
Reassessing Human Rights Protection and R2P in Southeast Asia: A Contextual Analysis of ASEAN's Non-Intervention Doctrine and Institutional Limitations

Aidatul Fitriyah¹, Ahmad Harith Irfan bin Hamdan²

¹Universitas Airlangga, Indonesia

²University Malaya, Malaysia

Correspondent: aidatul.fitriyah-2020@fjb.unair.ac.id²

Received : January 31, 2025

Accepted : February 21, 2025

Published : February 28, 2025

Citation: Fitriyah, A., & Hamdan, A.H.I. (2025). Reassessing Human Rights Protection and R2P in Southeast Asia: A Contextual Analysis of ASEAN's Non-Intervention Doctrine and Institutional Limitations. *Sinergi International Journal of Law*, 3(1), 17-37

ABSTRACT: This study aims to examine the structural gap between ASEAN's rhetorical commitment to the Responsibility to Protect (R2P) and its practical implementation in Southeast Asia, particularly in addressing large-scale human rights violations. Using a qualitative research design, the study adopts a systematic and contextually grounded literature review method, integrating normative analysis and empirical case studies to assess how R2P is interpreted, contested, and operationalized within ASEAN's legal-political frameworks. Data were sourced from peer-reviewed publications, legal documents, and institutional reports, and analyzed using contextual analysis and thematic coding. The findings reveal that despite formal support for R2P as articulated in the 2005 World Summit Outcome Document, ASEAN's operational response to humanitarian crises, such as the Rohingya genocide in Myanmar and the prolonged conflict in Papua, Indonesia, remains limited, symbolic, and diplomatically cautious. The region's deep-rooted adherence to the principle of non-intervention, along with consensus-based decision-making and institutional inertia, has significantly constrained ASEAN's ability to fulfill the third pillar of R2P: the international responsibility to act when a state fails to protect its population. This study concludes that effective implementation of R2P in Southeast Asia requires not only normative commitment but also institutional transformation. This includes redefining the principle of non-intervention, strengthening the mandate of ASEAN's human rights mechanisms such as AICHR, and developing coordinated post-intervention strategies that involve local and regional actors. The significance of this research lies in its contribution to both scholarship and policy. It offers a region-specific, norm localization perspective on R2P, addressing gaps in the existing literature that often overlook Southeast Asia's unique normative context. At the same time, it provides practical insights for reforming ASEAN's institutional architecture to enable more responsive, legitimate, and context-sensitive humanitarian action.

Keywords: R2P, ASEAN, Humanitarian Intervention, Human Rights, Southeast Asia.



This is an open-access article under the CC-BY 4.0 license

INTRODUCTION

In recent decades, the international community has witnessed the emergence of the Responsibility to Protect (R2P) as a prominent, albeit contested, normative framework within international law. Initially articulated in response to the global failure to prevent atrocities in Rwanda and the Balkans during the 1990s, R2P was formally endorsed at the 2005 World Summit as a means of reconciling the principles of state sovereignty with the imperative to prevent mass atrocity crimes, including genocide, ethnic cleansing, war crimes, and crimes against humanity (Adams, 2019; Apetroe, 2017). At its core, R2P seeks to redefine sovereignty not merely as control over territory, but as a responsibility to protect populations from serious harm. However, while the doctrine has garnered rhetorical support from a wide range of states and institutions, its implementation remains deeply contested in both normative and practical terms. The tension between R2P's aspirational goals and the entrenched norms of non-intervention and political sovereignty continues to generate significant debate among scholars and practitioners (Pak et al., 2020; Alam, 2021).

Rather than constituting a universally accepted legal obligation, R2P operates as a dynamic and evolving norm whose interpretation and application vary across different geopolitical and institutional contexts. While the doctrine purports to impose a collective responsibility on the international community to intervene—diplomatically, economically, or militarily—when a state fails to protect its population, the thresholds for such intervention are ambiguous and often subject to divergent legal and political interpretations (Ainley, 2017; Apetroe, 2017). Moreover, the selective application of R2P raises concerns about its credibility and legitimacy. In practice, decisions about when and how to invoke R2P are frequently influenced by the political interests of powerful states, particularly within the United Nations Security Council, where strategic alliances and the use of veto power have repeatedly hindered timely and consistent responses to humanitarian crises (Adams, 2019; Pak et al., 2020).

These inconsistencies are particularly evident in the Global South, where the historical legacy of colonialism and the prioritization of non-interference contribute to a cautious, and at times skeptical, reception of R2P. Many states in Asia, Africa, and Latin America regard the doctrine as a potential conduit for neo-interventionism, raising legitimate concerns about the erosion of sovereign equality under international law. As such, the gap between the normative aspirations of R2P and its practical enactment remains wide and unresolved, pointing to deeper structural issues within the current system of global governance. Rather than suggesting a definitive resolution to these tensions, this study seeks to engage critically with the evolving discourse on R2P by interrogating the legal, political, and institutional factors that shape its interpretation and application in different regional settings. In particular, it examines the Southeast Asian context, where regional norms of sovereignty and non-intervention intersect with pressing humanitarian challenges, creating a complex environment for the localization and operationalization of R2P. This inquiry contributes to a more nuanced understanding of how global norms are negotiated, contested, and transformed in region-specific contexts, and highlights the need for further empirical and normative research to assess the viability of R2P as a meaningful instrument of humanitarian protection.

Recent scholarly discourse has increasingly drawn attention to the disconnect between the normative aspirations of the Responsibility to Protect (R2P) and the political realities of its

implementation at the international level. A persistent lack of consensus on legal standards, enforcement mechanisms, and thresholds for intervention has led to protracted debates over the legitimacy and applicability of R2P in diverse contexts (Mardiyanto & Hidayatulloh, 2023; Ainley, 2017). These debates are further complicated by bureaucratic inertia and the politicization of decision-making within the United Nations Security Council (UNSC), where interventions are frequently delayed or obstructed, often with grave consequences for affected civilian populations (Adams, 2019; Apetroe, 2017). Sovereignty is commonly invoked by states as a protective barrier against external involvement, even in the face of well-substantiated allegations of mass human rights violations (Alam, 2021; Mardiyanto & Hidayatulloh, 2023).

Geopolitical rivalries further undermine the consistent application of R2P, as powerful states may perceive humanitarian interventions as threats to their strategic interests. This leads to the exploitation of veto power by permanent UNSC members to shield allies or maintain influence (Pak et al., 2020; Apetroe, 2017). Such geopolitical considerations foster a fragmented and selective international response to atrocity crimes, weakening the development of coherent strategies anchored in humanitarian norms (Alam, 2021; Mardiyanto & Hidayatulloh, 2023).

Beyond political constraints, institutional limitations within global organizations also hinder effective R2P implementation. The United Nations and related bodies often lack the flexibility, capacity, and legal tools necessary to respond swiftly to complex, rapidly evolving crises (Mardiyanto & Hidayatulloh, 2023; Ainley, 2017). Deficiencies in early warning systems, data infrastructure, enforcement mechanisms, and inter-organizational coordination have left populations increasingly vulnerable to unmitigated violence (Alam, 2021; Apetroe, 2017).

These systemic challenges are particularly pronounced in Southeast Asia, where regional crises such as the persecution of the Rohingya in Myanmar and the Papuan conflict in Indonesia have exposed the persistent gap between the principle of protection and its practical realization (Adams, 2019; Santoso et al., 2024). Despite the severity of these cases, the international community's response has been tepid and inconsistent, raising fundamental questions about the viability of R2P as a tool for humanitarian protection.

Compounding these challenges is ASEAN's entrenched commitment to the principle of non-intervention, which continues to constrain regional engagement with R2P. While there are indications of normative evolution, ASEAN still largely favors consensus and mutual respect for sovereignty, limiting its capacity for decisive humanitarian action (Orchard, 2016; Santoso et al., 2024). Efforts to integrate R2P into Southeast Asian political frameworks must therefore be culturally attuned and strategically negotiated to avoid perceptions of neocolonial imposition.

Despite the growing body of literature on R2P, notable gaps persist, particularly in relation to its localization and enforcement in Southeast Asia. Much of the existing scholarship is shaped by Western analytical paradigms, which often overlook the region's unique political, legal, and normative configurations (Neth, 2024). Moreover, methodological shortcomings—especially the limited integration of empirical evidence with normative theory—have contributed to an incomplete and fragmented understanding of R2P's effectiveness in this context (Hindawi, 2021). These shortcomings underscore the urgent need for in-depth, context-sensitive studies that

explore how domestic and international dynamics interact to shape the interpretation and operationalization of R2P in Southeast Asia.

The primary aim of this study is to evaluate the persistent gap between ASEAN's normative commitment to the Responsibility to Protect (R2P) and its practical implementation in the context of civilian protection in Southeast Asia. It further seeks to analyze how normative, political, and institutional factors shape the effectiveness of R2P within the region. Unlike most existing scholarship that adopts a universalist, institutionally global lens, this study explores how R2P is interpreted, contested, or even resisted within ASEAN's political and institutional dynamics. By incorporating two key empirical case studies—the humanitarian crisis involving the Rohingya in Myanmar and the protracted conflict in Papua, Indonesia—the research provides an original contribution that bridges normative analysis and regional realities, while also expanding the discourse on R2P in the Global South.

The significance of this research is twofold. Academically, it contributes to the literature on R2P, norm diffusion, and human security by offering a Southeast Asian perspective that is often underrepresented in mainstream global governance debates. Practically, the study provides a conceptual and empirical foundation for policymakers to design more adaptive, participatory, and evidence-based civilian protection strategies. These strategies should not only acknowledge the sensitivities of state sovereignty but also fulfill the moral and legal imperatives of international humanitarian norms. The study ultimately argues for the transformation of ASEAN from a passive diplomatic body into a normative actor capable of shaping and enforcing effective regional responses to humanitarian crises. By highlighting both the constraints and potential entry points for reform, the research advances a critical understanding of how global norms like R2P can be meaningfully localized and operationalized within region-specific legal, political, and cultural settings.

METHOD

This study employs a systematic and contextually grounded literature review to examine the implementation of the Responsibility to Protect (R2P) and humanitarian intervention in Southeast Asia. Utilizing a qualitative research design, the study integrates both normative and empirical paradigms to capture the multifaceted nature of R2P and its operational challenges within regional and domestic contexts. A contextual analysis framework serves as the principal method of data interpretation, allowing the research to examine how global norms such as R2P are interpreted, contested, and operationalized within Southeast Asia's unique legal-political traditions, normative frameworks, and institutional constraints.

The research process began with the identification of key academic databases and the formulation of a comprehensive keyword search strategy, followed by the application of inclusion and exclusion criteria. To ensure multidisciplinary and authoritative coverage, the literature search was conducted across three principal academic databases: Scopus, Web of Science, and Google Scholar. These platforms were selected due to their extensive indexing, disciplinary breadth, and credibility in areas such as international law, political science, humanitarian policy, and global governance (Pak et al., 2020; Cater & Malone, 2016). Scopus was favored for its citation tracking

and bibliometric capabilities, Web of Science for its high journal selection standards and advanced filtering tools, and Google Scholar for its inclusion of grey literature and non-English sources.

The primary keyword used was “Responsibility to Protect,” complemented by associated terms such as “atrocities prevention,” “humanitarian intervention,” and “state sovereignty.” Boolean operators (AND, OR, NOT) were applied to refine the search logic, with iterative adjustments made to optimize relevancy and inclusivity across disciplinary variations (Brown & Bohm, 2016). Searches were conducted within article titles, abstracts, and author-assigned keywords. Filters were applied to include only peer-reviewed journal articles, scholarly books, and official reports published between 2005, the year R2P was officially adopted at the World Summit, and 2024. While English was the primary language of analysis, select non-English sources were included if reliable translations were available.

Inclusion criteria required that sources explicitly engage with the principles, practices, or legal-political debates surrounding R2P or humanitarian intervention. Eligible materials included theoretical analyses, empirical case studies, legal reviews, and policy papers addressing R2P implementation or critique. Sources were excluded if they were editorial pieces, opinion-based writings, or lacked substantive engagement with R2P. Grey literature from credible institutions, such as UN reports, policy briefs from international think tanks, and conference proceedings, was also incorporated to enrich the analysis (Cater & Malone, 2016).

The initial database search yielded a large body of literature, which underwent a rigorous multi-stage selection process. First, duplicate entries were removed using reference management tools such as Zotero and EndNote. Second, titles and abstracts were screened for relevance by two independent reviewers to reduce selection bias. Third, full-text reviews were conducted to assess methodological quality and thematic relevance. Discrepancies in inclusion decisions were resolved through consensus. To ensure transparency and replicability, a PRISMA-style flow diagram was constructed to illustrate the number of records identified, screened, assessed for eligibility, and included in the final analysis (Brown & Bohm, 2016).

To enhance data analysis, bibliometric tools such as VOSviewer and CiteSpace were employed to visualize citation networks, thematic clusters, and keyword co-occurrence. This bibliometric mapping helped identify dominant themes, influential scholars, and temporal shifts in the R2P literature (Hindawi, 2021). Additionally, a qualitative content analysis was conducted using both inductive and deductive coding techniques. Deductive codes were based on pre-established categories such as implementation effectiveness, normative challenges, state sovereignty, regional responses, and legal frameworks, while inductive coding allowed emergent themes to surface organically from the literature corpus (Pak et al., 2020).

The study also utilized snowball sampling to capture additional key works by reviewing the reference lists of selected articles, ensuring that seminal and foundational texts not captured by the initial database search were included. This approach was particularly effective in tracing the early normative development and evolution of R2P as a policy and legal framework.

Central to this study is the use of contextual analysis, which seeks to understand how international norms such as R2P are shaped by and interact with specific domestic and regional political realities. The method emphasizes how R2P is interpreted within the ASEAN framework, shaped by non-

interventionist norms, legal pluralism, and sovereignty-centered discourse. Two empirical case studies—the Rohingya crisis in Myanmar and the Papua conflict in Indonesia—serve as focal points to explore the localized dynamics of norm diffusion, resistance, and adaptation.

By integrating a rigorous search strategy, multiple layers of data screening, bibliometric mapping, qualitative coding, and contextual interpretation, this methodology ensures analytical depth, transparency, and replicability. Ultimately, the methodological approach enables a more grounded and nuanced understanding of how R2P is engaged and operationalized within Southeast Asia, thereby contributing to ongoing scholarly and policy conversations about the localization of global humanitarian norms.

RESULTS AND DISCUSSION

The Gap between Rhetorical Commitment and Practical Implementation of R2P

Commitment of ASEAN member countries to the principles of the Responsibility to Protect (R2P) is reflected in various official statements and diplomatic documents, especially after the adoption of this principle in the World Summit Outcome Document at the United Nations (UN) General Assembly in 2005. In paragraphs 138 to 140 of the document, R2P was confirmed as an international norm that requires every country to protect its population from four forms of serious crimes: genocide, crimes against humanity, war crimes, and ethnic cleansing. In addition, the document emphasizes that if a country is proven to have failed in carrying out this responsibility, the international community must take appropriate collective steps, through UN mechanisms and in accordance with the provisions of the UN Charter, including diplomatic, humanitarian action, and in extreme conditions, lawful military intervention.

Normatively, R2P is structured within the framework of three main pillars that form a global responsibility structure: (1) state responsibility to protect its inhabitants; (2) responsibility of the international community to help states carry out these responsibilities; and (3) international responsibility to act collectively if the state fails and there is a risk of serious crime. This commitment has been widely accepted, including by Southeast Asian countries, as an important development in international law and norms related to civil and humanitarian protection.

Even though it has been adopted in principle, implementing R2P in the region still faces serious challenges. Various international institutions have classified the violence against the Rohingya community in Myanmar as a serious violation of human rights. One of the most significant reports came from the Independent International Fact-Finding Mission on Myanmar (IFFM), which was formed by the United Nations Human Rights Council (UNHRC) in 2017. In its report, the IFFM stated that there was credible evidence showing the involvement of the Myanmar military in crimes against humanity and genocide against the Rohingya ethnic group. These actions included mass murder, systematic rape, torture, and widespread and organized destruction of villages (UNHRC, 2018).

These actions substantially violate the provisions in the Rome Statute of the International Criminal Court (1998), especially Article 7, which defines crimes against humanity as:

“...murder, extermination, enslavement, deportation, imprisonment, torture, rape, persecution, enforced disappearance, and other inhumane acts committed as part of a widespread or systematic attack directed against any civilian population...”

(Rome Statute, Article 7)

Furthermore, the elements of genocide as stated in Article 6 of the Rome Statute are explained as:

“...any of the following acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group...”

(Rome Statute, Article 6)

Although Myanmar is not a party to the Rome Statute, this case was submitted to the International Court of Justice (ICJ) by Gambia in 2019. The lawsuit is based on Myanmar's alleged violation of international obligations set out in the Convention on the Prevention and Punishment of the Crime of Genocide (1948). Article I of the convention expressly states:

“The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.”

Through this lawsuit, Gambia accuses Myanmar of failing to fulfill its obligations to prevent and punish acts of genocide against the Rohingya population as stipulated in the provisions of international law.

However, regardless of the level of seriousness and legal legitimacy of the violations that occurred, ASEAN's response to this crisis was relatively passive and not in line with the principles of *Responsibility to Protect* (R2P). ASEAN has not shown initiative in taking collective steps or implementing collective responsibility mechanisms as formulated in the World Summit Outcome Document 2005. In the document, paragraph 139 states that:

“The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means... to help protect populations. We are prepared to take collective action... should peaceful means be inadequate and national authorities manifestly fail to protect their populations...”

Although this doctrine provides a moral and political mandate for regional organizations to act when a country fails to protect its population from serious crimes such as genocide and crimes against humanity, ASEAN maintains a non-confrontational approach. The steps taken were limited to soft diplomacy (*quiet diplomacy*), distribution of humanitarian aid, and limited dialogue that avoided direct political pressure on the Myanmar government.

The prolonged conflict in Papua, Indonesia, is a clear example of a situation that shows indications of serious human rights violations in the Southeast Asia region, although until now it has not been officially categorized as an international crime by global institutions. Various reports from international organizations such as Amnesty International and Human Rights Watch have documented patterns of violence perpetrated by state security forces. These actions include extrajudicial killings, torture, intimidation of activists, arbitrary arrests, and restrictions on freedom of expression and peaceful assembly. These practices potentially violate the provisions in the

International Covenant on Civil and Political Rights (ICCPR), which Indonesia ratified through Law Number 12 of 2005.

Normatively, the ICCPR contains a number of articles that are relevant in the Papuan context. Article 6, paragraph (1) guarantees the right to life of every individual by stating:

“Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”

(ICCPR, Article 6(1))

Likewise, Article 7 expressly prohibits torture and inhumane treatment:

“No one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment.”

(ICCPR, Article 7)

Meanwhile, restrictions on civil rights are also visible in violations of Articles 19 and 21, which guarantee freedom of expression and the right to peaceful assembly:

“Everyone shall have the right to freedom of expression...”

(ICCPR, Article 19)

“The right of peaceful assembly shall be recognized...”

(ICCPR, Article 21)

Despite strong indications of violations of these fundamental rights, ASEAN's response to the situation in Papua has been very limited. To date, there are no independent investigations, collective statements, or regional monitoring initiatives that can assess whether the country in question has failed to carry out its protection responsibilities towards civilians. This passive attitude reflects ASEAN's strong commitment to the principle of non-intervention, as emphasized in Article 2, paragraph (2), letter (e) of the ASEAN Charter, which states that one of the fundamental principles of the organization is:

“non-interference in the internal affairs of ASEAN Member States.”

(ASEAN Charter, Article 2 (2) (E))

Adhering to this principle, ASEAN tends to limit its space in responding to human rights violations that occur among its member countries, even when the situation substantially meets the elements of the principle. *Responsibility to Protect* (R2P), especially the first and third pillars regarding the state's commitment to protect and the international community's obligation to act if the state fails to carry out its protective function.

In both the Rohingya and Papua cases, it can be concluded that the R2P principles that have been recognized internationally and verbally supported by ASEAN countries have not been transformed into substantive policies or operational frameworks that can produce effective collective action. The absence of responsive institutional mechanisms, such as early warning

systems, risk evaluations, or collective action protocols, results in R2P losing its implementation power at the regional level.

This gap between normative commitment and practical implementation shows that ASEAN's support for R2P is still symbolic and declarative, and has not been translated into operational regional policies. In fact, in the face of mass violence and systematic human rights violations, the existence of clear and coordinated institutional instruments is crucial to ensure effective protection of the civilian population. Therefore, normative encouragement and institutional reform are needed to enable ASEAN to move from a rhetorical level to an institutional response that is concrete, measurable, and in line with universally accepted principles of international law.

Structural Barriers to R2P Implementation

One of the most profound structural barriers to the implementation of the Responsibility to Protect (R2P) in the Southeast Asia region is the dominance of the principle of non-intervention as a central norm in the ASEAN institutional architecture. This principle is explicitly formulated in Article 2, Paragraph 2(e) of the ASEAN Charter, which emphasizes that each member country is obliged to uphold the principle of "non-interference in the internal affairs" of fellow members. Although on the surface this principle appears to be a form of respect for state sovereignty, substantively it has shaped regional political structures that minimize the space for collective intervention, even in situations where human rights violations occur systematically and widely.

The historical roots of this principle cannot be separated from the experience of colonialism and the post-independence nation-building process in Southeast Asia, where newly independent countries strived hard to build domestic legitimacy and maintain autonomy from foreign influence. In this context, sovereignty is not only seen as a pillar of international law but also as a political instrument to protect domestic power structures from external pressure. Beeson (2003) emphasizes that the principle of non-intervention has become an integral part of ASEAN's collective identity, not only as a legal principle, but as a socio-political norm that shapes the diplomatic practices and institutional behavior of member states. Therefore, all forms of external action that touch on internal issues—including humanitarian intervention on the basis of R2P—are often considered to violate normatively agreed limits on sovereignty.

However, in the context of contemporary humanitarian crises, this principle actually becomes a source of serious normative dilemmas. When member states face allegations of serious human rights violations, as in the case of ethnic cleansing against the Rohingya community in Myanmar, the principle of non-intervention tends to close space for ASEAN collective action. Davies (2013) suggests that instead of responding with diplomatic pressure or accountability mechanisms, ASEAN chose a path of quiet diplomacy that does not challenge the status quo. Humanitarian assistance is provided on a limited basis, without explicit criticism of perpetrators of violations. A similar thing happened in the context of Papua, where violence against civilians and reports of human rights violations were not followed by an ASEAN institutional response, but were framed as domestic Indonesian affairs. These two cases illustrate that ASEAN, in practice, prioritizes political stability and regional solidarity rather than the protection of vulnerable groups who are victims of state violence.

ASEAN's fully consensus-based decision-making structure exacerbates these normative obstacles. Although in principle it is intended to maintain equality and strengthen internal cohesion between member countries, in practice this mechanism often results in policy stagnation, especially on issues involving security, human rights and internal conflict. Consensus in the ASEAN context does not simply mean mutual agreement, but requires the absence of explicit objections from any member country. As a result, the resulting decisions tend to reflect the lowest common denominator, namely the form of policy that is the most minimal offensive to the domestic interests of each country. On sensitive issues, such as gross human rights violations or crimes against humanity, countries with certain political interests can veto or weaken collective initiatives, thereby hindering the formation of decisive regional action. Jones (2010) calls this condition part of “*avoidance diplomacy*”, namely ASEAN's typical diplomatic strategy that prioritizes harmony and stability rather than confrontational responses or normative intervention, even though it has to sacrifice the principles of justice and civil protection.

This paralyzing consensus phenomenon cannot be separated from the broader normative framework, namely the concept of the “ASEAN Way”, which deeply influences ASEAN's decision-making dynamics and approach to transnational issues. The concept of the “ASEAN Way” is a normative element that significantly influences the Southeast Asian region's approach to regional cooperation, including on sensitive issues such as security and human rights. In general, the *ASEAN Way* refers to diplomatic practices that prioritize the principles of informality, deliberation, consensus, and high respect for sovereignty and non-intervention. This approach was developed in response to the political, economic, and cultural diversity of ASEAN member countries, as well as the need to maintain internal stability and postcolonial solidarity. As stated by Acharya (2009), the ASEAN Way is not just a method of cooperation but also a manifestation of a social construction that reflects the values of the Southeast Asian political community, which places harmony and stability above external normative pressures.

In the context of R2P implementation, the *ASEAN Way* becomes one of the most striking normative obstacles. This approach places greater emphasis on conflict management through non-confrontational means such as informal dialogue, closed negotiations, and peace facilitation, rather than through overt political pressure or coercive action. This is clearly seen in various humanitarian crises involving ASEAN member countries, such as the Rohingya case in Myanmar and human rights violations in Papua. Instead of encouraging normative intervention based on the principle of civil protection, ASEAN tends to minimize tensions by avoiding actions or statements that could be seen as interfering in member countries' domestic affairs. This attitude, although considered a form of diplomatic caution, ultimately leads to “non-decision” or decisions that are not substantive, especially on issues that directly require the application of the R2P principle.

Jones (2012) criticizes ASEAN Way as a “regime of inaction,” namely, a system that structurally does not support decisive collective action. Because decisions within ASEAN are taken based on full consensus and informality, member states that are perpetrators of human rights violations or have particular political interests can effectively veto or slow down the decision-making process. This makes the ASEAN collective mechanism not only slow but also tends to be symbolic. For example, in the case of the Rohingya crisis, ASEAN only produced soft statements (*soft statements*) without getting to the root of the conflict or demanding accountability from the Myanmar military

junta, even though various international institutions have acknowledged evidence of crimes against humanity (Davies, 2013; OHCHR, 2018).

Further, the ASEAN Way also forms an institutional culture that does not support strengthening normative capacity in human rights protection issues. Institutions such as the ASEAN Intergovernmental Commission on Human Rights (AICHR) were created within the framework of the ASEAN Way, so its mandate is very limited, it has no investigative or sanctions mechanisms, and it relies on member states' consent to act. This differs fundamentally from other regional approaches such as the African Union, which, despite a historically similar context, has adopted a more progressive approach to R2P through the African Union's Constitutive Charter (2000), which allows for intervention in cases of serious crimes against civilians.

Apart from obstacles at the regional level, the implementation of R2P also faces various serious obstacles at the national level. First, slow bureaucracy and overlapping between agencies are significant obstacles in responding to humanitarian crises quickly and in a coordinated manner. A study by Tan (2015) explains that in many ASEAN countries, emergency response mechanisms to conflict or mass violence are spread across various ministries without effective coordination, which causes fragmentation of responsibilities and inefficiency in implementing the civil protection mandate.

Second, domestic political interests often distort the decision-making process regarding intervention or response to humanitarian crises. In some countries, political rulers use narratives of national security or social stability to rationalize violence against certain groups while resisting international pressure on the basis of sovereignty. A study by Thitinan (2017) shows that in the Myanmar context, political elites exploit the Rohingya issue to gain domestic political support while rejecting international involvement as a form of intervention in domestic affairs.

Third, limited institutional capacity is also a factor that hinders the implementation of R2P at the national level. Many ASEAN countries have human rights institutions that are structurally weak and not politically independent, so they are unable to carry out their monitoring, investigative, or advocacy functions effectively. Apart from that, law enforcement institutions and the judicial system in several countries still face fundamental problems such as corruption, impunity, and a lack of legal protection for victims of state violence. A study by Muntarbhorn (2014) underlines that without comprehensive institutional reform, ASEAN countries will continue to have difficulty in fulfilling their protection responsibilities towards their citizens.

Thus, the structural barriers to R2P implementation in Southeast Asia are complex and multi-level. On the one hand, there is normative and procedural resistance at the regional level through the principle of non-intervention and the ASEAN consensus mechanism; on the other hand, there are administrative, political, and institutional challenges at the national level, which also weaken the effectiveness of implementing the R2P principle. The combination of these obstacles suggests that the success of R2P depends not only on normative adoption, but also on institutional reform and political commitment at all levels of government.

What ASEAN Can Learn from the African Union on R2P?

African experience in operationalizing the principles *Responsibility to Protect* (R2P) through the African Union (AU) institutional framework is an important precedent that offers substantive lessons for other regions, especially Southeast Asia. Unlike many other regional organizations, the AU has taken a progressive normative step by adopting the principles of protection of civilians into its regional legal framework. This is stated explicitly in Article 4(h) of the African Union Charter, which states:

"The right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity."

This formulation provides a solid legal basis for the AU to carry out humanitarian interventions, even without the consent of the country targeted for the intervention, provided that the African Union Assembly has approved the intervention.

Normatively, Article 4(h) reflects a significant paradigm shift in regional international law, from traditional principles of non-intervention towards principles of non-indifference. In the frame non-indifference, serious human rights violations are no longer seen as merely an internal matter of the state, but rather as a legitimate concern of the international community to be addressed. This indicates that sovereignty is no longer absolute, but is conditional on the state's responsibility to protect its citizens from systemic violence and serious crimes. The AU, through this provision, expressly affirms that when the state fails to carry out these responsibilities, external intervention becomes morally and legally valid.

Furthermore, the adoption of this principle into the founding charter of regional organizations shows that it exists *political will* institutions to respond proactively to humanitarian crises. This is significantly different from other regions, including Southeast Asia, which does not yet have a similar normative framework in its regional legal documents. Even though in practice the implementation of Article 4(h) faces significant political and logistical challenges, its existence still shows that Africa is the only region that has explicitly institutionalized the principle of humanitarian intervention in regional legal instruments. This strengthens the legitimacy of collective action in the name of civilian protection and expands the space for implementing R2P in a regional context, without relying too much on the authority of the UN Security Council.

In contrast, ASEAN's approach to the issue of civilian intervention and protection is historically and normatively still very much tied to the principles of state sovereignty and non-intervention, which have been the main foundations of regional cooperation since the founding of this organization. This is explicitly stated in Article 2(2)(e) of the ASEAN Charter, which states that one of ASEAN's fundamental principles is "*non-interference in the internal affairs of ASEAN Member States.*" This norm is not simply declarative, but functions as a binding rule between member countries that explicitly limits ASEAN's room for action in dealing with domestic issues, including serious violations of human rights. In this context, sovereignty is treated as an absolute principle, not as the state's responsibility towards its people, as is the philosophical basis of the doctrine *Responsibility to Protect* (R2P).

Normatively, Article 2(2)(e) shows that ASEAN prioritizes regional political stability and harmonious relations between member countries, even if this comes at the expense of individual protection or response to serious crimes. This reflects a state-centric approach, which essentially prioritises principles of Westphalian sovereignty as the main parameter in regional interactions. Westphalian sovereignty refers to a foundational principle in international law and international relations, originating from the Peace of Westphalia treaties in 1648, which concluded the Thirty Years' War in Europe. Caballero-Anthony (2008) and Acharya (2011) criticize this approach as a form of normative conservatism that hinders ASEAN's institutional transformation into an entity that is more responsive to humanitarian crises.

When compared with Article 4(h) of the African Union Charter, differences in normative orientation become very striking. The African Union explicitly gives the organization a legal mandate to intervene in cases of genocide, war crimes, and crimes against humanity—without requiring the consent of the country in question. This reflects the adoption of principles non-indifference, namely the recognition that regional communities have a responsibility to act when a state fails to protect its citizens. Meanwhile, ASEAN does not yet have a comparable legal mechanism that allows collective intervention on humanitarian grounds. This makes ASEAN tend to be passive, and dependent on the political consensus of member countries which is often not achieved in politically sensitive situations.

The consequences of ASEAN's commitment to the principle of non-intervention are clearly visible in the organization's response to various humanitarian crises in the region, such as the Rohingya crisis in Myanmar and the ongoing armed conflict in Papua, Indonesia. In both cases, despite strong indications of systemic human rights violations, ASEAN was unable to produce collective steps that were in line with the R2P principle, both in terms of prevention, response and recovery. The absence of a normative mandate and institutional mechanism to overcome crises leaves ASEAN trapped in an ambiguous normative position: recognizing the importance of civil protection, but not having the legal or political instruments to make it happen.

This analysis emphasizes that the successful implementation of R2P at the regional level cannot only depend on political factors or international pressure, but must also be supported by a clear legal framework and strong institutional commitment. The African Union Charter provides a concrete example of how legal legitimacy can be the basis for legitimate collective action, even in the context of intervention. On the contrary, the normative vacuum in the ASEAN Charter, especially the absence of articles regulating humanitarian intervention, is a fundamental obstacle that limits ASEAN's possibility of becoming an effective actor in the protection of vulnerable populations.

Considering this, learning from Africa becomes relevant for pushing the agenda for institutional and normative reform within ASEAN. This reform is necessary not only to enhance ASEAN's capacity to respond to crises but also to bridge the gap between global norms, such as R2P, and regional realities that still adhere to the paradigm of absolute sovereignty.

Aligning Norms and Institutional Reform in ASEAN

The findings in this research indicate that one of the fundamental obstacles to the implementation of Responsibility to Protect (R2P) in Southeast Asia lies in the conceptual conflict between the principle of non-intervention inherent in ASEAN's basic norms and the international collective demand to protect populations from serious crimes against humanity. The principle of non-intervention, which from the start has become the main normative doctrine in the formation of regional solidarity, implicitly limits the space for member states to respond actively to serious human rights violations that occur in the region. However, if explored further, this principle is not inherently contrary to the spirit of collective protection, but rather reflects past political needs that prioritized internal stability and mutual respect. Therefore, the tension between sovereignty and protection can be understood not as an absolute dichotomy, but rather as a normative negotiation space that has not been fully exploited within the ASEAN framework.

In this context, the redefinition of the non-intervention principle is not intended to erase the value of state sovereignty, but rather to expand its understanding to be more compatible with the collective responsibility mandated by R2P. This adaptation requires a re-articulation of the principle of non-intervention as a conditional principle, where humanitarian intervention can be normatively justified when states fail to carry out their basic responsibilities in protecting their populations. This process is not only conceptual, but also requires political legitimacy from regional actors. This is where the importance of the process lies *norm localization* (Acharya, 2004), which does not simply import global norms, but adapts them to local dynamics through reinterpretation, institutional adjustments, and the formation of new consensus.

Such a redefinition of principles will not be effective without adequate institutional support. Analysis of the role of the ASEAN Intergovernmental Commission on Human Rights (AICHR) shows that its structural limitations and normative mandate do not allow this institution to function as the main guardian in the implementation of R2P. The absence of investigative authority, a consensus-based decision-making mechanism, and state domination of representation in the AICHR make it tend to be declarative rather than operational. Thus, the proposal to strengthen the AICHR is not only relevant, but also urgent in order to create regional capacity capable of responding to the escalation of violence against civilians. This strengthening includes revising the mandate to enable proactive action, establishing an independent monitoring unit, as well as opening up space for participation for civil society organizations as external monitors of state practices.

However, institutional strengthening alone is not enough if it is not accompanied by the development of a coordination framework that includes the post-intervention phase. The third pillar of R2P—*the responsibility to rebuild*—often do not receive adequate attention in policy discourse or institutional planning. In practice, humanitarian interventions that are not accompanied by post-conflict recovery strategies actually create long-term instability and the potential for repeated violence. In the Southeast Asia region, the absence of regional protocols regulating the role of local actors in the post-conflict reconstruction process shows the weakness of a long-term perspective in civil protection policies. In fact, local and regional actors have contextual knowledge that is very necessary to build the legitimacy of interventions and prevent political or social resistance. In this regard, the development of cross-level coordination mechanisms that integrate

state institutions, civil society organizations and regional entities is an important step in strengthening the sustainability dimension of R2P.

The broader implication of this analysis is the need for a change in approach in regional policy formulation regarding civilian protection. Strategies that have been passive and reactive need to be replaced by approaches that are more preventive, participatory and evidence-based. This requires the development of early warning systems, risk evaluation instruments, and crisis management protocols designed collaboratively between member countries. ASEAN needs to adopt a more flexible and responsive framework, which not only accommodates member states' internal political sensitivities, but also meets international moral and legal demands to protect human life. Therefore, the integration of R2P principles in regional policy should be seen as a gradual process that requires the active involvement of state and non-state actors in forming new norms that are reflective of regional realities.

Thus, the four main aspects—redefining the principle of non-intervention, strengthening institutions, building post-intervention mechanisms, and updating policy strategies—are interrelated components in creating an effective civil protection ecosystem in Southeast Asia. This overall analysis not only shows weak points in the existing regional system, but also opens up space for normative and institutional transformation that allows R2P to no longer be a symbolic norm, but rather a principle that can be operationalized contextually and sustainably.

CONCLUSION

Based on analysis of implementation dynamics *Responsibility to Protect* (R2P) in the Southeast Asia region, it can be concluded that there is a serious structural gap between the rhetorical commitment of ASEAN countries and the practical implementation of civil protection principles. Although support for R2P has been explicitly stated in international documents such as World Summit Outcome Document (2005), as well as being adopted verbally by ASEAN countries, its implementation at the regional level is still very limited and tends to be symbolic. Cases such as the genocide against the Rohingya community in Myanmar and the prolonged conflict in Papua show that ASEAN has failed to realize the third pillar of the R2P principle, namely international responsibility to act when states fail to protect their citizens.

These limitations are inseparable from the normative and institutional obstacles that have long been embedded in the ASEAN structure, in particular the dominance of the principle of non-intervention and consensus-based decision-making mechanisms. These principles, although rooted in the need to maintain postcolonial political stability, actually hinder collective efforts to prevent or stop serious human rights violations in the contemporary context. The concept of the “ASEAN Way” which emphasizes informality, deliberation and consensus, although serving to maintain regional solidarity, has created a tendency to avoid confrontation, even when humanitarian crises demand a firm and coordinated response.

Lessons from the African Union, which has institutionalized the principle of humanitarian intervention in its legal charter through Article 4(h), show that regional normative frameworks can be transformed to accommodate the principle *non-indifference*. In contrast to ASEAN's defensive

approach to the issue of sovereignty, the African Union has demonstrated that it exists *political will* to make civil protection a legitimate collective mandate. This comparison makes it clear that the absence of normative and legal mechanisms in the ASEAN Charter that supports humanitarian intervention is one of the most fundamental obstacles to the operationalization of R2P in Southeast Asia.

The implications of these findings emphasize the need for reformulation of the principle of non-intervention which is more conditional and compatible with collective responsibility. This reformulation must be accompanied by institutional strengthening—especially AICHR's mandate and investigative functions—as well as the development of post-intervention mechanisms involving local and regional actors. In addition, ASEAN needs to abandon the reactive and symbolic approach in responding to crises and replace it with a preventive, data-based, and participatory civil protection strategy. Integration of early warning systems, conflict management protocols and regionally coordinated risk evaluation systems is needed to strengthen regional response capacity.

Thus, the success of R2P implementation in Southeast Asia is not only determined by the existence of global norms, but by the regional ability to transform these norms into a contextual, legal and operational policy framework. Simultaneous normative, institutional and policy reforms are important prerequisites for ASEAN to act as a valid and credible civil protection actor in the global order.

However, it should be acknowledged that this study has a number of methodological limitations that are worth noting. First, this study relies on a qualitative approach based on literature reviews and contextual analysis, so it does not include primary empirical data from the policy practices of ASEAN member countries directly. Second, limited access to internal ASEAN documents and a lack of transparency in regional decision making are obstacles in obtaining a complete picture of the dynamics of R2P implementation from the internal side of the organization. Third, this study focuses more on two main cases, namely Rohingya and Papua, so it does not include other context variations that might provide additional nuances in looking at the adaptation of R2P norms more broadly in Southeast Asia.

Based on these limitations, future research is recommended to develop a more empirical and participatory approach. Further research could use in-depth interviews or field studies with policy actors, civil society actors, and regional institutions to explore internal factors that influence adoption of or resistance to R2P. In addition, comparative analysis across ASEAN countries—taking into account domestic political variables, institutional capacity, and foreign relations of each country—will be very useful in mapping the dynamics of localization norms more thoroughly. Interdisciplinary studies that combine the perspectives of international law, international relations, and public policy studies are also recommended to enrich the analytical framework in evaluating regional governance's effectiveness in civil protection. With a more integrative and evidence-based approach, future studies are expected to substantially contribute to strengthening the R2P implementation framework in Southeast Asia.

REFERENCES

- Acharya, A. (2004). How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism. *International Organization*, 58(02).
<https://doi.org/10.1017/S0020818304582024>
- Adams, S. (2019). The Responsibility to Protect and the Fate of the Rohingya. *Global Responsibility to Protect*, 11(4), 435–450. <https://doi.org/10.1163/1875984x-01104005>
- Ainley, K. (2017). From Atrocity Crimes to Human Rights: Expanding the Focus of the Responsibility to Protect. *Global Responsibility to Protect*, 9(3), 243–266.
<https://doi.org/10.1163/1875984x-00903003>
- Alam, J. (2021). *Responsibility to Protect in International Criminal Law*. 112–134.
<https://doi.org/10.1093/oso/9780192895189.003.0005>
- Alexandra, L., & Adhikari, M. (2021). *The role of ASEAN in the Myanmar's post-coup crisis: Breaking the stalemate?* (Vol. 43). PeaceRep of The University of Edinburgh.
<https://peacerep.org/wp-content/uploads/2023/09/Myanmar-Policy-Brief-ASEAN-post-coup-crisis.pdf>
- Apetroe, A. C. (2017). The Responsibility to Protect. From “Emerging Norm” to a False Promise. A New Challenge to International Security Policy. *Studia Universitatis Babeş-Bolyai Studia Europaea*, 71–110. <https://doi.org/10.24193/subbeuropaea.2017.2.05>
- ASEAN. (2008). *The Asean charter*. Association of Southeast Asian Nations.
- ASEAN LOA PDR. (2024). *ASEAN LEADERS' REVIEW AND DECISION ON THE IMPLEMENTATION OF THE FIVE-POINT CONSENSUS*.
- Assembly, U. N. G. (2005). *World Summit Outcome Document (Paragraphs 138–140)*.
https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_60_1.pdf
- Association of Southeast Asian Nations. (2007). *Charter of the Association of Southeast Asian Nations, Article 2(2)(e)*. <https://asean.org/wp-content/uploads/images/archive/publications/ASEAN-Charter.pdf>
- Atuobi, S., & Aning, K. (2009). Responsibility to Protect in Africa: An analysis of the African Union's Peace and Security architecture. *Global Responsibility to Protect*, 1(1), 90–113.
<https://doi.org/10.1163/187598409X405505>
- Averre, D., & Davies, L. (2015). Russia, Humanitarian Intervention and the Responsibility to Protect: The Case of Syria. *International Affairs*, 91(4), 813–834.
<https://doi.org/10.1111/1468-2346.12343>
- Axworthy, L., & Rock, A. (2009). R2P: A New and Unfinished Agenda. *Global Responsibility to Protect*, 1(1), 54–69. <https://doi.org/10.1163/187598409X405479>

- Beeson, M. (2009). ASEAN's ways: still fit for purpose? *Cambridge Review of International Affairs*, 22(3), 333–343. <https://doi.org/10.1080/09557570903137776>
- Bellamy, A. J. (2015). The responsibility to protect: a defense. In *Oxford scholarship online Political Science* (1. ed). Oxford Univ. Press.
<https://www.gbv.de/dms/bowker/toc/9780198704119.pdf>
- Brown, G. W., & Bohm, A. (2016). Introducing *Jus Ante Bellum* as a Cosmopolitan Approach to Humanitarian Intervention. *European Journal of International Relations*, 22(4), 897–919. <https://doi.org/10.1177/1354066115607370>
- Cater, C., & Malone, D. M. (2016). The Origins and Evolution of Responsibility to Protect at the UN. *International Relations*, 30(3), 278–297.
<https://doi.org/10.1177/0047117816659586>
- Chandler, D. (2006). *From Kosovo to Kabul and beyond: human rights and international intervention* (New ed). Pluto Press. <https://www.gbv.de/dms/sub-hamburg/500670420.pdf>
- Davies, M. (2014). An Agreement to Disagree: The ASEAN Human Rights Declaration and the Absence of Regional Identity in Southeast Asia. *Journal of Current Southeast Asian Affairs*, 33(3), 107–129. <https://doi.org/10.1177/186810341403300305>
- Demirhan, N. Ü. (2023). Role of Process Legality in Norm Contestation: Rise and Fall of Human Protection. *Alternatives Global Local Political*, 48(3), 206–219.
<https://doi.org/10.1177/03043754231169418>
- Deng, F. M. (1996). *Sovereignty as responsibility: conflict management in Africa*. Brookings Institution.
- Evans, G. (2009). The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All. *Irish Studies in International Affairs*, 20(1), 7–13. <https://doi.org/10.3318/ISIA.2009.20.7>
- Firchow, P. (2014). The Implementation of the Institutional Programme of Collective Reparations in Colombia. *Journal of Human Rights Practice*, 6(2), 356–375.
<https://doi.org/10.1093/jhuman/huu003>
- Goucha, M., & Crowley, J. (2009). Rethinking Human Security. In *International Social Science Journal Monograph Series*. John Wiley & Sons, Ltd.
- Haacke, J. (2005). *ASEAN's diplomatic and security culture: origins, development and prospects* (paperback ed). Routledge.
- Hehir, A. (2019). *Hollow Norms and the Responsibility to Protect*. <https://doi.org/10.1007/978-3-319-90536-5>
- Hindawi, C. P. (2021). Decolonizing the Responsibility to Protect: On Pervasive Eurocentrism, Southern Agency and Struggles Over Universals. *Security Dialogue*, 53(1), 38–56.
<https://doi.org/10.1177/09670106211027801>

- Human Right Watch. (2020). *ASEAN: Overhaul Regional Response to Rohingya Crisis*.
<https://www.hrw.org/news/2020/06/26/asean-overhaul-regional-response-rohingya-crisis>
- International Criminal Court. (1998a). *Rome Statute of the International Criminal Court, Article 6*.
<https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>
- International Criminal Court. (1998b). *Rome Statute of the International Criminal Court, Article 7*.
<https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>
- Jones, L. (2012). ASEAN, Sovereignty and Intervention in Southeast Asia. *CONTEMPORARY SOUTHEAST ASIA*, 34(2), 303. <https://doi.org/10.1355/cs34-2i>
- Kozyrev, V. (2016). Harmonizing 'Responsibility to Protect': China's Vision of a Post-Sovereign World. *International Relations*, 30(3), 328–345.
<https://doi.org/10.1177/0047117816659589>
- Mardiyanto, I., & Hidayatulloh, H. (2023). The Responsibility to Protect (R2P) Concept as an Attempt for Protection of Human Rights in International Humanitarian Law Context. *Volksgeist Jurnal Ilmu Hukum Dan Konstitusi*, 103–118.
<https://doi.org/10.24090/volksgeist.v6i1.7229>
- Melling, G. (2018). Beyond Rhetoric? Evaluating the Responsibility to Protect as a Norm of Humanitarian Intervention. *Journal on the Use of Force and International Law*, 5(1), 78–96.
<https://doi.org/10.1080/20531702.2018.1448156>
- Murithi, T. (n.d.). *The African Union's Transition from Non-Intervention to Non-Indifference: An Ad Hoc Approach to the Responsibility to Protect?*
- Nations, U. (1948). *Convention on the Prevention and Punishment of the Crime of Genocide, Article I*.
https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf
- Neth, T. C. (2024). *ASEAN and the Responsibility to Protect*.
<https://doi.org/10.4324/9781003436799>
- Orchard, P. (2016). Regionalizing Protection: Au and Asean Responses to Mass Atrocity Crimes Against Internally Displaced Persons. *Global Responsibility to Protect*, 8(2–3), 295–326.
<https://doi.org/10.1163/1875984x-00803011>
- O'Shea, E. (2012). Responsibility to Protect (R2P) in Libya: Ghosts of the Past Haunting the Future. *International Human Rights Law Review*, 1(1), 173–190.
<https://doi.org/10.1163/22131035-00101010>
- Pak, H.-C., Son, H.-R., & Jong, S.-K. (2020). Analysis on the Legal Nature of 'Responsibility to Protect.' *International Studies*, 57(3), 279–295. <https://doi.org/10.1177/0020881720926767>

- Rodan, G., & Jayasuriya, K. (2009). Capitalist development, regime transitions and new forms of authoritarianism in Asia. *The Pacific Review*, 22(1), 23–47.
<https://doi.org/10.1080/09512740802651003>
- Rossi, C. R. (2014). The Responsibility to Protect and the Plenitudinal Mindset of International Humanitarian Law. *Journal of International Humanitarian Legal Studies*, 5(1–2), 352–395.
<https://doi.org/10.1163/18781527-00501012>
- Santoso, D. B., Khanif, A., & Arundhati, G. B. (2024). Settlement of the “Cleaning Operation” Case of the Rohingya Ethnic in Myanmar Based on International Law. *Jurnal Suara Hukum*, 6(1), 1–30. <https://doi.org/10.26740/jsh.v6n1.p1-30>
- South, A., & independent author and a Research Fellow at Chiang Mai University Thailand., researcher and consultant. (2021). Towards “Emergent Federalism” in Post-coup Myanmar. *Contemporary Southeast Asia*, 43(3), 439–460. <https://doi.org/10.1355/cs43-3a>
- Teimouri, H., & Subedi, S. P. (2018). Responsibility to Protect and the International Military Intervention in Libya in International Law: What Went Wrong and What Lessons Could Be Learnt From It? *Journal of Conflict and Security Law*, 23(1), 3–32.
<https://doi.org/10.1093/jcsl/kry004>
- Thakur, R., & Weiss, T. (2009). R2P: From Idea to Norm—and Action? *Global Responsibility to Protect*, 1(1), 22–53. <https://doi.org/10.1163/187598409X405460>
- Towadi, M. (2017). The Application of Sharia Maqashid on the Protection of the Rights of Minority of Muslim Rohingya in Regional ASEAN (Indonesia-Malaysia). *Journal of Indonesian Legal Studies*, 2(1), 43–54. <https://doi.org/10.15294/jils.v2i01.16637>
- Union, A. (2000). *Constitutive Act of the African Union, Article 4(b)*.
<https://au.int/en/treaties/constitutive-act-african-union>
- United Nations. (1948). *Convention on the Prevention and Punishment of the Crime of Genocide, Article I*.
https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf
- United Nations. (1966a). *International Covenant on Civil and Political Rights, Article 6(1)*.
<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>
- United Nations. (1966b). *International Covenant on Civil and Political Rights, Article 7*.
<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>
- United Nations. (1966c). *International Covenant on Civil and Political Rights, Article 19*.
<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

- United Nations. (1966d). *International Covenant on Civil and Political Rights, Article 21*.
<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>
- United Nations General Assembly. (2005). *World Summit Outcome Document (Paragraphs 138–140)*.
https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_60_1.pdf
- Williams, P. D. (2009). The African Union's Peace Operations: A Comparative Analysis. *African Security*, 2(2–3), 97–118. <https://doi.org/10.1080/19362200903361937>
- Ziegler, C. E. (2016). Critical Perspectives on the Responsibility to Protect: BRICS and Beyond. *International Relations*, 30(3), 262–277. <https://doi.org/10.1177/0047117816659533>