norm goes through towards maturation. – It must be briefly noted that this is a constructivist theory, however, it is employed here solely to elaborate on how norms are influenced. The actual application of the theory will not take place until the discussion chapter. – In the first stage of ‘norm emergence’, norm entrepreneurs advocate their ideas to a large pool of states. Once sufficient advancements have been made, a tipping point is reached and the norm can become institutionalised in international frameworks, at which point it reaches the second stage of norm evolution, namely ‘norm cascade’. The endorsement of influential states is vital for a norm to progress to this stage. As trend-setters in the international community, these powerful states will create a domino-effect, enticing other states to adopt the norm. Within this second stage, the process of socialisation

will steer states to accustom to the norm. This often occurs in a rapid manner, primarily because states seek to uphold their reputation. The third and final stage of norm developments is referred to as ‘internalisation’. In this phase, a norm will have become so deep-rooted that conforming to it has become entirely automatic. As such, it loses its relevance in political debates, for it no longer stirs up controversy (Finnemore & Sinnink, 1998).

The relevance here for the situation of the Uyghurs lies particularly in the second stage of ‘norm cascade’. This stage envisions that powerful states are key players in spreading norms, by influencing other states to adopt them. What this elucidates is a twofold causal relation: dominant states have the ability to influence other states *and* they are subsequently able to use this to spread global norms. As previously mentioned, the ambiguous mandate of the Responsibility to Protect allows states – to a certain extent – to interpret its facets as they see fit. When a hegemon like China does so, it has the ability to enforce this interpretation onto the broader global community through its influential capacity. The risk of such power is that its thin and national-oriented understanding of the Responsibility to Protect will spill-over into the views of other states. In such a case, the likelihood of a united international movement towards accountability for the Uyghurs by use of the doctrine decreased significantly.

3. Pro-sovereignty and non-interventionist sentiments

The literature review raises the concern that there is a global shift towards pro-sovereignty and non-interventionist sentiments. The existence, but especially the eminence of these ideas is a danger to the functioning of the Responsibility to Protect, which purpose is ingrained in the transgression of sovereignty through means of intervention. When endorsing the doctrine, states eventually came to a uniform agreement that the third Pillar would enable the right to intervene in the affairs of another state. The revaluation of this statement leaves dire implication for the Uyghurs in its wake. It must be noted that two different concepts can be identified here, namely non-interventionism and non-interference. While these concepts are similar in nature, they are not identical. Non-interference regards the idea that states must not meddle in the domestic affairs of a state, while non-interventionism regards the idea that states must not take military or economic actions within a state. As such, non-interventionism is a subset of non-interference, but alternatively, non-interference does not necessarily mean non-interventionism. For the data presented in this section, both terms are relevant.

3.1. China's reference to sovereignty and non-intervention

Flowing logically from the denial of human rights abuses in Xinjiang is China's decision to crack down hard on any criticisms in the international sphere by reiterating the relevance of sovereignty and non-interventionism. It seems that there is a certain terminology that is common across a large number of documents and speeches made by the country. This terminology concerns the words 'interference' and 'internal affairs'. Phrases such as: "...the application of double standards and interference in China's internal affairs..." (Lijian, 2022, p. 1), or "...undermining China's interests and interfering in China's internal affairs..." (Ministry of Foreign Affairs of the People's Republic of China, 2021, p. 1) are clear examples of how China has adopted the notion that sovereignty and non-interference are applicable to Xinjiang. Such messages are spread both within and outside international bodies. Another spokesperson for the Ministry of Foreign Affairs tweeted in early October of 2022 that human rights are used as a method to gain access to the domestic affairs of other states (see *figure 3*). By bringing these issues into the public sphere, even the average Twitter-reader may be influenced to an extent where they start to consider the validity of such statements.

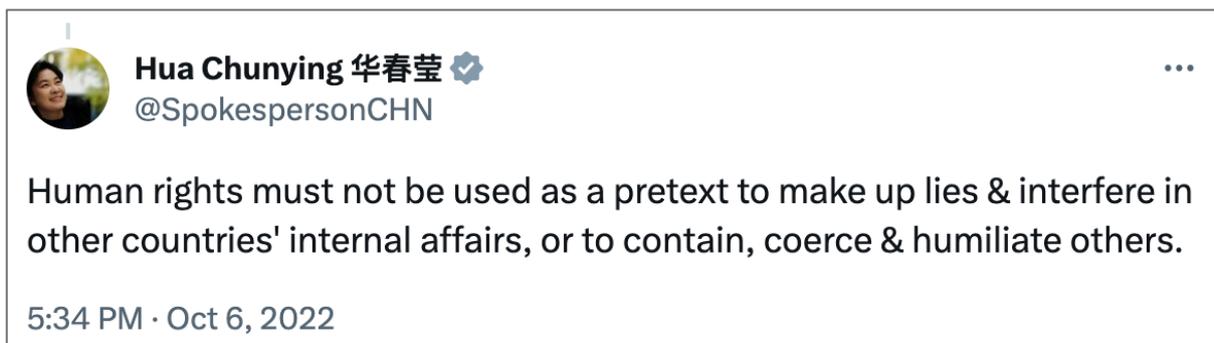


Figure 3 - Twitter post spokesperson China. Source: Chunying, 2022, October 21.

China's commitment to these ideas manifests itself through a morphed understanding of international law. Under Article 2§7, the United Nations Charter prohibits the international body from intervening into the *domestic jurisdiction* of states and it may also not ask that Member States themselves submit issues that fall within their domestic jurisdiction. This shall not, however, overshadow the enforcement mechanisms outlined in Chapter VII of the Charter,

which governs permissible action in situations that threaten peace (United Nations Charter, art. 2, para. 7, 1945). In short: domestic matters must be left to states, unless these threaten peace. Although Article 2§7 of the Charter is binding, the Responsibility to Protect was granted to freedom to overstep the principle of non-interference into domestic jurisdiction. Nonetheless, China employs Article 2§7, in order to justify the importance of non-interference with regards to the Uyghurs. This goes as far as rejecting scrutiny through information-seeking methods into its borders. (Reire, 2019). Indeed, on these grounds, China could effectively argue for the illegality of any measures by the international community to address the abuses. Yet, such an article does not nullify the provisions of the Responsibility to Protect. In fact, the doctrine was used for the Libya intervention, whose resolution function explicitly under Chapter VII of the Charter. Therefore, China's emphasis on Article 2§7 is a clear tactic to use international law as a scapegoat for the continuation of human rights abuses.

3.1.1. A shift to 'new interventionism'?

While claiming the principles of non-interference and sovereignty for itself, China also uses these notions to paint a specific picture of the West. Vice-President Mr. Zongze of the think tank the China Institute for International Studies, has portrayed this by phrasing a so-called shift to 'new-interventionism'. What this entails is that Western states manipulate the promise of the Responsibility to Protect by using its framework to intentionally intervene in states for the purpose of domestic meddling. Part of the tactic of new interventionism regards the pressure that the West places on regional organisations to the extent that states such as China are in no position – or at the very least an uncomfortable one – to refuse propositions of the Responsibility to Protect (Foot, 2020). What Zongze's work illustrates is that China does not only refer to the principles of non-intervention and sovereignty to safeguard its own interests, but also to directly challenge the Western order which has founded these principles.

3.2. The international community's reference to sovereignty and intervention

3.2.1. Voting behaviour in the United Nations Human Rights Council

Given the continuous denial of China's actions in Xinjiang, it is only natural that it has sought to spread notions that corroborate pro-sovereignty and non-interventionism. Yet, the extent to which it can elude accountability in the international sphere depends wholly on the degree to which it can convince other states of these rationales.

During the 51st session of the United Nations Human Rights Council in September 2022, a majority-Western resolution was presented to hold a debate on the report made in the same year by the High Commissioner for Human Rights on the situation in Xinjiang. The voting outcomes of this proposition are portrayed below:

In favour:

Czechia, Finland, France, Germany, Honduras, Japan, Lithuania, Luxembourg, Marshall Islands, Montenegro, Netherlands, Paraguay, Poland, Republic of Korea, Somalia, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against:

Bolivia (Plurinational State of), Cameroon, China, Côte d'Ivoire, Cuba, Eritrea, Gabon, Indonesia, Kazakhstan, Mauritania, Namibia, Nepal, Pakistan, Qatar, Senegal, Sudan, United Arab Emirates, Uzbekistan, Venezuela (Bolivarian Republic of).

Abstaining:

Argentina, Armenia, Benin, Brazil, Gambia, India, Libya, Malawi, Malaysia, Mexico, Ukraine.

With 17 states in favour and 19 states against, the resolution to discuss the report was rejected. What is noticeable about this grouping of states is that in particular those who voted against the proposition are states that have been acknowledged to hold rigid ideas with regards to sovereignty and non-interventionism. For a state such as Venezuela, its voting behaviour is entirely expected, as it too has dealt with situations of unwanted outside interference. For several years now, the United States, some European countries and the 'Lima Group' (consisting of some South American states and Canada) have refused to recognise Nicolás Maduro as Venezuela's legitimate President on the basis of allegations of rigged presidential

elections and his role in widespread human rights abuses. Venezuela has rejected these accusations and has denounced any economic and political measures taken against its government as grave violations of international law. In doing so, it has made continuous reference to the importance of the non-interference into its domestic affairs (Buscemi, & Carpanelli, 2021).

Indonesia is another country that voted against the motion which has a similar story to Venezuela. Indonesia too, has been accused of engaging in widespread human rights abuses in the Papua region. Stories have surfaced depicting instances of torture, rape, murder, exploitation and arbitrary arrest by Indonesian officials against Papua citizens. The government has refused to recognise these issues, framing them as internal matters that are subject to non-interference and sovereign treatment. Just as China has, it recognises the relevant international law provisions and calls upon these to promote the idea that the Papua situation indeed falls within its own jurisdiction (Rosyidin, et. al., 2022). Such a reaction by the government begs the idea that it seeks to uphold the status quo in Papua. Given the stakes it has in the spread of non-interventionism, it's voting behaviour for the motion is consistent with its wish to remain unaffected by international imposition. This also explains why states who may have seemingly little connecting them (such as Venezuela and Indonesia) both opt for the rejection of the Western proposition.

3.2.2. Joint statements vis á vis non-interference

In many of the joint letters and statements in support of China, reference is made to the concepts of sovereignty, territorial integrity and non-interference. The Cuban representative during the Third Committee meeting made a joint statement in which she said: "...rather than making unfounded allegations against China and interfere out of political motivations and bias" (New China TV, 2020, 01:38). The idea that states should not seek to interfere in China's domestic affairs is indicated by her choice of words.

It seems that not only Venezuela and Indonesia would be going down a slippery slope if they denounced China's actions, and the principles of non-interventionism and pro-sovereignty to boot. In 2019 a joint letter was written which backed China. It was signed by the following countries:

Algeria, Angola, Bahrain, Bangladesh, Belarus, the Plurinational State of Bolivia, Burkina Faso, Burundi, Cambodia, Cameroon, Comoros, the Congo, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Gabon, the Islamic Republic of Iran, Iraq, Kuwait, the Lao People's Democratic Republic, Mozambique, Myanmar, Nepal, Nigeria, Oman, Pakistan, the Philippines, the Russian Federation, Saudi Arabia, Serbia, Somalia, South Sudan, Sri Lanka, the Sudan, the Syrian Arab Republic, Tajikistan, Togo, Turkmenistan, Uganda, the United Arab Emirates, Uzbekistan, the Bolivarian Republic of Venezuela, Yemen, Zambia, Zimbabwe and the State of Palestine.

Out of these countries, six are recognised by the Global Centre for the Responsibility to Protect as being in a state of current crisis, with the endorsement or undertaking of severe human rights abuses that warrant the implementation of the doctrine. These states are Cameroon, the Democratic People's Republic of Korea, Myanmar, Nigeria, the Syrian Arab Republic, and the Bolivarian Republic of Venezuela. Others on this list, such as Yemen and South Sudan are classified as "imminent risk" (Global Centre for the Responsibility to Protect, 2023). The full picture of where these large-scale human rights abuses take place is portrayed under *figure 4*. Indeed, the idea that a great number of the states who have supported China are either engaged in- or tolerant of serious human rights abuses within their territory explains that it is within their interest to support the notions of non-interference and pro-sovereignty. This is especially apparent when juxtaposing them to the states who wrote a joint letter *denouncing* China's actions in 2019. These are the following states:

Australia, Austria, Belgium, Canada, Denmark, Estonia, Finland, France, Germany, Iceland, Ireland, Japan, Latvia, Lithuania, Luxembourg, the Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland.

What is noticeable about this list of states, is that none of them are highlighted as risk countries by the Global Centre for the Responsibility to Protect. This strengthens the belief that the states who support China through joint letters and statements might be seeking to promote their own interests, namely by preventing the notion of interventionism and reaffirming the principle of sovereignty. For the Uyghurs and the Responsibility to Protect it can be argued that the

eagerness to uphold state sovereignty should be understood as a direct hindrance or disinclination to engage.

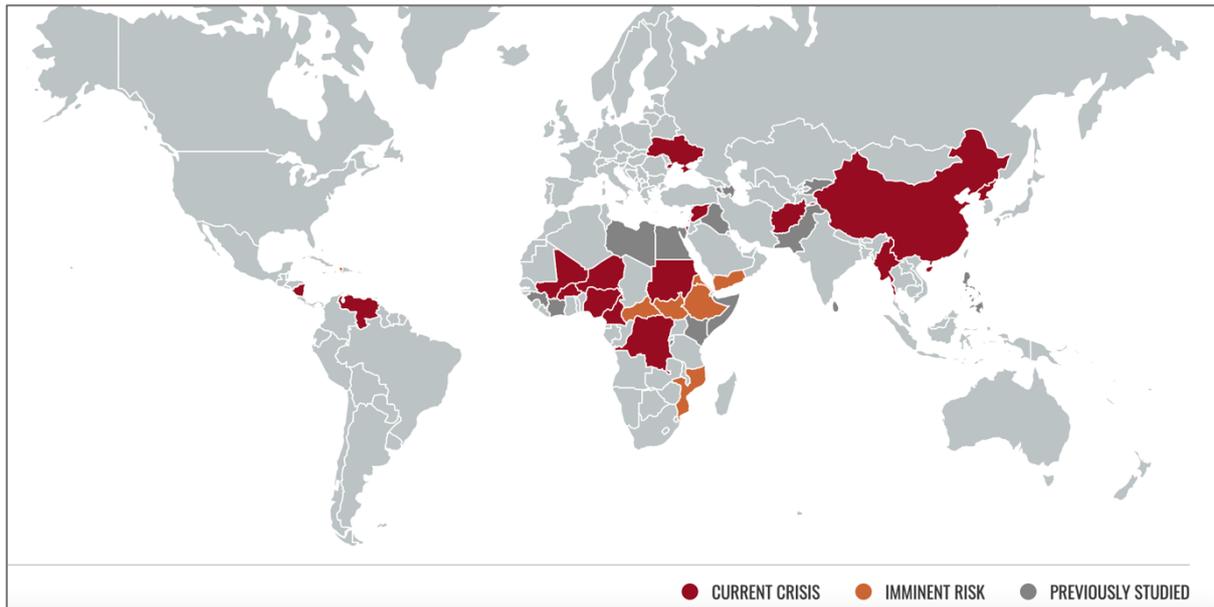


Figure 4 - World map of risk countries. Source: Global Centre for the Responsibility to Protect, 2023.

4. The lack of enforcement mechanisms

The Responsibility to Protect is in its essence a norm, without a legal framework. As a result, it also lacks any sort of enforcement mechanisms. The awareness of this has led (mostly) Western states to sign joint letters and hold of joint statements as means to push for the adoption of the doctrine in the Uyghur case, however with little success. If China was more receptive to the pleas of these conglomerates of states, enforcement mechanisms would likely not even be necessary. However, the reality remains that it has so far denied any and all allegations of human rights abuses.

4.1. The need for urgency

By virtue of the Responsibility to Protect being a norm, it requires a common understanding of urgency and morality for it to be effectively implemented. For the first factor, it has become apparent that the majority of the international community has not recognised the seriousness

of the matter. This is facilitated and exacerbated by China's continuous denial. When analysing the statements that the country has made in response to allegations a pattern can be uncovered. Sentences such as "certain countries have been using Xinjiang-related matters to fabricate lies that slander and discredit China's counter-terrorism and de-radicalization efforts in Xinjiang", or "I'd like to point out that Xinjiang-related issues are not human rights issues at all" (Ministry of Foreign Affairs of the People's Republic of China, 2021, p. 1) are clear indications that China has no intention to accommodate allegations. Similarly, responses by the international community indicate that they are willing to follow such narratives. The following statement made in the 2019 joint letter shows this:

"Faced with the grave challenge of terrorism and extremism, China has undertaken a series of counter-terrorism and deradicalization measures in Xinjiang, including setting up vocational education and training centers. Now safety and security has returned to Xinjiang and the fundamental human rights of people of all ethnic groups there are safeguarded" (A/HRC/41/G/17, 2019, p. 5).

4.2. The impasse of 'compassion fatigue'

The urgency factor seems insufficient, but for the Responsibility to Protect to be invoked the factor of common morality is also necessary. Without proper enforcement mechanisms it works on the altruism of states, however, scholars are recognising a global trend which signifies that this may not be as successful as previously hoped. The unceasing contestation over the legality of the Responsibility to Protect has demanded the use of altruism as the main driving force for the full-fledged interventions into another state. Whether through peaceful or military means, this requires extensive coordination and manpower. Yet, it appears that the so-called 'compassion fatigue' that many states experience demonstrates that morality is insufficient to prompt states to dedicate their money and efforts to this cause. Simply put, compassion fatigue is the scarcity of compassion in an international order that is plagued by a substantial number of struggles. As such, states deem it almost impossible to focus on all cases at once (Jemirade, 2021). The result of this is that many countries are allowed to continue perpetrating and/or endorsing human rights abuses within their borders. When looking once more at *figure 4*, it becomes clear that there is a large volume of states that are experiencing a humanitarian crisis.

However, at the same time, these states are not subjected to the measures promised by the Responsibility to Protect. For the Uyghur community, just as with all other affected populations across the globe, this provides a somber outlook.

The need for the Responsibility to Protect to rely on altruism also poses other risks. Scholars fear that without appropriate enforcement mechanisms, powerful states may push for the improper use of the Responsibility to Protect under the guise of altruism. Fingers point to the United States as having been guilty of this during its Pax Americana program, by which actions were taken to facilitate regime changes in Latin America (Muñoz, 2009). For the Responsibility to Protect, which is in its entirety dependent on altruism, this presents a very real danger. A legal framework, in combination with a set of enforcement mechanisms would mitigate this risk.

4.3. Other solutions, similar problems

For Xinjiang, the lack of enforcement mechanisms presents a substantial complication. In recognition of this, people have sought for alternative methods to ensure accountability. This has, amongst other things, manifested itself under the creation of the Uyghur Tribunal. This legal body is situated in the United Kingdom and comprises itself of lawyers, scholars, and businesspeople. It has hearings, judgements and publications on individual or group stories of family members, or Uyghurs who have managed to escape Chinese detainment camps. Although the purpose of the Tribunal is a commendable one, it too runs into the problem of enforcement. It holds no power to penalise China, nor can it enforce sanctions or other accountability mechanisms. Moreover, it has no official backing from the United Kingdom. Naturally, China does not recognise the legitimacy of the Tribunal. The chair of the Tribunal, Mr. Nice has indicated that the existence of the Tribunal would be unnecessary if international courts took up the task of scrutinising China themselves (Wintour, 2021). However, in absence of this and without proper enforcement mechanisms enabling the Responsibility to Protect or alternative bodies that favour justice for the Uyghurs, the situation remains in a deadlock.

5. Veto power

A fifth explanatory factor for the lack of implementation of the Responsibility to Protect concerns that of the veto power. This power, reserved only for the so-called ‘Permanent Five’, grants China, Russia, France, the United States and the United Kingdom the ability to instantly halt and nullify any resolution pushed through the United Nations Security Council. Festered in historical post-War relations, the right to veto power was given to the most influential states, in the good faith that they would not abuse their powers by unnecessarily restricting the functioning of the Council. Nowadays, nearly eighty years later, scholars argue for the existence of exactly that. As indicated in *figure 5*, China has used its veto power 16 times since 1991 (Stop Illegitimate Vetoes, 2021). Although this number is significantly lower than that of Russia for instance, it has still received criticism from the academic world on the manner in which it has invoked it.

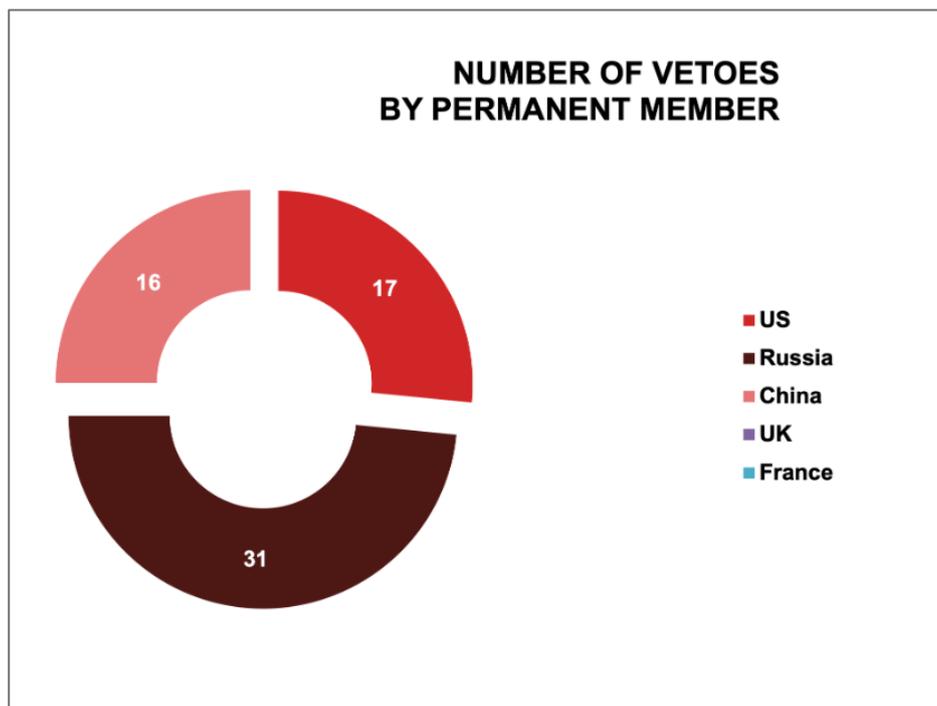


Figure 5 - Permanent 5 Vetoes since 1991. Source: Stop Illegitimate Vetoes, 2021.

5.1. China’s use of the veto power: the case of Syria

When taking the case of Syria as an illustration, scholars generally make note of China’s decision to veto the Responsibility to Protect resolutions despite its awareness of the humanitarian atrocities committed by the Syrian regime (Nanda, 2020). The conflict in Syria

first erupted in 2011 and was met with near-instant international response. The Security Council put forward a resolution that sought to end the human rights violations committed by the Assad regime, as well as to enable the delivery of humanitarian aid. Moreover, it would instruct the international community to invoke a list of sanctions against the Syrian regime. Both Russia and China blocked this resolution, making it void. Several months later the international community attempted again to pass another resolution, which was similarly met with the vetoes of China and Russia. Speculations have arisen here on the reasoning for this second veto. Although this resolution made no mention of sanctions, nor the use of force, it supported the attempt by the League of Arab States to promote a domestically-organised political change. Academics have hypothesised that this might not necessarily have been the reasoning for the veto use, but at the very least served as a justification for it (Illingworth, 2020).

Despite the fact that the Syrian crisis has been ongoing for over a decade, the vetoing of resolutions related to the cessation of the conflict still persists. The most recent of such vetoes were cast by Russia and China mid-2020, in order to prevent the supply of humanitarian aid. Scholars, human rights activists and civil society personnel alike see this blockage as a direct misuse of the veto power (Illingworth, 2020). For much of the Syrian population, humanitarian aid is “the difference between having food to eat and starving” (Tadros, 2020 as cited in Illingworth 2020). It seems that from the offset, Russia and China have cooperated in casting joint vetoes in this specific crisis, which makes one wonder how Russia would respond in the event of a resolution for the sake of assisting the Uyghur minority. Regardless, the general consensus amongst scholars is that the consistent vetoing of resolutions that could benefit the Syrian population is not only a misconduct through the use of the veto power, but also an imposition on the Responsibility to Protect. By being able to cast these vetoes, China ensured that the Responsibility to Protect could not be effectively implemented.

5.2. Implication for the Uyghur population

What the Syria case reveals is twofold. Firstly, it shows that China does not shy away from using its veto power, when it feels that a situation is in direct conflict with its principles and/or interests. Secondly, it shows that even in light of clear human rights atrocities, China would

prevent the implementation of the Responsibility to Protect by using its veto as a permanent obstruction. In particular this last point holds serious implications for the Uyghur population. Indeed, the existence of this veto power in combination with China's willingness to – when it deems needed – halt the use of the doctrine also explains the absence of mentions to it in the United Nations high-level meetings. Revisiting once more the case of Myanmar in 2017 elucidates that here too China profited from its power position. When Secretary-General António Guterres informed the Security Council on the ongoing in the country, the Council members only put forward a presidential statement. Although a resolution under the umbrella of the Responsibility to Protect would have been a more fitting (if not a necessary response) the threat of an immediate veto by China prevented this from ever occurring. If one takes this knowledge and applies it to the case of the Uyghurs a very evident picture can be painted. China has repeatedly denied the allegations that it is committing mass atrocity crimes, which indicates its stark resistance to changing its behaviour. Of course, states are aware of its stance, as well as its veto power and as such, beyond the signing of joint motions, their hands are tied.

5.3. Circumventing the veto-block?

The veto power has made it clear that manner in which the United Nations Security Council has been structured effectively prevents the possibility for the international community to take action. This awareness is not only existent with regards to the Uyghurs. With the veto power, the Permanent 5 members have essentially been given a platform to decide how world politics should look. Dissatisfaction with this reality has spread to all relevant areas, whether these be academic, civil society-related, or governmental. This has spurred the creation of a movement that calls for the reform of the Council. It seeks to convince the Permanent 5 to either relinquish their veto right *or* to extend the number of Permanent Members. Yet, this task is anything but a simple one. The Permanent 5 have so far been unresponsive to calls for such reforms, as doing so risks their power on the international stage. Moreover, in light of extending the list, discussions would arise regarding which additional states should take up the position of Permanent Member. Aside from the political implications, one very clear problem emerges with such dialogues: it requires a reform of the Charter of the United Nations. The right to- and the composition of the veto power are codified in the Charter. Thus, in order to change this law, a direct reform of the Charter would be necessary. Yet, this process involves a 2/3rds

approval of the General Assembly, as well as the ratification of pertaining national legislation by 2/3^{rds} of *all* member states, including the entire Permanent 5 group (Kelly, 2020). The aversion the Permanent 5 have had towards such discussions, the existence of abovementioned factors such as band-wagoning, and the simple knowledge that the reform process is such a rigorous one, make the shift towards veto reform an ambitious quest. That said, in the extremely unlikely event that this reform does take place, the implications for populations such as the Uyghurs would be tantamount.

In recognition of this deadlock, several pleas have been made to the Permanent Membership to exercise restraint in their use of the veto. Such references can even be identified in the report of the body that first mentioned the Responsibility to Protect; the 2001 International Commission on Intervention and State Sovereignty. Since its creation, many more such comments have been made and several initiatives have been taken in regards to this restraint. For instance, in 2006, a group referred to as the ‘Small 5’, consisting of Costa Rica, Jordan, Singapore, Switzerland, and Liechtenstein, called for restraint of veto use in circumstances of serious human rights abuses. It was presented in a resolution that did not receive significant attention until 2012, during which year the resolution was withdrawn, due to continuous pressures of the Permanent 5. Notably, one Permanent 5 Member itself has introduced a political declaration to limit its veto use in situations of humanitarian atrocities. France pledged this to affirm its importance, after its position as Permanent Member came into question. Yet, this declaration clearly outlines that the use of the veto in light of vital national interests is the exception to this rule (Trahan, 2020). As such, one can question the true impact of such a pledge.

It seems that the achievement of justice for the Uyghurs through the Security Council presents serious and ineluctable complications. An alternative route towards accountability could be achieved through the use of the International Criminal Court. Although China does not recognise the jurisdiction of the Court and consequently has not ratified its Rome Statute, the state could still be persecuted if the Security Council adopts a resolution that is subsequently referred to the Court. However, here too this process can be blocked by China’s permanent member position. As such, both plausible methods to achieving a cessation of the crisis lead to a dead-end (Rivi, 2020).

6. The limits of the Responsibility to Protect mandate

The final explanatory factor for the absence of the Responsibility to Protect can be made in reference to the limits of the doctrine's mandate. What this entails is that the provisions and requirements as outlined by the mandate are restrictive in the sense that they occasionally prevent that which they seek to achieve. For the Responsibility to Protect, this can be discerned extensively under the Third Pillar of collective action into a belligerent state. The prospects for enabling the use of this Pillar are limited by the need to go by the strict rules of the book. For suffering populations like the Uyghurs this constitutes profound problems.

6.1. The oversights of the strict mandate

The limits of the Responsibility to Protect mandate are mostly recognised insofar as they problematise the effective implementation of the doctrine, with in particular the implementation of the Third Pillar. The right to the external intervention, whether by use of force or not, is granted by the Security Council. When the Responsibility to Protect was officially endorsed during the 2005 World Summit, direct reference was made to the fact that the Council would be the responsible party for authorising such interventions through resolutions. Accordingly, it can warrant the use of force for interventions by drawing upon the provisions of Chapter VII of the Charter (Jacob, & Mennecke, 2019). Alternatively, the Responsibility to Protect can permit the referral of a case of grave human rights abuses to the International Criminal Court. Yet here too, the Security Council is the chosen body to uphold this responsibility. The possibilities under this framework are therefore particularly limited by that which is worked out extensively in the previous subsection, namely the veto power (Mennecke, & Stensrud, 2021). By allowing the doctrine to function almost entirely in contingency upon the Security Council, it becomes increasingly difficult to pass a resolution when this is in conflict with the national interests of one of the Permanent Members. This limitation of the mandate is structural in essence and is perhaps the most notable conundrum that the Responsibility to Protect generates.

However, even in the nitty gritty, one can identify limitations. Most of these are in relation to the heavily-contested Third Pillar of the doctrine. For instance, the use of force, as authorised

by the Council does not come unquestioned. Specific conditions are placed on the manner in which an intervention through the use of force is executed. These include limits on the list of activities that force commander is permitted to do, the number of soldiers that may be deployed, the weaponry that they may employ and the logistics of an intervention. The intervening parties must even consider the spill-over effects their actions may have (de Waal, 2007). When revisiting the case of Libya, it can be said that many criticisms of the intervention revolve around the impression that it set out to achieve a regime change, when the emphasis should have been placed on protecting the Libyan population instead. Indeed, these facets must be taken into consideration by both the international community and the intervening parties on the ground. The problem then with placing such limitations of what is permitted under an international intervention is that it completely rejects the inherently differing qualities of diverse cases. No one case is the same and as such, in some instances, different processes may be warranted (de Waal, 2007). Indeed, the case of the Uyghurs is described as a “slow-motion genocide” (Adams 2020, as cited in Illingworth, 2022), which sets it apart from many other instances of human rights atrocities that have taken place in history. As such, it is entirely conceivable to argue that a possible intervention into Xinjiang requires entirely different actions than those of the blueprint external intervention.

6.2. Are the Uyghurs in the same boat as the Rohingyas?

The case of the Rohingyas in Myanmar was previously touched upon during the literature review of this thesis and it remains relevant for understanding the Responsibility to Protect. It seems that similar issues arise with the Uyghurs as with the Rohingyas. For this population too, the limits of the doctrine’s mandate played a part in preventing an efficient resolution of the mass atrocities. As mentioned previously, the Rohingya community is also an ethnic minority, which has been the subject of ethnic cleansing and other grave human rights abuses. These atrocities persisted over the course of several years, with the population still living in suboptimal conditions today. The Burmese government throughout this time has completely rejected the existence of the ethnic group. By virtue of their domestic inaction when these human rights atrocities were in full swing, the Second Pillar of Responsibility to Protect has been surpassed and it therefore should warrant the application of the Third Pillar (Mennecke, & Stensrud, 2021).

In 2017 the situation took a turning point, with the commencing of a new series of grave human rights abuses in the form of a genocide. This more than ever permitted the use of the Responsibility to Protect. Yet, this did not occur and the reasoning for this is near-identical to the story of the Uyghurs. Here too, China was against the use of the Responsibility to Protect to help the Rohingya population. The fact that China is a Permanent Member with its corresponding veto power elucidated the limitations of the doctrine in its current form. The necessity for Third Pillar implementation through the authorisation of the Security Council ensured that any chances of employing the doctrine in this case were quickly snuffed out (Mennecke, & Stensrud, 2021).

The case of the Rohingyas outlines the exact problems that the Uyghur population currently faces. The failure of the international community to protect the Rohingyas due to the limitations of the mandate should have served as a precedent for change. However, these structural oversights are so deeply ingrained into the functioning of the United Nations that it once more presents severe complications for yet another ethnic minority.

6.3. The Peacebuilding Commission and the Human Rights Council

When the Responsibility to Protect was officially established in the 2005 World Summit, it seemed most probable that the Peacebuilding Commission and the Human Rights Council would be the bodies that dealt with the First- and Second Pillar of the doctrine. These two international bodies could play an important role in scrutiny and accountability-reaching for suffering populations (Jacob, & Mennecke, 2019). Indeed, the report by the Office of the High Commissioner of Human Rights on the Uyghur situation indicates the ability of this international body to bring the human rights abuses to light, despite China's superpower position. Yet the Outcome Document of the World Summit outlined the Security Council as being the only international body that is relevant for the use of the Responsibility to Protect. It states: "In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council..." (A/RES/60/1, 2005, p. 30). By restricting the doctrine in this way, it has lost a lot of its potential.

7. Recapitulation

The analysis of this thesis has sought to collect and analyse data on the six factors that have been recognised by the academic community as contributing to the lack of Responsibility to Protect implementation in the case of the Uyghurs. Employing both Uyghur-specific and general information, the data provided a clearer understanding of the contemporary deficits, that may be discussed in the following chapter.

The most voluminous of the sections is the first, which analysed the influence of *power politics and self-interest*. The data showed that China has been extending its dominance in the international arena by promoting economic relations through global trade strategies, such as the Belt and Road initiative. It further demonstrates its ability to successfully influence other states by creating a dependency-complex. By providing loans that are too high for recipient states to effectively repay, China places itself in a position of power where it can use the debts as a means to bargain for the achievement of its foreign policy objectives. Furthermore, states are acknowledged to *band-wagon* with China, as they believe this will secure their international position and benefit them in the long run. This all expresses itself in their behaviour in the international setting. States in a debt-trap or those band-wagoning China have been signatories to the joint letters that support the superpower and have praised its efforts to uphold human rights. A synchronous movement to this is the lack of motivation that states have for engaging humanitarian atrocities, as well as the growth in anti-Western sentiment, that is generally tied to understandings of the Responsibility to Protect.

The second section concerns *the ambiguity of the Responsibility to Protect mandate*. The data explained that the doctrine is unclear in its provisions and requirements, which allows states to interpret it themselves. China does so by affirming the importance of a domestic nature of humanitarian atrocity resolution. Its position as superpower in the international arena allows it to spread these ideas to other states, which further solidifies the chances of non-accountability. Moreover, the situation in Xinjiang is quite unique in the way that the human rights abuses are being executed. As such, the ambiguity of the mandate restricts the possibilities for implementation in this case, as it does not fit the ‘blueprint atrocity crime’.

The third section is another explanatory factor that presented a large amount of data. It analysed the influence of *pro-sovereignty and non-interventionist sentiments* within the international

community. In light of the content analysis that this thesis employs, it provided an overview of the language used by stakeholders. China was recognised to use the terminology ‘interference’ and ‘internal affairs’ in many instances in order to drive away from receiving scrutiny. Moreover, a large group within the international community similarly adopted this language and exposed its dedication to this through its voting behaviour in the Human Rights Council, which was in support of China and in rejection of seeking accountability for the Uyghurs.

The fourth section regards *the lack of enforcement mechanisms* of the Responsibility to Protect. The normative status of the doctrine prevented it from being legally ingrained, which naturally means that it has no effective enforcement mechanisms to ensure its use. This allows states to turn a blind eye to ongoing atrocities. China exploits this internationally and denies its engagement in human rights abuses. Moreover, the existence of compassion fatigue, which outlines the growing indifference of states towards humanitarian crises, by virtue of the existence of too many worldwide, is taking the centre stage more and more, with no enforcement mechanisms to counter this. Similarly, other bodies that attempt to reach accountability, such as the Uyghur Tribunal, face these enforcement problems too.

The fifth section pertains to the role of the *veto power*. China is a Permanent Member of the Security Council and as such it enjoys the use of the veto. For the Responsibility to Protect, which is contingent upon the Council, this veto allows China to completely halt any references made to the Uyghurs under the name of the doctrine. Moreover, the data explained that China is not one to exercise restraint in its use of the veto when its vital interests are at stake. Although several measures can be surmised to circumvent this veto-block, none appear plausible in succeeding.

The sixth and final section gathered data on *the limits of the Responsibility to Protect mandate*. The data presented both structural and provisional limitations. The former explained that the dependency of the doctrine on Security Council authorisation has strongly restricted the possibility for it to be implemented effectively and consistently. Other United Nations bodies such as the Peacebuilding Commission and the Human Rights Council, which could have played a role in promoting the Responsibility to Protect are not outlined as entities that may take up such a role. By limiting the doctrine to the Security Council only, its implementation has become increasingly difficult. The latter explained that the Responsibility to Protect in past

cases has placed strict rules on the manner in which an intervention takes place, which may prevent the successful resolution of human rights atrocities in a given country.

All in all, the data presented some viable explanations as to why the Responsibility to Protect has not (yet) been used in the case of the Uyghurs. As mentioned in the introduction, the absence of Responsibility to Protect discussions on the oppression in Xinjiang make it particularly complicated to find data that pertains directly to this. However, by analysing data that is either generally acknowledged as hampering the use of the Responsibility to Protect, *or* by examining discussions and voting behaviour on the Uyghurs outside of the doctrine, a clearer picture is painted of why the status quo remains as it is.

Chapter 5 – Discussion

This chapter seeks to further work out and discuss the findings of the analysis. It will interpret what has been presented in the previous chapter and identify how this contributes to answering the research question. As outlined in both the introduction and the theoretical framework, this research aims to employ the main three theories known to the school of international relations, namely realism, liberalism, and constructivism. In this chapter, these theories will be applied to aid in the discussion and give meaning to the findings. Each of the six main sections of the analysis will be studied under the lens of the three theories. Naturally, the extent to which a theory is able to explain a section will differ depending on the theory's inherent facets, as well as the content of the section.

Based on the hypothesis of this work, it is expected that the theories will identify *self-interest* as the strongest explanatory factor for the absence of the Responsibility to Protect. In order to justify this, it is necessary to briefly revisit the introduction's arguments:

It is expected that the theory of realism will accentuate the the drive for survival. In the face of a superpower, this ambition may shape their interest in such a way that they find it reckless to oppose China. Furthermore, realism rejects the notion of morality in decision-making. As such, it is likely that it is simple not within the interest of states to intervene for the sake of altruism.

For liberalism, it is surmised that states refrain from implementing the Responsibility to Protect in the Uyghur case, because it may affect their cooperation with China, leading them to make losses. It goes without saying that this is not within their interests. Moreover, it is unlikely that intervening in China will bolster their economic position, as such there are no gains to be made from addressing the situation.

The theory of constructivism is anticipated to recognise that the identities of non-superpower states, as well as their perception of hegemon China will influence their interests insofar that they deem it unwise to intervene in the state. Moreover, the normative status of the Responsibility to Protect is continuously questioned, making it unlikely that states would find it within their interest to employ it.

This chapter will start by investigation how the sections relate to realism, then liberalism, and finally constructivism. This upholds the same order as in the theoretical framework. Correspondingly, the subsections will be presented in the same order as in the analysis, namely:

1. Power politics and self-interest.
2. The ambiguity of the Responsibility to Protect mandate.
3. Pro-sovereignty and non-interventionist sentiments.
4. The lack of enforcement mechanisms.
5. Veto power.
6. The limits of the Responsibility to Protect mandate.

Once each of the theories has been applied to all six sections, they will be juxtaposed to one another to find commonalities and distinctions. This, in particular, will elucidate how the theories are holistically able to explain the absence of the Responsibility to Protect in the Uyghur case. Ultimately, the discussion will be wrapped up with a short conclusion.

1. Realism

As thoroughly outlined in the theoretical framework, realism is the oldest international relations theory. It holds a particularly stern outlook towards human nature, as being tainted by egocentrism and distrust. The instinctive desire for survival therefore sketches the decision-making of states insofar as any actions may be permitted to secure it.

1.1. Realism and power politics and self-interest

Power politics, but in particular self-interest are concepts that realism is able to perfectly explain. As stated above, individuals and states alike, are actors that make decisions based on their natural drive for survival. In the anarchic world system this directly influences the realist impression that no state is able to trust another. With survival as the ultimate goal, it is within the self-interest of any nation to obtain it. This may be through violent or non-violent means (Hobbes, 2002, p. 94). Power politics, accordingly, is a product of the drive for achieving one's self-interest.

1.1.1. The drive for survival

Realism is renowned for its emphasis on the drive for survival. As mentioned in the early writings of Thucydides, humans exist in a constant cycle of fear, which creates the drive for survival (Porter, 2022). At the state-level, this is expressed in both violent and non-violent strategising to uphold a position of sufficient power to survive in the international arena. All actions that a state undertakes are in line with this motive. Two of the main strategies discussed under the *power politics and self-interest* section of the analysis can be linked to survival-based actions. *Figure 6* portrays the causal link between power, interests and survival on the basis of these two strategies, namely band-wagoning and reforming perceptions. The following subsections two of this discussion will work out how these are logical within the realist framework.

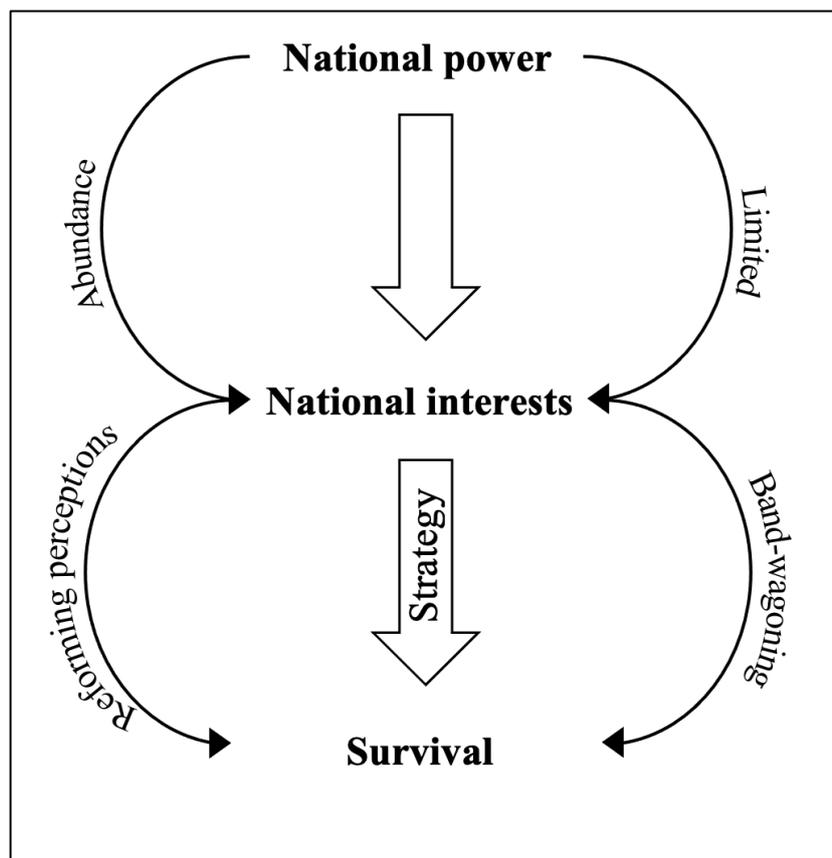


Figure 6 - realist causality of influences

1.1.1.1. Small states: band-wagoning and national power

Morgenthau theorised that national interests are entirely contingent upon national power. This is in turn expressed in the manner in which states behave. Given the realist rationale that states seek to secure their survival, their interests will reflect this. The degree of power that they have accordingly explains the methods they employ to achieve this survival. A superpower is more likely to secure its survival by rooting out any challengers to its claim of power. Smaller powers however, generally do not have the capacity to engage other states (especially great powers). Instead, they ensure their survival by forming alliances with states that may grant them security benefits. The concept of *band-wagoning* is therefore an entirely rational, realist tactic. Indeed, as portrayed in the chapter 4 of the analysis, several states have shown to employ this strategy with relation to China. Cambodia’s band-wagoning, for instance, can be linked to realist thought insofar as the state is in a position of insecurity, not only due to the nature of the international sphere, but also to the facts that it resides in economic insecurity and upholds political rivalries with Vietnam. Realism recognises that these factors bring Cambodia’s survival into question. By band-wagoning with China, Cambodia increases its likelihood of economic survival, while simultaneously strengthening its position in the face of an offence from Vietnam.

1.1.1.2. Large states: reforming perceptions: anti-Western sentiment and national power

While realism is able to explain why smaller powers band-wagon, the theory is also able to explain the actions of great powers. If states indeed employ any means necessary to survive, then their strategy for doing so is entirely dependent on their degree of power. China will not see the benefit in band-wagoning with another superpower. Instead, its actions can be explained through an intersection of offensive and defensive realism. To revisit the difference between these two streams: offensive realism is concerned with the maximisation of power, whereas defensive realism is concerned with the maximisation of security. To a certain extent, these two notions work synonymously. It is their operationalisation that differs. This divergence, as well as how these translate into state actions is portrayed below in *figure 7*.

	<i>Offensive realism</i>	<i>Defensive realism</i>
<i>Tactic</i>	Sanctions	Anti-Western sentiment
<i>Goal</i>	Being greater than other powers	Not being lesser than other powers

Figure 7 - Offensive and defensive realism tactics and goals

Mearsheimer theorised that states are engaged in a continuous struggle for power. This race to the top is characterised by challenging other great powers through political, economic and military means (Mearsheimer, 2001). Indeed, China regularly employs offensive realist tactics. The findings in chapter 4 of this thesis portray China's many attempts to remain in the lead by using a range of economic measures against Western actors. Oftentimes, these measures constituted a direct response to the state being targeted itself first. This use of back-and-forth sanctioning fits within the binds of what is considered the 'security dilemma'. In order to prevent being in a situation where China holds less power, realists rationale holds that it will continue to sanction the West, because by failing to do so, its power will decrease. As of yet it has taken no active military steps against the West. It can be surmised that this is due to the fact that the West itself has not threatened China militarily either and as such, the physical survival of either blocs is not at stake. The ongoing economic battle however, is a clear show of the strive for survival through offensive measures.

Yet, the actions of the superpower can also be studied through defensive realism. In many ways the opposite side of the same coin. It stipulates that states will exert all their efforts to guarantee that they have the maximum security possible to ensure their survival. As such, the difference lies in the emphasis on *power* and *security*. Jervis, a main scholar of this school of realism explained that conflict may be avoided between states when they possess similar thought patterns (Jervis, 1999). Oppositely, states will seek to maximise their security when confronted with a state that exhibits dissimilar behaviour.

For China, one can recognise the use of defensive realists strategies in its spread of ideas to the broader international community. Subsection '1.1.1. international strategic influence' in Chapter 4 portrays a quote by the Western bloc that calls for China to uphold its international human rights obligations. They, *inter alia*, call upon China to grant Uyghurs release from arbitrary arrest and to promote their religious rights (HRC41 July 10th Joint Statement on Xinjiang, 2019). The letter that was sent in response to this (by a much larger conglomerate of states) praises China for its efforts in the realm of human rights (A/HRC/41/G/17, 2019). The clash between these two thought patterns poses a security problem according to defensive realists. China's security maximisation efforts are identified in the manner in which it has managed to gather a large number of states at its backing. These states uphold similar thoughts patterns as it does itself. This great alliance of congruent states reduces the likelihood

international conflict. Simultaneously, those states that do still oppose China's behaviour are deterred from taking rash decisions, for the instinctive desire to survive. Endurance is effectively complicated in the face of the large group that rallies behind China.

It is important to recognise the role that China plays in promoting an internationally common thought pattern. It does so through the spread of anti-Western sentiment, which is thoroughly analysed in Chapter 4's section on *power politics and self-interest*. It has moulded the perceptions of a large part of the international community in such a way that they observe the Global West as an aggressor. More and more, the West is blamed for operating through modes of hypocrisy and self-interest that exist under the guise of human rights. This significantly enhances China own security.

1.1. Realism and the ambiguity of the Responsibility to Protect mandate.

As touched upon in the theoretical framework, realism struggles to explain why states would willingly endorse a doctrine such as the Responsibility to Protect. That said, it is able to elucidate the direct consequences of a vague mandate. The Chapter 4 portrayed that China has used the ambiguity to its benefit by reconceptualising the Responsibility to Protect to align it to its personal understanding. A facet of this renewed comprehension of the doctrine is the importance of respecting domestic elements. This reaffirms the role of state sovereignty, which realism is able to support. The theory stipulates that sovereignty is the inherent right of each state. The weaponisation of it to promote ones self-interest both fits the rationale of that states have undisputed access to, as well as the idea that states may employ any means necessary to survive.

1.1.1. The inability to explain both the source and the by-product

As mentioned, realism cannot effectively explain why states would willingly uphold a moral doctrine such as the Responsibility to Protect. Chapter 4 found that a consequence of the ambiguous mandate is that its blueprint is insufficient for reaching accountability. That is to say, the crimes that the Responsibility to Protect is warranted to address are rigid and limited. The Uyghur crisis does not fit within the binds of what is referred to in the World Summit document and as such, complications arise with prosecuting China. Yet, since realism is unable to effectively explain why states would endorse a norm such as the Responsibility to Protect in

the first place, it is equally unable to present why the mandate would be ambiguous in regards to the protections that it offers.

That said, it was surmised that China intentionally engages in the genocide in the way that it does to avoid international accountability. By committing a cultural or gender-based genocide, it finds the loophole in the mandate of the Responsibility to Protect. It is not in China's interest to be held accountable for its crimes, raising the question of whether its atypical genocide is a strategic self-interest-based strategy. As portrayed in *figure 6*, state power is determining for state interests and subsequently its actions for survival. China is a state with a significant amount of power, which is reflected through its interest in pursuing its own agenda in Xinjiang. To the dismay of Western states, it does so without consideration for international law. Yet, China is fully aware of the composition and temperaments of the international arena. Neorealism contends that the anarchic structure of the international sphere creates a sense of insecurity for states. Defensive realism further elaborates that this insecurity is mitigated when states uphold similar thought patterns. Therefore, realism could also explain China's actions as being motivated by the drive to reduce their insecurity. The Responsibility to Protect is a globally endorsed norm, which by virtue of its universality, operates under a common negative perception of human rights atrocities. By neglecting this view and perpetrating atrocities, China is put in the limelight as a state that does not share the global rationale. Defensive realism stipulates that this makes China a threat to the international order, therewith significantly increasing its insecurity. Thus, by engaging in an atypical genocide, particularly one which is not prosecuted owing to the vagueness of the mandate, China avoids being internationally recognised as shifting away from the common perception.

1.2. Realism and pro-sovereignty and non-interventionist sentiments

State sovereignty and all that it entails is a concept that realism holds in high regard. Sovereign states are after all, acknowledged by this theory as the main players in international relations. It is indeed sovereignty, which all nations have by virtue of their statehood, that allows them to operate within the anarchic self-help system. As such, realists would be the main advocates for upholding pro-sovereignty sentiments. China has made a number of statements where it instructs the international community to respect its internal affairs. In traditional realism, the

idea that a state would have to justify its domestic actions to anybody other than its citizens is inconceivable. States should act how they please, although if it fits within their interests, justifications may be warranted. Yet, while modern day realists recognise that the Responsibility to Protect does warrant this type of justification, they reject it entirely, based on the necessity of it. In fact, the doctrine serves no other purpose than being a policy option that may be used only if and when its use aligns with the interest of the implementing states.

A realists emphasis on state sovereignty in and of itself brings an emphasis on non-intervention, or more specifically: non-interference. This does not deny the existence of interfering in another state. Rather, realism understands the venturing of one state into another to be on the grounds of expansionism. In a state's pursuit to becoming a great power, the methods that it employs are oftentimes recognised to be imperialistic in nature. Interventionism into another state is therefore entirely warranted. It is simply the reflection of a nations interests, which in many instances is the growth in political, economic and military power. Just as for sovereignty, a nation should not be required to justify expansionist actions. That said, it equally cannot be expected that a state should refrain from interfering, because another state simply asks it. In China's public letters and speeches, it emphasises the importance of non-interference, but this holds little merit in realist thought. If a state considers it within its interest to intervene in China it will do so, regardless of requests not to. The principle of non-interventionism is after all, a custom between states that realism can only explain as being the reflection of shared interests.

For the rest of the international community, the emphasis on non-interventionism mirrors their desire for survival. This is linked directly to the notion of band-wagoning. As portrayed in *figure 6*, small states benefit from band-wagoning as a strategy of national interest, because it increases the possibility that they may achieve economic and political goals by coaxing a great power. Oppositely, a small state is unlikely to engage a large one, as it puts their survival at stake. Thus, in line with realist rationales, the decision by non-hegemonic states in the international community to put forth statements in which they support China and reject an intervention into its territory can be acknowledged as a strategy for survival. Yet, one can identify an additional motive for the spread of non-interventionist sentiments. The idea was sketched above that non-superpower states hold considerably less power than hegemony. This effectively limits their capacity to impose their interests. Realism contends that states generally do not want an intervention into their sovereign territory. Signing joint letters that speak of

non-interventionism is exactly that which lies within the capacity of smaller states to achieve this objective.

1.3. Realism and the lack of enforcement mechanisms

The fact that the Responsibility to Protect has no enforcement mechanisms is logical from a realist point of view. Considering that it recognises states as unitary actors in international relations who operate on the basis of their national interest, it is completely understandable that the doctrine has no means of enforcement. In fact, the idea of having an international organisation whose decisions stand above those of a state infringes all that which a state represents.

1.3.1. Compassion fatigue or compassion absence?

As stressed in Chapter 4, compassion fatigue is enabled by the lack of enforcement mechanisms. This deficit in willingness to help populations in need is brought forth by the large number of conflicts in the world, that simply cannot all be addressed by the international community. Of course, this issue would not exist if the Responsibility to Protect was not a norm dependent on altruism. This is where realism comes in. As mentioned above, the theory sees the lack of enforcement mechanisms as a natural consequence of the theorisation that states are unitary decision-makers, that should not be told how to act.

It is clear that realists permit interventionism for the purpose of gaining power, yet the desire to intervene in China is based on moral principles. This is something that the theory does not recognise as pertaining to national interests. Principles (4) and (5) of Morgenthau's 'six principles of realism' state that although nations may express morality, this cannot explain their behaviour and it most certainly does not operate on a universal basis. The scholar argued that international relations and all actions that fall within its frame, stem from a self-centredness that is unique to human kind (Morgenthau, 2005). Therefore, it could be said that compassion fatigue is just a soft way of expressing that there is an absence of morality. Indeed, without altruism as the driving factor for states to intervene, enforcement mechanisms would be imperative to enable the Responsibility to Protect. In this sense, the fulfilment of the doctrines

purpose, or rather the unfulfillment thereof is entirely understandable in realist thought. In the case of the Uyghurs, this can explain the behaviour of the international community, for instance in relation to the outcome of the vote on the resolution to discuss the report by the High Commissioner for Human Rights. Moreover, if the international community does decide to intervene in China, this will be for self-interested purposes. In this case, enforcement mechanisms would not be necessary for the doctrine to work. However, the rationale by Vice-President Mr. Zongze of the think tank the China Institute for International Studies that the West uses the Responsibility to Protect as a cover to intervene for domestic purposes would then hold.

1.4. Realism and veto power

China's use of the veto power or even the threat thereof to hinder the implementation of the Responsibility to Protect is a clear show of the rationale that states use that which is in their capacity to achieve personal goals. States, after all, prioritise their national interests over all other considerations in international relations. Through its continued denial of human rights abuses, as well as its emphasis on sovereignty and non-interference, China has clearly indicated that it is within its interest to continue the suppression in Xinjiang. Paired with this, is the interest to be free from international scrutiny and intervention. *Figure 6* portrays that national interests shape a state's strategy towards survival. Moreover, realist scholars such as Mearsheimer have expressed that states will adopt a large range of tactics to secure their status in the international arena. *Figure 6* outlines that power abundant states employ measures of perception reformation to bolster this status. This is a political tactic that benefits China. However, Mearsheimer noted more measures than simply political ones. Indeed, when drawing upon all of the arguments in abovementioned sections, *figure 6* looks entirely different. *Figure 8* incorporates these different methods. Notable here, is the use of veto power as a strategy for survival. In realist thought, it is expected that if the veto power is a method which China may employ to secure its survival, it will use this without reservations.

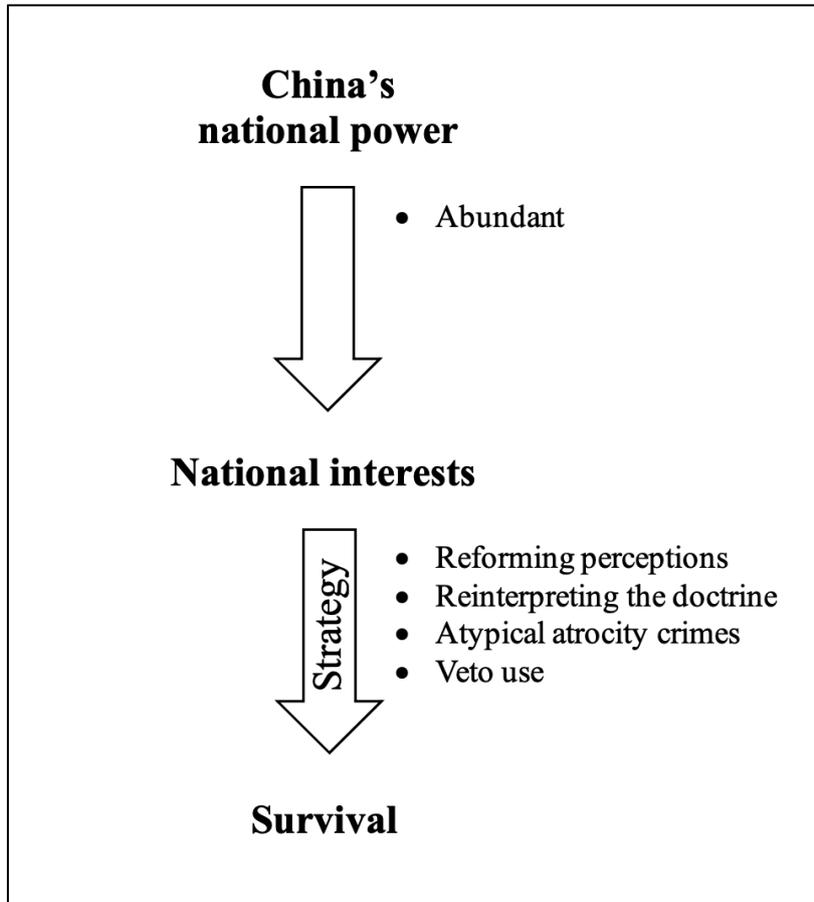


Figure 8 - China's power and national interest strategies

1.4.1. The unlikelyhood of circumventing the veto power

Section '5.3. *Circumventing the veto block?*' of Chapter 4 described the challenges that arise when attempting to either reform the veto power or remove it altogether. As uncovered, the composition and requirements of the United Nations Charter make a legal change an exceptionally difficult endeavour. As another option, states and scholars have called for a restraint in the use of the veto, particularly in light of human rights atrocities. Nonetheless, *figure 5* illustrates that despite these attempts, three members of the Permanent 5 have used their veto power a significant number of times since 1991. China is one of these three states. In realist thought, this continuation of veto use despite international efforts to limit it can be linked to the self-interest of states. Offensive realism recognises that states exert all their efforts to become as strong as possible. For China, its veto power is a source of power as well as a strategy to retain it. It is therefore in conflict with its national interest to limit the use thereof.

Moreover, it cannot be expected to restrain its veto use on the basis of a moral plea, because as stated; the behaviour of a state cannot be explained by morality.

1.5. Realism and the limits of the Responsibility to Protect mandate

This last section is perhaps that one that realism is least able to explain. Realism is an international relations theory that questions the Responsibility to Protect in its entirety. Whether the doctrine's mandate is inherently limited or not, realism is unable to explain why states would universally endorse a moral principle. Yet, as acknowledged in Chapter 1 of the theoretical framework, realism can explain the use of the doctrine if morality is used as a cover for what is in actuality interventionism. When adopting this approach, it can indeed be said that conditions such as those placed on the manner and extent of interventions, limit the use of the Responsibility to Protect.

For the broader structural impediments of the doctrine, however, realism has limited input. The manner in which the use of the doctrine is contingent upon the authorisation of the Security Council could perhaps be recognised as stemming from the interest of the establishing bodies. China's self-interest plays little importance here, beyond what has been discussed in the previous sections, such as the use of veto power.

2. Liberalism

The international relations theory of liberalism upholds an entirely different perspective on the manner in which states engage with one another. As such it is expected to explain the absence of the Responsibility to Protect through other factors. However, as hypothesised, the existence of self-interest is surmised to be relevant here too. Liberalism which has its roots in economics and natural rights places significant importance on the existence of international organisations. In the liberalist theory, such organisations promote interdependence and inter-state cooperation, which mitigates the risk of conflict and simultaneously increases economic benefits and the protection of global human rights (Meiser, 2017).

2.1. Liberalism and power politics and self interest

As opposed to realism, liberalism has a much more positive outlook on international cooperation and state reasonings for doing so. It can be discerned that this does not overlap with China's objectives. Where liberalist thought differs from the actions China has shown to take, is in the underlying motives for economic integration. Generally, liberalism strives for economic partnerships and the promotion of human rights through enhanced international cooperation. The existence of a strong bond allows the space to discuss and collaborate on human rights policies. China takes a significant shift away from this final idea. This is noticeable in the spill-over of its economic cooperation. Where liberalism expects the emergence of human rights, China instead has shown to use its loans as a means to blackmail states into supporting its national interests. *Figure 9* demonstrates this causal relationship.

	Goal	Method	Consequence
Liberalism	Economic cooperation	Fostering ties	Promotion of human rights
China	Economic cooperation	Fostering ties	Leverage

Figure 9 - Difference between actions of liberalism and China

2.1.1. Band-wagoning for economic prosperity

Liberalism postulates that interdependence and international cooperation have their foundations in the desire to promote international markets cooperation. In the contemporary globalised world, which operates under a liberal order, it is particularly challenging for states to close themselves off entirely from others. Cooperation as such, is a necessity for what realist scholars would refer to as 'survival'. Liberalism does not concern itself to the same extent with the need for survival, but it does recognise the relevance for states to engage in bilateral and multilateral relations. Based on this rationale, the decision of states such as Cambodia to band-wagon China is motivated by economic interests. Keohane and Nye (2001) discussed what they referred to as the 'hierarchy within international relations'. This structure is established by the economic capabilities of states. China is recognised as an economic superpower and therefore stands higher in the pyramid than most other states. This makes it an attractive economic

partner for lower-positioned states. Moreover, liberalism contends that the stronger a bond, the higher the chance of economic partnership between states. A clear example of this is the European Union, which commenced initially as an economic partnership between geographically-beneficial, likeminded states. It has now spilled-over into a full-fledged decision-making body that enables widespread economic prosperity as well as the promotion of the liberalist human rights. Thus, when employing this rationale, all states that have chosen to band-wagon China do so for the purpose of strengthening their economic position. Indeed, both states that were provided as examples in Chapter 4, namely Cambodia and Sri Lanka, are states that find themselves in a position of economic insecurity. China, which is both a political *and* economic superpower, can therefore provide them a way out of market failures.

Interestingly enough, this phenomenon is a portrayal of where internal liberalist ideas clash. By pursuing international cooperation through band-wagoning China, these states promote on one hand, the liberalist notion of economic cooperation, but denounce on the other hand, the liberalist ideal of promoting human rights. This is a reality that liberalism struggles to effectively explain. The assumption that human rights and economic cooperation work harmoniously is rejected by the simple fact that in order to band-wagon China, states have to forego any recognition of existing human rights abuses in Xinjiang. As such, it poses the assumption that states must consider what falls more within their interest: the promotion of human rights or of economic prosperity. Self-interest expects states to choose the latter, which is indeed what is happening.

2.1.2. Anti-Western sentiment ≠ anti-liberalism?

The data of the analysis identifies a contemporary shift toward anti-Western sentiments. It must be noted here, that liberalism is generally understood as a Western concept (Chan, 2004). When then speaking of a movement away from Western dominance, the question is begged if this equally translates into a movement away from the importance of liberalism. Naturally, liberalism would not be able to explain such a shift. In addition, liberalism elucidates why states choose to cooperate, but not necessarily why states would seek to end such cooperation. The loosening of ties with the West by the Global South would indicate a worsening of economic cooperation. Specifically, when revisiting once more, the economic insecurity of the states that uphold such rationales. As such, from a liberalist perspective, the adoption of anti-Westernism

is an unfathomable shift. As a matter of fact, liberalism makes no distinction here between economic superpowers such as China and smaller states such as Cambodia and Sri Lanka. It expects that for both groups, economic prosperity through market cooperation should be the main goal that drives international relations.

2.2. Liberalism and the ambiguity of the Responsibility to Protect mandate

Chapter 4 describes that the ambiguity of the Responsibility to Protect's doctrine presents China with the possibility to reinterpret, in order to better suit the state's ideals. The implications of this are felt in the manner in which the doctrine is currently understood and implemented. Accordingly, its successes, as illustrated by the Uyghur case, are plummeting. From a liberalist point of view, the problems with this arbitrary interpretation are twofold. By tailoring the doctrine to its benefit, China disregards both the importance of international agreements *and* human rights.

2.2.1. Neglecting international agreements

Liberalism upholds the notion that states enter into international legal and non-legal agreements because doing so in some way satisfies their domestic interests. Such agreements are both a source and a product of like-mindedness of states, which elevates international levels of cooperation. At the same time, international agreements function as a means to restrict states from undertaking certain actions. Liberalism presupposes that the rule of law and checks and balances are able to restrain governments from power abuse. International law is the inter-state reflection of such constraints. Not all states are liberal democracies and as such not all states will enter into international agreements on the grounds of these ideals. That said, liberalism understands state actions as being the product of some sort of rational calculation of benefits. Therefore, it holds that when the United Nations Member States universally endorsed the Responsibility to Protect, they did so because they felt they had something to gain by doing so. Thus, if a state such as China is intentionally reinterpreting the mandate, this is likely because it feels that it has little left to gain from interpreting the doctrine in accordance with its original purpose. In other words, it is no longer within its interests to understand the doctrine in line with its original comprehension.

2.2.2. Neglecting human rights duties

Although liberalism focusses extensively on gains in international interactions, it also upholds the importance of promoting basic human rights. International law and institutions are sometimes recognised by other schools of thought as limiting a nations power. Instead, liberalism identifies the power that states gain by entering into international agreements. The domestic desire of liberalism to promote human rights through the rule of law and checks and balances is reflected internationally through the spread and acceptance of norms, as well as the relevance of international human rights law (Starr, 2008). As such, the limited successes of the Responsibility to Protect, as a consequence of China's reinterpretation, would be seen by a liberalist as a failure to uphold such human rights. Slaughter (1995) stated that the domestic structure of a state reflects its behaviour in international relations. Therefore, non-democracies are more inclined to neglect the importance of human rights. China's behaviour is in line with this rationale. Its reinterpretation of the mandate may therefore be a show of self-interest. It appears that China simply has a different understanding of the doctrine, whereas in reality it is likely linked its domestic negligence of upholding human rights duties. A liberalist critique of this is evident and may spill-over into concern if China is able to impose this reinterpretation onto other states.

2.3. Liberalism and pro-sovereignty and non-interventionist sentiments

It can be argued that liberalism struggles in providing an explanation why states would oppose interventionism, in particular a form of interventionism that seeks to strengthen the global human rights situation. Liberalism does not recognise state sovereignty as being a shield against international intervention when human rights are at stake (Greener, 2007). As outlined in the Chapter 1 of the theoretical framework, liberalism and the Responsibility to Protect are especially compatible, as they operate on the account of similar ideals. As a matter of fact, Third Pillar interventionism is oftentimes acknowledged as being synonymous to liberal interventionism (Fryer, 2011). The existence of human rights atrocities in Xinjiang ensures the absence of liberalist ideals in the region. Therefore, liberalism would argue that a liberalist intervention is necessary to resolve the crimes and strengthen the human rights framework. The

widespread reference by the international community to non-interventionism counters this rationale.

2.3.1. The democratic peace theory in a domestic light

Like most others, liberalism is a predominantly Western school of thought and as such, its influences stem from the states falling under this umbrella. Indeed, the analysis makes note that the nations who have taken international actions against China are mostly those belonging to the Global North. Alternatively, the states who comprise of the Global South are generally the ones who signed joint letters in support of China. This begs the question of what divides these two blocs, other than their geographical location. Of course, the analysis recognised the existence of grave human rights abuses as taking place only in those states that back up China. However, this is but a factor of what liberalism may employ to explain this difference, because it begs a second question, namely: why do only these states engage in human rights atrocities? This is where the liberalist notion of the democratic peace theory comes in. The theory illustrates that liberal democracies will not engage in conflict with one another, due to their domestic architecture (Placek, 2012). While this theory concerns inter-state conflict, its facets are able to elucidate the difference between the abovementioned groups of China supporters and denouncers. The rationale that lays the groundwork for the theory outlines that the political culture of a democratic state prompts it to seek peaceful resolutions to conflict. Liberal democracies uphold systems in which the rights and interests of their citizens are respected and are even determining for the course of the state. This is made possible by the mode of governance through checks and balances, the rule of law and the enshrinement of individual freedoms. When liberal democracies are confronted with one another this political structure incites them to solve any issues through communication and cooperation. Yet even internally the democratic peace theory elaborates that by virtue of the constitutional restrictions that are placed upon the governing bodies, liberal democracies are able to safeguard human rights and prevent the existence of intra-state conflict (Placek, 2012). The crux of the story is that liberal democracies are simply more peaceful.

On the other side of the spectrum, non-democracies use means of oppression and violence against their populations. As such, non-democracies are generally recognised as being more violent and less peace-loving than liberal democracies (Placek, 2012). While this theory is used

to describe inter-state relations, the same behaviour is seen domestically. This is exactly the distinction that is portrayed by the data in the analysis chapter. As illustrated in *figure 10*, all the states who signed the joint letter that called upon the President of the Third Committee to recognise the human rights abuses in Xinjiang are liberal democracies. Oppositely, all those who signed the counterstatement are classified as non-liberal democracies, or at the very least score much lower than the first group. This is in line with the liberalist notions supported by the democratic peace theory that liberal democracies are prone to peace and non-liberal democracies are prone to violence. Indeed, the contribution of this specific theory is not the fact that it explains the peaceful relations between liberal democracies, but rather how it describes the inherent facets of different regimes and how these define the subsequent peaceful or violent behaviour of a state. Based on this, it helps in answering the abovementioned question of why states engage in human rights atrocities, by connecting it to the regime type of a state. Liberalism may argue that these non-democracies are inherently more violent and therefore more likely to engage in domestic human rights atrocities. Enabled by their political regime, these states would be assertive towards the idea of international liberal interventions and based on the democratic peace theory may even violently resist them.

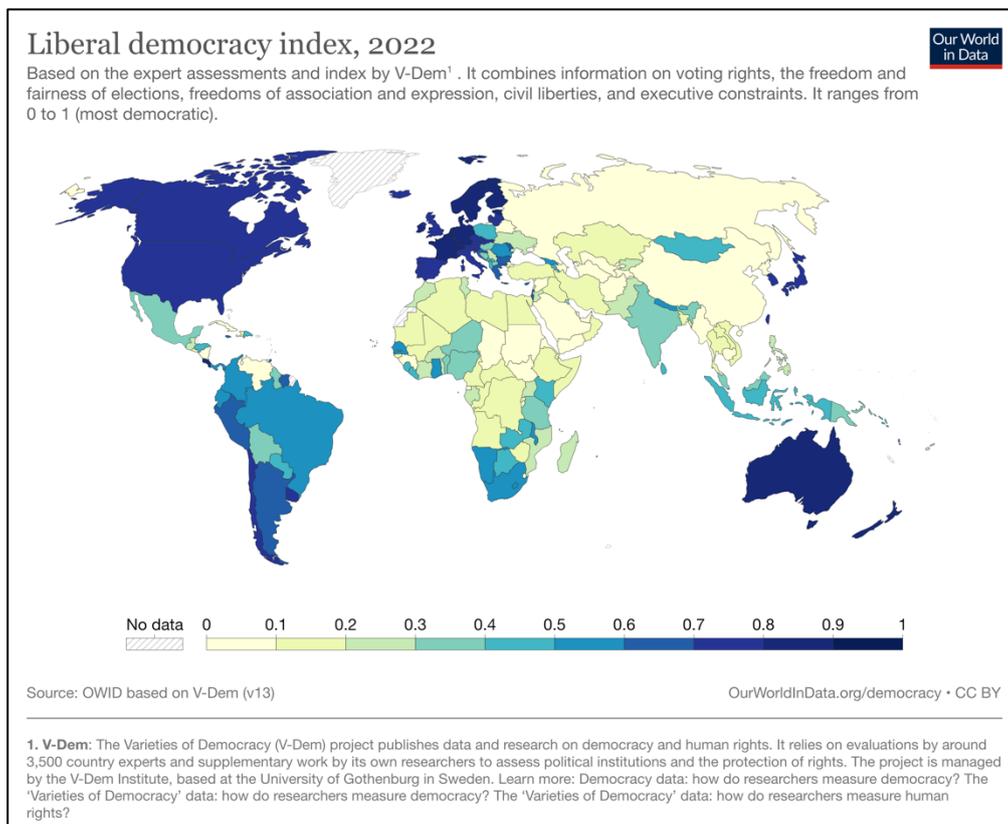


Figure 20 - Liberal democracy index. Source: Our World in Data, 2022.

2.4. Liberalism and the lack of enforcement mechanisms

When approaching the lack of enforcement mechanisms from a liberalist perspective, it becomes apparent that the Responsibility to Protect is caught in the cross-fire of two opposing liberal ideals, namely that of shifting interests and human rights protection. It is indeed true that liberals recognise that states enter into international agreements and law for the purpose of interdependence and collaboration (Meiser, 2017). This is notwithstanding that states also do so for their personal interests. In that sense, international law is simply a codified reflection of what states would have done either way. Although this sounds rather realist in nature, it is not necessarily so, because liberalism contends that states may do so for moral purposes too. Liberalists also recognise that state interests may shift overtime and as such the extend of compliance mechanisms reflects the degree to which states expect an international agreement to remain relevant over time (Moravcsik, 2013). Based on this rationale, liberalists would surmise that the lack of enforcement mechanisms of the Responsibility to Protect stems from the existing doubt of the endorsing governments in 2005 that the doctrine would still be desirable in the future. In principle, liberalism sees no complications with such an approach. International relations are after all the result of a state's personal interests, which are predominantly economic and social.

Instead, the problem lies in the core purpose of the Responsibility to Protect, which is the promotion of human rights by resolving humanitarian atrocities within a given state. Since the promotion and protection of human rights is a central tenet of liberalism, it can be expected that the doctrine must be held in high regard. Yet, as the analysis outlined, the lack of enforcement mechanisms prevents states from using the Responsibility to Protect when deemed necessary. The resulting underuse of the doctrine opposes liberalist ideas of human rights. Liberalism upholds that human rights are universal and granted by virtue of humanhood. Moreover, even in its most traditional sense, liberalism contents that freedom from torture, arbitrary arrest, slavery and so on, are rights that must be protected (Renshaw, 2014). Thus, although the lack of enforcement mechanisms can be explained through liberalist thought, it constitutes a conundrum for the spread of their ideals.

2.4.1. Absolute gains or human rights promotion? A compassion fatigue impasse

Chapter 4 showcased compassion fatigue as being a direct consequence of the lack of enforcement mechanisms. Although this conflicts with the liberalist notion that human rights should be at the centre of a state's decision-making, the lack thereof can be equally explained by the theory. In particular neoliberalism, which has an extensive market-oriented outlook, argues that human rights and liberalism do not always walk the same path. Even when their obligations largely overlap, they diverge in certain aspects. This explains why neoliberalism can support the universal human rights framework, while still rejecting the existence of social and economic rights (Chapman, 2019). When the smooth functioning of a market system is put at stake, or a trade-off presents negative economic implications, liberalism may prioritise capitalistic objectives. This similarly elucidates why human rights may be put aside in the face of economic dilemmas. Moreover, liberalism emphasises the dual nature of a state's decision-making. The bottom-up interests of a population largely determine the actions that a state will take in acceding to- and engaging with international agreements (Moravcsik, 2013). In a situation where it is not in the general public's interest to intervene, a state is much less likely to (Placek, 2012).

A main feature of compassion fatigue is that morality does not sufficiently prompt states to invest their resources to help all populations in need. In recognition of the continuous need to provide both financially and in manpower for a series of conflicts around the world that seem to never decrease in number, a liberal may consider interventionism a waste of such resources. In particular neoliberals argue for a state's instinctive drive for gains. Although these can be absolute or relative in nature, neoliberalism focusses only on the former type. It stipulates that states identify the maximum benefits they can receive from undertaking a certain action (Cai, 2011). From this perspective, compassion fatigue may be the reaction to states realising that they are unable to reach absolute gains by investing more and more funds and efforts into resolving humanitarian atrocities. All in all, liberalism may stipulate that for the Uyghur situation, which is already a challenge to address considering facets such as the veto-block, the decision to spend resources on this case may conflict with domestic economic needs.

2.5. Liberalism and the veto power

Liberalism argues that unrestrained power has the potential to be destructive and as such, constraints must be placed on governing bodies (Starr, 2008). While this is a domestic notion, it is applied internationally too. The supremacy of international law as well as the structuring of international organisations reflects the necessity for states to be bound by rules and regulations if liberalist ideals want to find ground. As noted in the previous sections, liberals associate certain characteristics with different regime types. Naturally, they perceive liberal democracies as being the highest form of politics. Liberalism expects that these regimes will willingly restrain themselves to certain modes of behaviour, as they are domestically as well (Fukuyama, 1992).

With regards to the veto power this warrants the assumption that the veto privilege, which the liberal democracies of the United Kingdom, the United States and France have, will not be misused. These states are exactly those that are expected to show veto restraint in the face of humanitarian crises, by virtue of their dedication to spreading human rights in the international sphere. Indeed, *figure 5* of Chapter 4 confirms that France and the United Kingdom have not used their veto once in the time period between 1991 and 2022. The United States functions as an outlier here, that liberalism may struggle to explain, save that economic gains may have played a role in its veto use. Yet, what is clearly visible is that both non-democratic states who hold the veto power have used their power a significant number of times. Liberalism would regard this as a failure of the establishing governments of the United Nations to have liberalist ideals penetrate into the Permanent Member configuration.

2.5.1. A flaw in the system? Addressing China's use of the veto power

From a liberalist point of view, the fact that a non-democracy has a power that allows it to bypass international checks and balances is a particularly troublesome thought. Indeed, the notion that China would use its veto power to prevent any and all discussion raised concerning the human rights abuses in Xinjiang is precisely what liberalism would expect of a non-democracy. The inherently violent nature of non-democracies makes them both domestically and internationally less likely to consider the suggestions of other parties and states (Starr, 2008). Addressing this veto power, as noted in the Chapter 4, is a process that is near-impossible to carry out. Still, liberalism expects democratic states to demand the

implementation of checks and balances. The calls for veto restraint are a clear example of this. These resolutions are rather modest and as indicated by *figure 5* particularly ineffective. Liberalism would not expect a larger movement of states to support veto restraints by virtue of their regime type. *Figure 11* reveals that an extremely large number of states do not fit the criteria of democracy. In fact, many are not even classified as ‘liberal democracy’, which according to liberalist scholars is the highest form of government (Our World in Data, 2022). As such, all states that do not fit this description are unlikely to internationally promote the use of checks and balances.

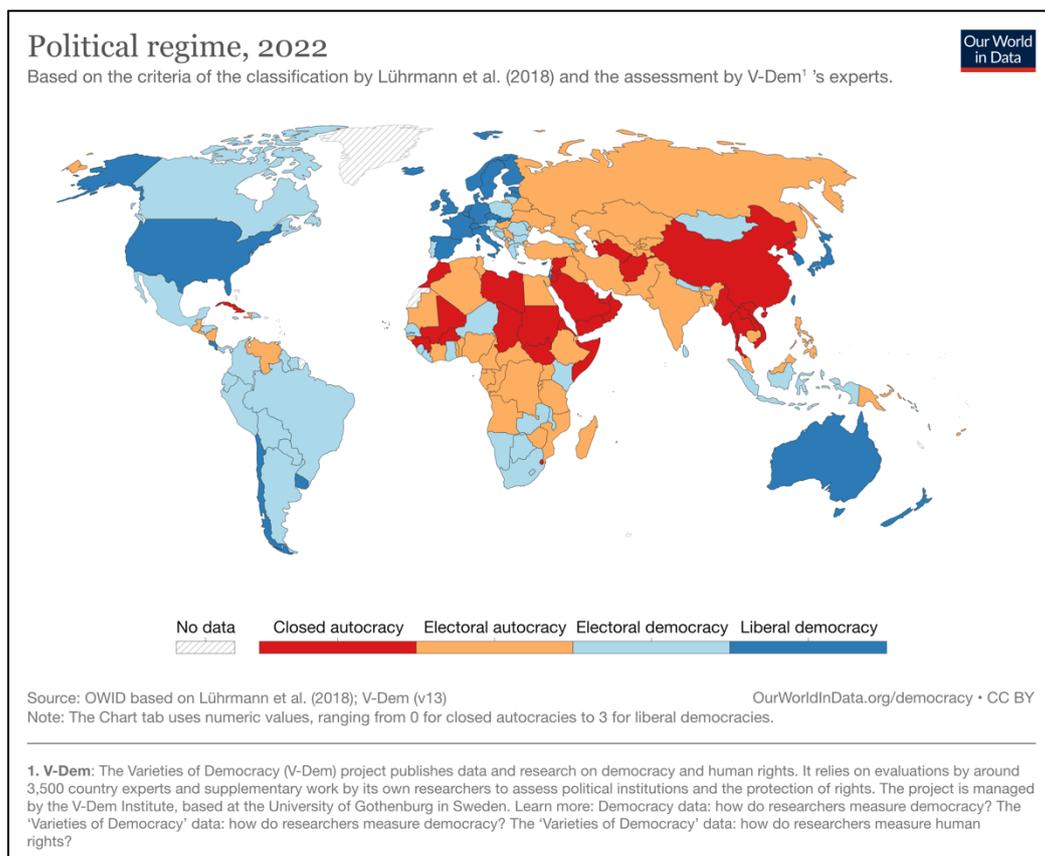


Figure 11 - Regime types around the world. Source: Our World in Data, 2022

2.6. Liberalism and the limits of the Responsibility to Protect mandate

The analysis chapter recognised that one of the main limits of the Responsibility to Protect mandate lies in the fact that only the Security Council may grant the right for states to militarily intervene in another state for the sake of resolving humanitarian atrocities. For the Uyghurs,

this is a limit, of course, because China is a Permanent Member of the Council with the veto power. Yet, one can once more identify liberalist contradictions here. Although liberalism understands the problematics with non-democracies having a permanent seat and therewith veto power, the sole authority of the Security Council to permit military action is a condition that can find resonance in liberalist thought. The above subsection on the democratic peace theory presented the idea that liberalist democracies are more prone to seeking peaceful solutions to conflicts through modes of communication and cooperation. Moreover, liberalist do seek to uphold the territorial integrity of other states (Greener, 2007). In addition, interventions are oftentimes costly and may not provide states with economic or political gains. As such, interventions into other states, particularly military ones, should be a last resort (Placek, 2012). That said, liberal interventions are perhaps the main reason for liberal democracies to employ their military. Yet, the uneasiness with international interventions illustrates why the unique responsibility of the Security Council to warrant the use of the doctrine is not such a bad idea.

The contradiction then, is that by framing the Responsibility to Protect doctrine in this manner, the use of humanitarian interventions and thereby the resolving of human rights atrocities is significantly limited. Indeed, spreading human rights is a core tenet of liberalism. The Responsibility to Protect should have functioned as the means of achieving this. The limitations that the Security Council imposes on its performance may therefore be the result of a simple miscalculation by the establishing governments. It is feasible that liberals would have advocated for the reference to the Peacebuilding Commission and the Human Rights Council if they had sooner recognised the implications of limiting the mandate.

3. Constructivism

The third and final theory to be employed in this discussion is that of constructivism. As opposed to realist and liberalist theories which identify certain behaviours as being a given, constructivism rejects the idea of an objective truth and instead recognises that the world consists of social interactions that foster social constructs (Murphy, 1997). This leads to the surmised that it will explain the oversights of the Responsibility to Protect and the failures in fostering accountability for the Uyghurs through different accounts.

3.1. Constructivism and power politics and self-interest

Constructivism is a large supporter of the idea that all interactions in the world are based on perceptions and relationships. Power politics is generally explained as being the actions undertaken by a particular state that result in an increase of its power and influence (Britannica, n.d.). In constructivist literature, this is made possible by the perceptions that powerful states have of their own characteristics as well as the ability to influence other states. Moreover, self-interest is the accumulation of identities and perceptions that shape a state's needs (Onuf, 1992). These elements are able to explain both the existence of band wagoning and anti-Western sentiments that the analysis recognised as preventing the use of the Responsibility to Protect in the Uyghur case.

3.1.1. Band wagoning and the perception of need

The decision of many states such as Cambodia and Sri Lanka to band wagon China is a completely logical step in constructivist thinking. It all boils down to how these states perceive themselves and how they perceive China. Both Cambodia and Sri Lanka are states that find themselves in economic insecurity. The awareness of this is translated into a self-reflection that these states are not superpowers. Furthermore, the lack of economic prosperity shapes these states by creating the need for financial resources. This recognition creates a state's identity and this identity in turn determines a state's actions. Yet, in a world of international cooperation, a state's behaviour is also dependent upon their perception of other states (Wendt, 1992). The section on international strategic influence of the analysis outlines that China attracts states by providing them with significant loans, while upholding the ulterior motive to lock them in a debt trap. What this illustrates is that China, through its loans, positions itself as a welcome partner for such economically deficient states to approach for satisfying their national interests. Thus, constructivists see band wagoning not as a means of survival per se, but rather as a reflection of the identity that states believe they have as well as how this identity relates to the identity of another state.

3.1.2. Shifting perceptions and norms: anti-Western sentiment

In a world where all state actions are dependent on perceptions of oneself and others, the spread of anti-Western sentiment is a particularly strong tool for influencing the decision-making of states. The fact then that all states who signed the 2019 joint letter in support of China belong to the Global South is entirely consistent with the fact that their perceptions of the West have been influenced. One might argue that China's deliberate spread of anti-Western sentiments is a constructivist strategy to solidify its position in world politics. *Figure 1* demonstrates the relationship between identities and actions according to constructivism. *Figure 12* revisits this interrelatedness by portraying how China and the Global South influence one another. As shown, the identity of a state directly influences its definition of a situation. In this case, many of the China-supportive states share the identity of being a post-colonial nation. On the other hand of the spectrum, China upholds the identity of a superpower state, and acts in accordance with the interests that are paired with such a status. The righthand section of *figure 12* elucidates what the processes mean in practice. The 2019 joint letter by a conglomerate of Western states influences China insofar that its status was challenged. As such, the superpower takes action by spreading anti-Western sentiment. This action reaffirms the identities both China and the Global South have, because actions demonstrate both capabilities and temperament, which in turn influence identity (Wendt, 1992). Simultaneously, China's action influences the Global South, as they themselves interpret China's propaganda as being correct. Moreover, their shared identity as post-colonial nations influences their own definition of the Western joint letter by making note the hypocrisy of the letter. In combination, these factors lead to the action of the Global South, which is to write a joint letter in support of China. Moreover, both the actions of China and the Global South affect the intersubjective understanding and expectations they have of one another. This figure can be similarly filled in for the exact same scenario, but in elucidation of the influences between China and the West. The takeaway from this figure then is the extent to which constructivism is able to explain the manner in which identities and perceptions continuously impact the decisions that states make. Thus, the decision of the Global South to engage with the anti-Western sentiment that China spreads is a logical occurrence.

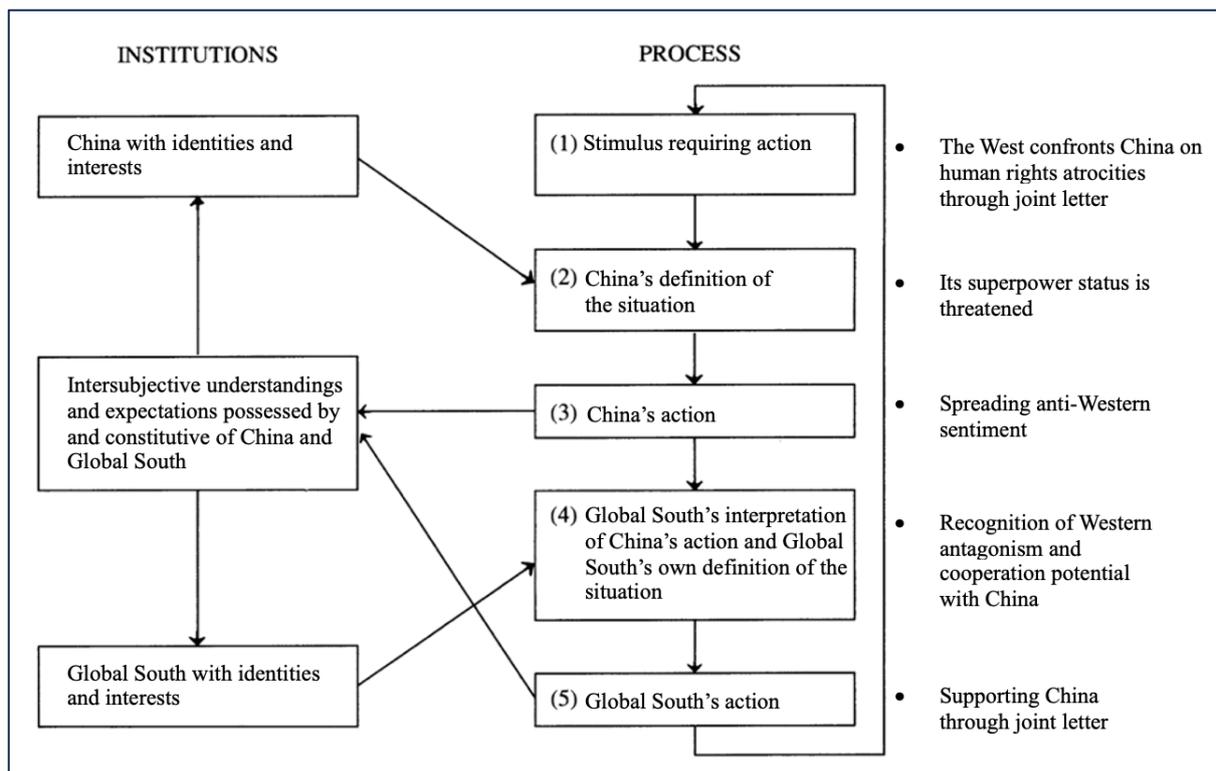


Figure 12 - Influences between China and Global South. (Based on figure 1, source: Wendt, 1992, p. 406).

3.2. Constructivism and the ambiguity of the Responsibility to Protect mandate

The vagueness of the Responsibility to Protect mandate, as well as the manner in which China employs it can be explained on the basis of perceptions and norms. These facets directly influence one another and can be used by the constructivist theory to shed light on the situation.

3.2.1. The Responsibility to Protect as a norm

Constructivists explain that norms are socially constructed standards of appropriate behaviour. They come into being by virtue of the critical entrepreneurship of a key actor or set of actors. Over time and through contestation and accommodation they become ingrained and subsequently dictate the behaviour of actors or in this case; states. As a result, a state may uphold a norm even when this clashes with their national interests, because they have grown accustomed to what is considered appropriate under the norm (Theys, 2018). The Responsibility to Protect is a norm which in its constitutive phase was met with a lot of resistance. It became endorsed nonetheless and has matured over the years. While the

normative nature of the doctrine prescribes a standard of appropriate behaviour, namely that states must themselves or through external intervention cease human rights atrocities, the ambiguity of the mandate has caused leeway in the understanding of the norm.

3.2.2. Perceptions of influence

The norm indeed provides a guide as to how states should address humanitarian atrocities. Of course, the limited use of the doctrine, as well as the continuation of grave human rights abuses raises the concern that the Responsibility to Protect has not been effective in its normative goals. That said, even where it is successful, constructivism may argue that the vagueness of the mandate makes it susceptible to differing perceptions. As thoroughly discussed in the previous section on power politics and self-interest, constructivism recognises how state perceptions impact their actions. If contestation over a norm persists, it reveals that the norm is not fully internalised and therefore unable to act as an unchallenged standard of state behaviour. Given this instability, a state like China, whose interest lies in promoting non-interventionism, will utilise the vagueness of the mandate by advocating for a thin understanding of the Responsibility to Protect. As such, it is letting its national perception of the doctrine completely impact its action. The fact that such ambiguity exists is exactly what makes it possible for a state like China to 1) have a perception that differs from the norms intentions, and 2) to impose this perception onto others. In short, constructivism can see a causal relationship between lack of implementation of the doctrine and the norm instability resulting from the vague mandate that is employed by states to enforce their own perceptions.

3.3. Constructivism pro-sovereignty and non-interventionist sentiments

The analysis indicated that pro-sovereignty and non-interventionist sentiments can be widely noticed in the use of language employed by state representatives. Constructivism makes sense of the terminology that is used, by outlining how this plays a role in socially constructing the world. The theory holds that language is essential in shaping and cultivating state identities. For the Responsibility to Protect, the use of language played a key role in the reconceptualisation of state sovereignty. It enabled epistemological and ontological shifts in the manner in which sovereignty would become understood. States now no longer identified

sovereignty as a static factor granted upon them by virtue of their statehood. Instead, it could be subject to international meddling if a state failed in their human rights duties. In other words, a term which had previously been understood as an unchallenged right was given an entirely new meaning. Constructivists note how the simple use of language has large implications on the identities of states. By cause of this shift these identities became less solidified than they originally were (Gholiagha, 2014).

3.3.1. Backtracking the understanding of sovereignty

The contemporary spread of language that supports the notions of state sovereignty through its historical definition can then be recognised by constructivist scholars as the attempt to influence state identities in such a way that they once more view sovereignty as a privilege that cannot be infringed on the basis of human rights atrocities. Words are decisive for states in determining the actions they may undertake. Even the omission of a single word, or the use of a loaded one may influence the manner in which states understand a certain concept or action. Thus, constructivism may claim that the continuous reference to a specific set of words that promote the ideas of sovereignty in its traditional sense is a direct tactic to influence perceptions around the world. Brunnée and Toope (2012) state: “Speech acts become rules through repetition and social acceptance over time, in other words, through “practice.”” (Brunnée & Toope, 2012, p. 10). The statements, letters, and speeches by Chinese state officials on the situation in Xinjiang more often than not refer to the notion of ‘internal affairs’. Constructivism recognises how the emphasis on this concept has spilled over into the understanding of other states in the international community. Indeed, the analysis chapter notes that many countries who were part of the 2020 joint statement in support of China also made reference to the notion of internal affairs. When such ideas are sufficiently spread within the international realm, they start to take hold in the perception and consequent identities of states. Constructivist scholars would therefore note that the absence of the Responsibility to Protect in the Uyghur case stems from the renewed perception of state sovereignty through discourse.

3.3.2. Non-intervention as the new norm

Just as with pro-sovereignty discourse, the same shift can be acknowledged in the substantial referencing to non-interventionism or non-interference. The influence of language has pushed

a large part of the global community to stand with China in the perception of interventionism as being a Western tool of self-interest. Not only do such sentiments influence the manner in which the Responsibility to Protect is employed, but they also affect contemporary international norms. Interventionism in essence, functions as an international norm that is enabled by the doctrine. The standard mode of appropriate behaviour that governs it is that the international community intervenes when a state is committing or endorsing grave human rights abuses within its territory. Just as the doctrine itself is not sufficiently internalised and therefore experiences contestation and changes, the norm of interventionism is being actively challenged by the discourse of states such as China. What this risks, is that instead, the world will experience the solidification of a non-interventionism norm. In such an event, the use of the Responsibility to Protect doctrine will become minimal and leave populations like the Uyghurs in unchanged circumstances.

3.4. Constructivism and the lack of enforcement mechanisms

Similar to realism and liberalism, constructivism recognises that states have inherent national interests that dictate their actions in the international sphere (Reus-Smits, 2005). Therefore, the decision by the founding states of the Responsibility to Protect to not adopt any enforcement mechanisms was in line with their then-interests. That said, constructivism does acknowledge the influence of perceptions. The lack of enforcement mechanisms therefore reveals the overarching perceptions of the international community on the role and reaches of the doctrine during its initial conception.

3.4.1. Compassion fatigue and ethics

The decision for states to venture into the territory of another to aid a suffering population is oftentimes explained by means of international ethics. This simply refers to the manner in which states let morality guide their decision-making. Yet constructivism struggles to make sense of such notions of ethical actions. Although it elaborates how state identities and interests are shaped, it did not extensively identify why these interests may take the form of ethical considerations. Norms are recognised as social facts that are constituted through state interaction and state actions are part of the larger social process. This takes away a state's

responsibility of an action, which limits the ability to make normative judgements on them (Havercroft, 2018). Compassion fatigue is a clear example of an ethical deficit brought about by the existence of an extensive number of humanitarian crises. As such, although constructivism can denominate the existence of this phenomenon to the social processes that states undergo, it is more restricted in its ability to demonstrate the ethical implications of such phenomena on populations such as the Uyghurs.

3.5. Constructivism and the veto power

When relating to the veto power, constructivism is able to elucidate its establishment, as well as its use or non-use. The United Nations was founded in 1945 on the bedrock of the Second World War. The great victors of this war were the United States, the United Kingdom, France, Russia and China. Based on their identities as being among the most influential states of this time, the decision to grant them the veto power was a likely logical step in constructivist rationale. Based once more on Wendt's (1992) proposition that identities and interest shape perceptions and actions, it can be assumed that it was within the interest of these states to be granted some sort of recognition for their heroic role in the War. Their identity as influential states most probably functioned as an enabling factor for this.

3.5.1. How identities and interests enable the veto use

The logic of *figure 1* will also help explain why China has used its veto power in the past and is likely to do so again in the event that a resolution is proposed to address the human rights atrocities in Xinjiang. The figure explains the process and institutions of influence in relation to an interaction of multiple states, but it can just as effectively demonstrate how this works for a single state. This influence has been broken down in *figure 13* below. The figure juxtaposes the actions China is expected to take to the constructivist theory that links identities and perceptions to actions. As portrayed, China's identity as superpower state impacts its interest insofar as it is unwilling to change its behaviour. The threat of international action against the state clashes with this national interest and therefore is recognised by China as being a risk. Therefore, it is entirely feasible that it would use the veto power to protect its domestic interest.

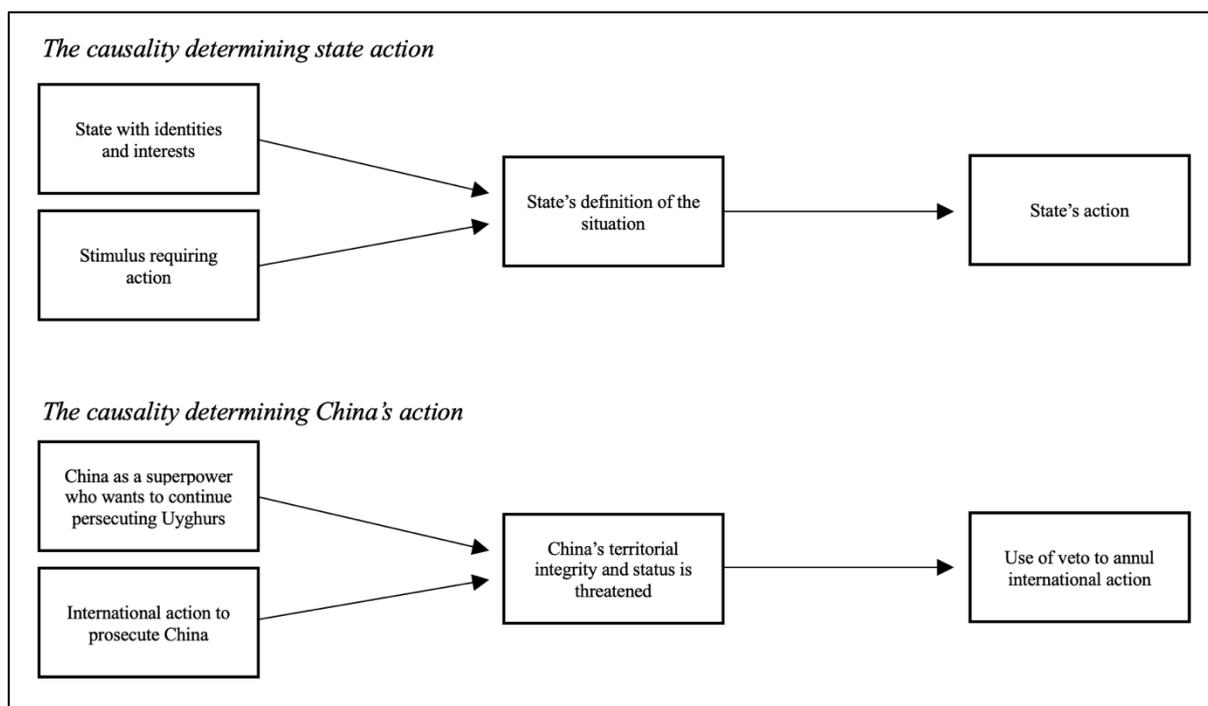


Figure 13 - Causality determining state/China's action. Based on figure 1, source: Wendt, 1992, p. 406.

3.5.2. The role of norms in promoting the non-use of the veto

While constructivism can explain the use of veto power as being contingent upon state identities and interests, it can similarly explain the non-use of the veto power. As presented in Chapter 4, several groups of states have put forward pledges and declarations in support of reasonable or non-veto use. In particular in relation to situations of human rights atrocities such as that of the Uyghurs. When these ideas obtain enough backing, they can start to become international norms. This is precisely what the states who spread these narratives hope to achieve. A norm of no veto use would significantly aid in overcoming obstacles in the implementation of the Responsibility to Protect. Given the above subsection however, it is debatable whether China would act in accordance with this sentiment.

3.6. Constructivism and the limits of the Responsibility to Protect mandate

The limitations of the Responsibility to Protect mandate can be explained by constructivism in the same way that the theory was able to explain the establishment and configuration of the veto power. As explained on several different instances in the writing of the previous sections,

the perceptions of a state directly influence its actions. These perceptions of course, are derived from a state's self-image as well as its interests (Wendt, 1992). For the creation of the Responsibility to Protect mandate, it was apparent that significant contestation existed over how it would look as a framework of human rights protection (McClellan, 2008). This friction made states wary of adoption of such a principle. It must be noted that the doctrine was created in a time where state sovereignty was still acknowledged as being an impenetrable norm of international relations. Thus, although the endorsing states each have their own identity and set of interests, a common denominator between them is the recognition of state sovereignty in this sense. Therefore, it is completely warranted that there would be a general perception of scepticism towards a Responsibility to Protect that completely redefined the concept. In any case, this perception was dominant enough to push states to take an action in accordance with limiting the mandate to allowing only the Security Council to have the authority to permit humanitarian interventions.

3.6.1. A constructivist way forward?

The consequence of this decision is the potential use of the veto power to block resolutions. As mentioned in the analysis chapter, had there been a reference to the Peacebuilding Commission and the Human Rights Council to take up a larger role, this might have influenced the Responsibility to Protect insofar that the mandate would be considered less limited in its provisions. Considering that the doctrine is an international norm, constructivists would argue that this option is not necessarily lost. Norms are not fixed and their deliberative process helps in identifying their underlying facets. Moreover, as portrayed in the above section on pro-sovereignty and non-interventionism sentiments; language is able to shape and create norms (Brunnée, & Toope, 2013). Therefore, constructivist scholarship could argue that a contemporary emphasis on the use of these two international bodies in the implementation of the Responsibility to Protect could overtime become ingrained in the understanding of the norm.

4. Juxtaposing the theories

This final section of the discussion will focus on linking the interpretations of the theories to one another to uncover the distinctions, but even more so the commonalities. This will aid in

accepting or rejecting the hypothesis of the thesis. To revisit it once more, it has been hypothesised that: *the main international relations theories complement each other insofar as to explain that self-interest is the explanatory factor for the absence of the Responsibility to Protect in the Uyghur crisis*. In figure 14, below, the main conclusions that could be made based on the theoretical interpretations are shown.

	<i>Realism</i>	<i>Liberalism</i>	<i>Constructivism</i>
<i>Power politics and self-interest</i>	Survival	Self-interest and economic gains	Perceptions and identity
<i>The ambiguity of the Responsibility to Protect mandate</i>	Survival and self-interest	Self-interest and regime type	Perceptions and norms
<i>Pro-sovereignty and non-interventionist sentiments</i>	Survival and self-interest	Regime type	Perceptions, language and norms
<i>The lack of enforcement mechanisms</i>	State sovereignty and lack of morality	Self-interest and absolute gains	Perceptions and self-interest
<i>Veto power</i>	Survival and self-interest	Regime type	Perceptions, self-interest and norms
<i>The limits of the Responsibility to Protect mandate</i>	Self-interest	Miscalculations	Perceptions

Figure 14 - Recurrent theme's in the discussion

What becomes apparent when looking at this figure is that the theories have presented a considerable list of different explanatory factors for the absence of the Responsibility to Protect in the Uyghur case. That said, the majority are recurrent, with the exception of ‘lack of morality’ under the realist interpretation of *the lack of enforcement mechanisms*, ‘miscalculations’ under the liberalist interpretation of *the limits of the Responsibility to Protect mandate*, and ‘language’ under the constructivist interpretation of *pro-sovereignty and non-interventionist sentiments*. ‘Economic gains’ and ‘absolute gains’ in the liberalism column also stand out, although these two factors can, depending on their expression, be used synonymously.

4.1. The main factors for each theory

When breaking it down, it appears that for realism ‘survival’ and ‘self-interest’ are the most important factor that explains the absence of the use of the Responsibility to Protect in the Uyghur case. For the former, this means that states are letting their desire to survive in the international arena of anarchy decide their actions. Many states link their survival to China and therefore act in accordance with this. In addition, China’s actions are also in line with securing its own survival. It can be surmised that it fears that an international intervention into its territories would conflict with this drive for survival, whether this is survival in its entirety, or the survival of its status as hegemon. For the latter, it can be said that realists see states as egocentric actors, who do whatever is in accordance with their interests. For many states, it is not within their interest to intervene in China, so they simply refrain from doing so.

For liberalism there appears to be a tie between the most common explanatory factors. Both regime type and self-interest are what the liberalist scholarship identifies as preventing the use of the Responsibility to Protect in the Uyghur case. For the former, liberalism recognises that non-democracies operate in a distinct manner from democracies insofar as they are less concerned with human rights and international commitments. Indeed, China and a large portion of the international community are classified as non-liberal democracies. For self-interest, liberalism stipulates that states will take certain actions, because it simply reflects their domestic interests, whether these are economic, or based on the opinions of the general public. However, this fits the rationale of ‘self-interest’, because very few states would directly come out with their true intentions for their decisions.

For constructivism, the overly apparent explanatory factor is that of perceptions. The idea that states take actions in accordance with their perceptions of a situation is a mainstream constructivist rationale. For the Uyghur situation, this elucidates that many states have the perception that keeping China in their good graces will in some way benefit. From China’s side, its perception of the threat of an intervention into its territory has similarly pushed it to hamper any talks about such a measure.

4.2. A commonality across the theories

Unsurprisingly, the factors demonstrated as explanatory by the theories are inherent to how these theories explain the nature of international relations. Although it is clear that self-interest is not the only factor that explains the absence of the Responsibility to Protect in the Uyghur crisis, let alone the most important one for each respective theory, it does appear to be the most recurrent one. Out of the eighteen different possible conclusions, it appeared nine times across the sections as able to explain the actions of states. In realism it was recognised most often.

Interestingly enough, self-interest seems to each time, with the exception of one, be in conjunction to another factor. What this indicates is that self-interest is not a separate element, but rather part of a larger strategy. When revisiting the definition that was given of self-interest in the introduction, it became clear that it is oftentimes not merely the decision to act upon one's interest. Rather, it differs in the manner in which it is expressed. Self-interest may take the form of an action, while it is actually done with another motive in mind. For instance, Chapter 4 indicated that several states who argued for the principles of non-intervention and pro-sovereignty on China's behalf are also states who engage in serious human rights abuses themselves. The act of doing one thing for the purpose of another is precisely how self-interest may operate. It can be argued that this example therefore fits within the binds of what constitutes self-interest. The fact that self-interest is continuously linked to other factors is thus quite logical. Of course, this interpretation is but a facet of the broader concept of self-interest. In particular in constructivist scholarship, straightforward self-interested decisions are recognised. These state actions are an unpolished reflection of national interest that are not undertaken under the guise of something else.

Each theory recognises the existence of self-interest in relation to a different element which oftentimes is inherent to their distinct understandings of international relations. This indicates that self-interest aids in explaining the deeper *raison d'être* of factors that they identify as being ingrained into state behaviour. In realism this is expressed in the recognition that the need for survival is conveyed through the self-interested actions of states. Liberalism on the other hand, sees self-interest as both the desire to obtain economic and absolute gains, as well as it being a by-product of a state's regime type. Finally, constructivism explains that self-interested actions stem from the perceptions that a state has of itself, others, and the situation at hand. The commonality, is that for each theory, there is a factor that enables the use of the self-interested actions.

4.3. Self-interest or other determinants?

The subsection above clearly recognises the importance of the self-interest of states which pushes them to take actions that prevent the use of the Responsibility to Protect in the Uyghur case. Generally, this is in line with the proposition of the hypothesis of this thesis. However, as mentioned above, other components have arisen in the identification the common themes across the discussion. This implies that there is a combination of factors that influence the absence of the doctrine in China. While self-interest is not the only determinant, it is important to recognise once more that it is neither a sole component. Rather, it is a manifestation of the relationship between goals and actions. When a state has a certain motive that is fulfilled directly when it undertakes a certain action, then it can be said that it acted in accordance with its self-interest. However, when taking this approach, it can be said that all actions which are free of altruism are in some way the satisfaction of self-interest. To avoid going down this rabbit hole, the classifications portrayed in *figure 14* are taken as given.

It should also be noted that the other recurrent factors for each theory are survival, regime type, and perceptions respectively. These elements are integral to the three theories. Survival is acknowledged by realism as the main stimulator for state actions. It is precisely this that makes states take egocentric actions, or put differently; self-interested actions. Regime type on the other hand is a component that directly explains a state's actions according to liberalist scholarship. Although economic prosperity is also a great driving power for state actions, liberalist recognise the role a regime type plays in the moral considerations of states. The Responsibility to Protect is reliant on altruism, yet non-democracies are noticed to place less importance on such notions and rather base their decision on their own personal interests. Finally, perceptions dictate how a state views its own capabilities, as well as the capabilities and the cordiality of others. These perceptions impact a state's interest and actions. Thus, when a state perceives a need or a threat, it will take actions based on its own interest to engage with this situation. What this all entails, is that self-interest is deeply ingrained in the main components of each theory. Based on the rationale, the hypothesis of this research, namely: *'the main international relations theories complement each other insofar as to explain that self-interest is the explanatory factor for the absence of the Responsibility to Protect in the Uyghur crisis'*, is partially and tentatively accepted. Indeed, self-interest is a common

explanatory factor across the theories, but it is not *the* explanatory factor when other factors are similarly at play.

Conclusion

This research aimed to use theory to identify the different factors that impacted the Responsibility to Protect insofar as it remains unemployed in the Uyghur crisis. The research question that therefore guided this work is: *how can the main international relations theories explain the absence of the Responsibility to Protect in the Uyghur crisis?* Through qualitative content analysis of official United Nations documents as well as the civil society data and literary contributions, a conclusion has been reached in response to the research question that will be provided shortly.

The findings of the analysis chapter sketch the idea that there is a bifurcation within the list of factors that explain the non-use of the Responsibility to Protect doctrine in Xinjiang. On one hand, there are static factors, such as the lack of enforcement mechanisms that obstruct the use of the doctrine for all humanitarian crises. On the other hand, there are fluid factors, such as the spread of pro-sovereignty and non-interventionist sentiments that pertain in a more direct manner to the case of the Uyghurs. The analysis chapter demonstrated that regardless of their nature however, each of these obstructions negatively impacted the Uyghur situation. The discussion subsequently found that these factors may be explained through a plethora of different elements, many of which – as expected – are integral to the theories. Self-interest appeared to be the most frequently used determinant for state behaviour, however it was not the sole factor. Other recurrent elements were that of survival, regime type, and perceptions. Because these often appeared to be tied to self-interest this led to the partial acceptance of the hypothesis. In light of this, the research question of this work can be answered with the following: *the main international relations theories each recognise the influential role of self-interest in state actions related to the Uyghur crisis, especially in relation to factors that they respectively identify as inherent to statehood.*

1. An overview

This thesis sought to delve into the intrinsic elements affecting the Responsibility to Protect in its endeavour to address the Uyghur crisis. Accordingly, the introduction pointed out the crux of the problem. Indeed, the situation in Xinjiang has been a longstanding one. The Uyghur

population has suffered from oppression for decades, if not centuries. Contemporarily, persecution takes the form of detainment in ‘political re-education camps’, in which citizens face indoctrination, sexual violence, and torture. The deficit in international actions against these human rights abuses generated the motive for this research. Moreover, in recognition of the important role that international relations theories play in explaining international phenomena, realism, liberalism and constructivism were chosen in aiding the research.

1.1. Chapter 1

The following chapters of this thesis all contributed to the eventual answering of the research question. Chapter 1 constituted the theoretical framework. Given the theoretical design of this research, it added a particular importance to the thorough development of a strong theoretical foundation. Each theory was delineated in detail with regards to their historical origins, main contributions, internal scholarly divisions and their relation to the Responsibility to Protect.

For realism, this illustrated that it is perhaps the oldest international relations theory that has a particularly grim outlook of human behaviour as being egocentric. As such, states make self-interested decisions that ensure their survival in a world of anarchy and distrust (Korab-Karpowicz, 2018). This research focussed on two internal divisions, namely that of offensive and defensive realism. They are dissimilar in their explanation of the actions undertaken for satisfying the need for survival. The former relates this to the maximisation of power, whereas the latter relates it to the maximisation of security. In combination, the theory’s features make it challenging to explain the functioning of the Responsibility to Protect. Only through the obtainment of underlying benefits can realists even remotely begin to explain the use of such a doctrine.

For liberalism, the theoretical framework elucidated that the theory started off as a domestic comprehension of the importance of the rights of all humans. Eventually it took hold in the international scene and became understood as a theory that identifies states as actors that cooperate for economic benefits and the promotion of human rights. The theory branched into that of neoliberalism, which placed a significant emphasis on markets in explaining human rights perimeters and international cooperation beyond that of traditional liberalism (Chapman,

2019). Especially in its classical sense, liberalism can be closely associated to the Responsibility to Protect, as both seek the promotion of human rights in a universal manner. Moreover, liberalism commends the use of interventionism to spread liberal ideals, which partially coincides with the purpose of the doctrine (Fryer, 2011).

For constructivism, it was acknowledged that it is the youngest of the three international relations theories. It assumes that the world is an accumulation of socially constructed ideas that are spread through interactions (Palan, 2000). These ideas become enshrined into international norms that dictate the appropriate behaviour of states in differing situations (Theys, 2018). In combination with the perceptions that states have of themselves and others, these factors facilitate state actions (Wendt, 1992). The modes of influence can be distinguished into three streams of constructivism. Systemic constructivism looks at states as unitary engaging actors, unit-level constructivism looks at domestic influences, and holistic constructivism combines elements of both. For the Responsibility to Protect this theory demonstrates that the doctrine is a case in point of the operation of international norms. Additionally, the use of language impacts the doctrine by enabling it through repetition and assimilation.

1.2. Chapter 2

Chapter 2 of this thesis concerns the literature review. It is structured along three themes that each sought to answer questions that were deemed necessary before engaging in the research. Theme A asked the following: “*does the Uyghur case constitute a violation of a jus cogens?*” Answering this question was imperative, because if the literature concluded the situation does not constitute a *jus cogens* violation the entire foundation of this thesis would disappear. The general consensus amongst scholars is that the crisis constitutes a genocide, albeit an atypical one. References were made, for instance, to it being a cultural or gender-based genocide. Several, although not all also argued for the existence of crimes against humanity, through, *inter alia*, the forced detainment and/or deportation of Uyghurs.

Theme B asked the question: “*why is the Responsibility to Protect contested and how can this be addressed?*” This question was tantamount to the research of this thesis. As a matter of fact,

the conclusions drawn from this theme were the basis of the research in the analysis chapter. In order to understand why the Responsibility to Protect is absent in the Uyghur case, it was first necessary to understand the scholarship on its general oversights. Several points of contestation were recognised that were further used in the analysis, such as the limits of the doctrine and the lack of enforcement mechanisms. Solutions to these conundrums took shape in the involvement of civil society organisations, as well as international organisations like the International Criminal Court and the European Union.

Theme C posed the question: “*is the Responsibility to Protect doctrine generally successful enough to be employed?*” The relevance of this question lay in the fact that if the scholarship agreed that the doctrine is not successful enough, this thesis would become redundant. Here too, conclusions were derived that supported the structure of the analysis chapter. It became apparent that many scholars are exceptionally critical of the doctrine. While the stories of failure existed in abundance, fewer accounts were sketched around the idea that it is inherently successful. That said, scholars remained optimistic inasmuch as they provided several methods to bolster the chances of success. These included the use of investigatory bodies as well as employing the toolbox of the European Union. This would combine scrutiny-oriented and action-oriented elements to increase the likelihood of a fruitful use of the doctrine.

1.3. Chapter 3

Chapter 3 explained the methodology of this thesis. It thoroughly justified why this thesis employed the methods that it did. In short, it stated that this work would be qualitative in nature and philosophised on the basis of interpretivism. A deductivist approach would be employed with a longitudinal scope. The work examined a case study, the data for which was collected mostly from literary works, official United Nations documents and other data of NGOs and civil society. This data was analysed through content analysis.

1.4. Chapter 4

Chapter 4 of this thesis is the analysis, which sought to examine how the factors recognised in the literature review as contributing to the non-use of the doctrine were at play in the Uyghur case.

The most voluminous section was the first on *power politics and self-interest*. It displayed data showing that China utilises its dominant position in the world by engaging in economic partnerships where it holds the upper hand. It provides loans and employs these to lock states such as Zimbabwe, Djibouti and Cameroon in a debt-trap. The section also made note that there is a motivational deficit in state engagement with the Responsibility to Protect doctrine. Furthermore, self-interest was noticed through the fact that there is a growth of anti-Western sentiments in the Global South, as well as a large number of states that bandwagon China for economic, security and political goals. It is surmised that this body was the largest, as self-interest was shown to be one of the common denominators across the theories. As such, it is unsurprising that there was an abundance of data available on this topic. Interestingly enough, in Chapter 5, only one theory classified this section as being explanatory on the basis of self-interest. However, this can be linked once again to the fact that self-interest is not a separate factor and rather part of a larger relationship of influences.

The second section on *the ambiguity of the Responsibility to Protect mandate* outlined that states are unsure of how and when to employ the doctrine. China manoeuvres this by interpreting the doctrine in such a way that it limits its effectiveness, therewith safeguarding the state against the use of it in its territory. Moreover, the spread of such notions can distort the essence of the norm.

The third section is called *pro-sovereignty and non-interventionist sentiments*. Given the nature of the conundrum, this section was scrutinised extensively through content analysis. It was expected that the use of words would most effectively demonstrate the existence of such sentiments. The findings held that China makes considerable use of pro-sovereignty and non-interventionist language in order to avoid the use of the Responsibility to Protect within its territory. Moreover, many states who support China made references to promoting sovereignty and non-interference. Notable is that many of these states engaged in human rights atrocities themselves too. This section is the second largest body of the analysis, mostly due to the amount of data available for it. This leads to the conclusion that the spread of these sentiments plays a significant role in the non-use of the doctrine for the Uyghur case.

The fourth section on *the lack of enforcement mechanisms*, was perhaps the most challenging section to analyse. This is mostly due to the fact that the absence of such mechanisms is not open to interpretation, rather it is a solid fact. That said, the consequences of this reality are more easily noticed. The section outlined that the phenomenon of compassion fatigue prevents states from using the doctrine. With no enforcement, this fatigue goes unaddressed. Furthermore, the section outlined that other international bodies face similar problems in their pursuit of reaching accountability for the Uyghurs.

The fifth section revolved around the *veto power*. Similar to the previous section, the existence of the veto is a fixed reality. The data elucidated that China has invoked its veto power on a plethora of occasions and therefore would be guaranteed to do so again in the face of the use of the Responsibility to Protect for the Uyghurs. Moreover, attempts to bypass the veto barrier was presented as an unlikely endeavour, considering the need for an amendment of the Charter.

The sixth section was called *the limits of the Responsibility to Protect mandate*. The data outlined that the obligation for the Security Council to enable interventions under the doctrine limited the chances of its employment on the basis of the veto. This oversight can be traced back to the creation of the doctrine, which could have been mitigated had there any connection made to the Peacebuilding Commission and the Human Rights Council. Moreover, limitations specific to the doctrines mandate were also recognised as impeding the possibility for successful interventions.

1.5. Chapter 5

Chapter 5 is the discussion chapter. Here, the three theories were linked to the six sections of the analysis. For realism the discussion illuminated that survival and self-interest were the most common explanations for the actions of states that played a part in preventing the use of the Responsibility to Protect in the Uyghur case. For the four sections *power politics and self-interest*, *the ambiguity of the Responsibility to Protect mandate*, *pro-sovereignty and non-interventionist sentiments*, and *veto power*, the drive for survival pushed states to take certain actions that have detrimental effects for the Uyghur population. This is acknowledged in either

the Global South heeding superpower China, or the latter state's concern that an international intervention into its territory would conflict with its survival. Another recurrent factor is that of self-interest. It is sketched by the idea that states are egocentric actors that pursue their own goals regardless of other players. This was seen in the complications regarding *the ambiguity of the Responsibility to Protect mandate, pro-sovereignty and non-interventionist sentiments, veto power, and the limits of the Responsibility to Protect mandate*. What most these sections have in common is that they concern the makeup of the mandate. As such, the discussion portrayed the manner in which the Responsibility to Protect has been designed enables states to interpret and employ it as they see fit. For the outlier; *pro-sovereignty and non-interventionist sentiments*, it can be noticed that states spread these ideas, because it is in their interest to.

The discussion's paragraphs on liberalism portrayed that self-interest and regime type were most frequently recognised as holding explanatory power. Self-interest was able to elucidate three sections, namely *power politics and self-interest, the ambiguity of the Responsibility to Protect mandate, and the lack of enforcement mechanisms*. Liberalism presented this by theorising that states are more inclined to make decisions based on their interests, as they are often concerned with gains. If there is something to gain from an action, they are likely to act in accordance with obtaining this objective. The same holds true if a state feels there is little to gain. Regime type played a role for the following factors: *the ambiguity of the Responsibility to Protect mandate, pro-sovereignty and non-interventionist sentiments, and veto power*. It noted that non-democracies are much less concerned with the promotion of human rights or their commitments to international agreements such as the Responsibility to Protect.

The last theory of constructivism recognised, in abundance, the influence of state perceptions. Self-interest was also a commonality across the sections. It was noted that for *all* six sections the perceptions of states was able to explain how this prevented the use of the Responsibility to Protect in the Uyghur case. This was expressed in ways such as China's perception that the Western World threatened its interest, or the perception of the Global South that they stood to gain from being China's ally. Self-interest also came back here, in the sections *the lack of enforcement mechanisms and veto power*. Constructivism held that these facts were influential to the national interests of states.

Following these discussions, the theories were linked to one another, leading to the partial acceptance of the hypothesis. Self-interest was identified as a factor that showed explanatory power across all three theories, even when the justifications for this differed. Three other elements that were frequently referenced were 'survival' in realism, 'regime type' in liberalism and 'perceptions' in constructivism. The final section that juxtaposed the theories recognised that these factors were inherent to how they theorise statehood and the actions that are paired with this.

2. Strengths and limitations

This section will serve as a reflection upon the entirety of this thesis to present both the strong points across the work, as well as the points that require attention.

2.1. Strengths

One aspect in which this thesis has performed considerably well is in creating an interconnectedness of the chapters. For instance, the theoretical characteristics that are put forth in the theoretical framework are precisely those that are employed in the discussion to address the data. Similarly, the oversights of the Responsibility to Protect that are mentioned in the literature review constitute the basis for the entire structuring of the analysis chapter. Yet, even within the chapters this complementarity can be seen. The literature review identified three themes which operated in a consecutive manner. Without answering the question posed by theme A, theme B could not be answered effectively. The same holds true for theme C. In this way, the thesis functions as one large entity with the chapters working harmoniously to answer the research question.

Another strength recognised in this thesis was its ability to cover a broad range of topics within a limited space. For the literature review, this can be noticed in the manner in which the three themes were worked out. As indicated in the first strength above, it was imperative that the literature answered the questions posed under the themes for the research of this thesis to be viable. Given this task, the chapter manages to include all necessary elements without the need for restricting the arguments of scholars for the sake of space. The same can be said for the

configuration of the analysis. The fact that the literature would present *six* different explanatory factors for the lack of implementation of the Responsibility to Protect was unforeseen. With limited access to data, or even data that is not sufficiently worked out it would have been increasingly challenging to make adequate suppositions on the analysis. Nonetheless, the sections were each given the attention and detail necessary for the data to come across in a coherent and effective manner. This was especially relevant for the discussion, which operated significantly better with the space dedicated to the analysis. Moreover, filling in the discussion was no easy endeavour. In recognition that each section had to be considered by all theories and that the theories had to be subsequently contrasted, it can be said that this too was done in an effective way. A great benefit of this is the readability and the additional information that can contribute to the understanding of the reader.

2.2. Limitations

It can be said that a limitation of this work is the fact that it held a particular state-focus. That is to say, state actions were utilised for identifying the main determinants for the absence of the Responsibility to Protect in the Uyghur case. Even for obstacles such as the lack of enforcement mechanisms, which is a structural facet, the thesis explored how the existence of this influenced state actions. The international conglomerate of states was not recognised in a community sense, with the exception of references to the Global South and the Western World. However, there was no note, for instance, of states as a singular unit working in conjunction under an international organisation. Instead, states were seen as unitary actors that are a part of international organisations while upholding their own interests, rather than joint organisation-based interests. Similarly, domestic aspects were not sufficiently taken into consideration when determining state decision-making. This is especially problematic when acknowledging that in the theoretical framework under the constructivist section on ‘the different streams within the broader framework’ unit-level constructivism and holistic constructivism were presented. These two branches of constructivism theorise how the domestic sphere impacts international relations. As such, the strict state focus is experienced as a limitation.

A second limitation lies in the defining of ‘self-interest’. The introduction sought to provide a comprehensive definition of the term, yet as the discussion chapter elucidated; it is

exceptionally challenging to identify where to draw the line. Self-interest is an umbrella concept and as such it is in many ways up to the author to evaluate how it will be employed for his or her work. This is not to say that this was not done in the introduction. Rather, it is recognised as a limitation of this work, because it appears that self-interest was not defined in a strict enough manner. The consequence of which is the ambivalence about accepting or rejecting the hypothesis of this thesis.

3. Recommendations

Flowing naturally from the acknowledged limitations is the recommendations that this work puts forward for future research. In line with the abovementioned reasoning, it can be proposed that succeeding work should consider the adoption of domestic and international community-based approaches to strengthen the holism of the arguments. Especially the former actor is important when employing realism, liberalism, and constructivism, which each have their explanations regarding human nature and societal functioning. As such, different conclusions may arise on why states take certain actions that limit the use of the Responsibility to Protect in the Uyghur case. For instance, ‘domestic pressures’ may emerge as one of the recurrent themes in the discussion. In accordance with the second limitation and as briefly mentioned above, it is also necessary to effectively portray how the term ‘self-interest’ will be conceptualised and operationalised. This will strengthen the arguments provided and ensure the validity of the outcomes.

A third recommendation is for scholarship to delve deeper into the facets of self-interest. Further research is needed to determine the exact relationship between a state’s goals and consequent actions on the basis of self-interest. Through the recognition that the factor plays a big role in preventing humanitarian interventions, it also creates the notion that if there is an increased understanding of how self-interest works it might be employed differently. That is to say, if scholars comprehend the determinants of self-interest, they might find ways to sufficiently influence it, in order to prompt states to instead take self-interested decisions that benefit suffering populations.

Finally, it might be relevant to expand the research from being covered by realism, liberalism and constructivism to being covered by other important international relations theories, such

as feminist theory, rational choice theory, and post colonialist theory. While these theories are not recognised as the peak contributors to the field of international relations, they are globally renowned and equally able to explain the aspects of international engagements. By also employing these theories, the arguments of the discussion may be strengthened, if it uncovers that self-interest is also a factor that is common across these theories.

4. Contributions to the field

The importance of the findings and discussions that this thesis presented is considerable. The introduction elaborated the intention for this research to constitute a basis for the eventual resolving of the blockages that the Responsibility to Protect experiences, in particular pertaining to the Uyghur case. It is a firm belief that issues can only be affectively addressed when the root cause of a problem is identified. This thesis aided in doing exactly that. By first determining the impediments of the doctrine as presented by scholars in the literature review and subsequently juxtaposing this, significant light has been shed on the influential oversights. Moreover, the theoretical approach helps in understanding how these complications are understood and perpetuated. The ontological value that the use of the theories presented is crucial. In combination, these factors presented not only what empirical oversights exist, but also how these are exacerbated or sustained. This holistic understanding of the crux of the problematics satisfies the goal outlined in the introduction. Indeed, this research may be employed as a foundation to find effective solutions to overcoming these hindrances. In relation to this, it is this author's inherent wish that the human rights atrocities in Xinjiang will eventually find an end.

5. A way forward

The Uyghur situation has been and remains one of the most alarming humanitarian atrocities of this decade. For its citizens, who live in subhuman conditions, time is really of the essence. The founding mothers and fathers of the Responsibility to Protect established the doctrine for the sole purpose of rooting out such atrocities. Yet, with its successes waning, the Uyghur crisis is permitted to endure. While the criticisms of the Responsibility to Protect are based on very real conundrums, the doctrine continues to be the main mechanism of the human rights toolbox in ensuring atrocity cessation through humanitarian intervention. The path towards

accountability and freedom for the Uyghur population lies in a dual journey. To start, the international community must iron out the extremely pressing complications of the Responsibility to Protect. If and when the doctrine is made to operate effectively, it must be applied to the Uyghur case. Of course, one can argue that such a plan sounds overly idealistic given the existence of the veto, in which case scholars are encouraged to seek solutions to these impediments from a different approach. The message is clear: the international community must work diligently to end the human rights abuses in Xinjiang.

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