

International Selectivity: The Relationship between Responsibility to Protect (R2P) and Women, Peace, and Security (WPS) in the Gaza War

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Abstract

The current Israeli-Hamas “conflict” has highlighted double standards across the Global North/Global South divide and tested the selectivity of international norms. One such norm is the “Responsibility to Protect” (R2P) that underscores international obligation to protect populations from mass atrocities when their own government fails to do so. Another relevant standard is UNSCR 1325 or the ‘Women, Peace and Security’ (WPS) Agenda, a resolution set to mainstream gender in the prevention and resolution of conflict. At the intersection of both norms lies the crisis in Gaza, which has an undeniable gendered dimension, and thus qualifies for consideration under both the R2P and WPS. However, there have been little to no talks of directing these structures to the situation in Gaza, despite the climbing humanitarian toll. There is thus a need to examine the failure of the international community to apply these norms, specifically when it comes to Palestinian women. This paper will use existing frameworks that merge the R2P and WPS in resistance contexts to conduct a case study analysis of the state of Gazan women between October 2023 and March 2024. The literature on Gaza is generally lacking, especially from the perspective of the current conflict and when analyzing the gendered impact of international double standards. The paper will draw similarities and differences across both agendas and question the need for more cross-fertilization between them. Its results would inform policy recommendations to the UN and the international community as a whole, seeking to modernize the WPS agenda in light of shifting geopolitical dynamics and lessons learnt.

Introduction

The Responsibility to Protect, known as R2P, is an international norm, unanimously adopted during the 2005 UN World Summit, that seeks the protection of all populations against the mass atrocity crimes of genocide, war crimes, ethnic cleansing, and crimes

against humanity (Global Centre for the Responsibility to Protect, 2023). Around that time, states also realized that gender and sexual violence were as deserving of attention as other forms of aggression (Bond & Sherret, 2012). This served as the basis for the development of the Women, Peace, and Security (WPS) principle, which was recognized in a series of UN Security Council decisions, notably landmark resolution 1325. The latter stressed the importance of women's inclusion in all stages of peace processes, from prevention to post-conflict reconstruction. Its WPS agenda focuses on the gendered aspects of conflict and provides for the protection of women against gender-based violence in such contexts. However, despite the apparent parallels between R2P and UNSCR 1325, there was initially no effort to align the principles.

While the effectiveness of such an alignment may be questioned, scholars tend to agree that the R2P was founded on a one-sided, gender-blind approach. Moreover, the disconnect between both agendas is aggravated in the context of stigmatized regions or populations, as is the case with the Middle East and the Palestinian people. Indeed, the emphasis placed by R2P, UNSCR 1325, and WPS on shifting the narrative from state-centric to human-centric security does not translate into the Palestinian context. This is symptomatic of a larger issue within the structure of the world order – that of international selectivity.

While global norms claim to be equalizing the playing field, they often become systemic tools through which Western hegemony is maintained. Double standards prevail under the pretext of advancing democracy and peace. Nowhere is such selectivity more obvious than in the context of the current Israeli-Hamas war, particularly with regard to the condition of Palestinian women. The impunity accorded to the Israeli authorities in their crimes against Palestinians for the last 75 years has reached its climax over the past months. Unprecedented destruction has claimed the lives of nearly 35,000 Palestinians, the majority of whom have been women and children. This war has caused polarization within international relations and strengthened the Global North/Global South divide.

Since most Western states have stood behind Israel and failed to apply the very norms that they have traditionally been staunch advocates of, this paper will investigate the failure of the international community to protect Gaza by examining the intersection of the R2P and WPS. Analyzing protection through a gendered lens offers needed insight into the selectivity of Western feminism and aid. It also paves the way for policy recommendations that prioritize the safety of civilians, especially women, even in the most divisive and stigmatized conflicts.

Methodology

The most appropriate approach to the topic at hand is a qualitative case study. This paper will combine a literature review with a thorough case study analysis of the situation in Gaza and the plight of Palestinian women. It will focus on the period between October 2023 and April 2024 and rely on content and document analysis. The literature review encompasses both essential definitions and recent critical research around the selected norms, while the analyzed documents consist of news articles, press releases, and NGO or IGO reports. By dissecting the crises Gazan women face, the paper aims to determine whether they meet the criteria for intervention under

the R2P or UNSCR 1325. It will also assess the extent to which the latter have been applied throughout the ongoing conflict. Finally, it will examine the intersection of the two norms in Gaza and provide innovative policy recommendations that put civilian women first.

Literature Review

R2P & WPS Alignment

The R2P is based on three key pillars. First, every state must protect its population from mass atrocity crimes. Second, the international community must assist states in realizing that responsibility. Third, if a state fails to protect its population, the international community should take timely collective action in accordance with the UN Charter (Global Centre for the Responsibility to Protect, 2023). Intervention then ranges from peaceful measures to the use of force if necessary. The pillars are built on the idea that as danger progresses, the responsibility shifts beyond the sovereign state (Barber, 2023). It goes from prevention to reaction to reconstruction, with the least coercive option always being considered first.

On the other hand, the WPS agenda has four pillar points: prevention, protection, participation, and relief, all of which prioritize the needs of women (United Nations Development Program, 2019). This stands in stark contrast to the R2P's gender-blind beginnings that either failed to account for women or reinforced patriarchal stereotypes of them as mere victims (Aoláin & Valji, 2019). From this angle, the R2P and WPS may seem like two different normative agendas; however, many argue they are complementary. This is evident through their overlapping focus on both prevention and protection, as well as the inclusion of SGBV in more recent R2P reports (Davies & Hewitt, 2020). To that end, the 21st century has seen renewed calls to prioritize preventive measures in the face of mass atrocities and SGBV. Scholars have thus highlighted the prevention pillar as an area of growth and potential alignment for R2P and WPS (UN Women, 2015). They insist it could facilitate the long-term operationalization of these agendas and bridge the gap between theory and practice (Davies & Hewitt, 2020).

Indeed, an enduring concern with international standards is their operational deficiency and futility in the face of divisive issues such as the Israeli-Palestinian conflict. Their normative nature enables the proliferation of double standards, especially if, like the R2P, they are enforced through the Security Council where power politics create frequent deadlocks. As such, Davies et al. (2013) posit the need for a less interventionist, more prevention-focused approach to uniting the R2P and WPS. They present it as a way to circumvent the controversy that comes with intervention and advance the plight of marginalized populations. Scholars also suggest the involvement of human rights mechanisms as they are the first line of defense against human rights abuses and can thus inform R2P and WPS prevention measures (Davies & Hewitt, 2020).

Nevertheless, aligning the R2P and WPS agendas comes with many challenges. Chief among them is the fear that closely intertwining both principles would be counterproductive to the broader goals of the WPS. As previously mentioned, the R2P's effectiveness is often limited by its connection to the Security Council. According to Lito (2013), researchers worry that bringing WPS closer to the R2P would put it

under the UNSC's control, and thus thwart its potential achievements. While states need to wait to be helped by the UNSC under the R2P, WPS can be applied in a much more direct and responsive manner without UNSC approval. Additionally, the scope of the R2P's involvement in women's issues has been constrained to SGBV, which is only one aspect of the multifaceted WPS agenda. Hall and Shepherd (2013) contend that aligning WPS with the R2P could easily reduce the former to the masculine and feminine stereotypes that have traditionally constrained international politics. Finally, Spitka (2019) criticizes the literature's near-exclusive focus on the prevention pillars of both principles instead of protection, which can be detrimental to vulnerable populations in difficult conflicts.

R2P & WPS in Gaza

The Israeli-Palestinian conflict can certainly be labelled as difficult. Over the years, many of its violent outbursts may have qualified under the R2P's third pillar, but the international community repeatedly failed to come to a consensus (Spitka, 2019). Additionally, OCHA states that women and girls in Palestine are disproportionately affected by hostilities in Gaza due to widespread displacement, lack of access to basic services, and lack of property rights. They also suffer first-hand from attacks targeting civilians at home, which is often the "domain of the woman."

Gaza is a prime example of the sometimes-unbridgeable gap between rhetoric on the importance of protection and actions to protect vulnerable populations (Brugnola, 2016). The misrepresentation of Palestinian issues by the media on an international level adds to the complexity of the situation. Where there is aid, it comes on a conditional and dehumanizing basis. This turns into "the myth of protection" in that measures claiming to provide security to vulnerable groups expose them to more dangers. For instance, the characterization of women as needing saving often comes with their opinions being excluded from the design of security policies by their protectors (Kandiyoti, 2007).

In the case of the Middle East, the so-called protectors are Western states. Western leaders often exploit Orientalist stereotypes to legitimize their intervention into the region (Abu-Lughod, 2016). These stereotypes vilify the culture of the Middle East and patronize its women who are depicted as oppressed by religion or tradition (Zakaria, 2022). While Palestinian women work as soldiers, activists, and even mid-level leaders, they are most commonly depicted as victims, effectively stripping them of their agency (Spitka, 2019). The consensus seems to be that the responsibility to protect in Gaza lies in the hands of the Israeli government, the Palestinian Authority, and Hamas. During the 2014 war, the UN called on these actors to safeguard the population. Instead, this triangle of authority has facilitated blame-shifting between the three players. To an extent, the complexity of Gazan governance has clouded the exercise of political and legal accountability when it comes to norms such as the R2P or WPS (Bellamy, 2014). The universality of these norms can therefore be questioned.

Gaza is a testament to the fact that Western democracies are just as willing to commit or at least endorse atrocity crimes when it serves their interests (Moses, 2024). It reveals that the language of humanitarianism can be used to defend atrocities, just as it can be used to oppose them. In the context of Gaza, the R2P and WPS have thus

been of marginal value at best. For years, international divisions have paralyzed any initiatives that could speak to the values of these norms and strengthen protection. The US has used its veto to strike almost every UNSC resolution targeting Israel. There continues to be a large gap between the gender and protection agendas of humanitarian organizations and those of the international community, Israel, and the PA. Intervention is limited to inadequate humanitarian assistance that serves the “savior” narrative of the West while ignoring the discourse on protection (Spitka, 2019). On top of lacking norm invocation, there has been no recognition of the negation of R2P and WPS state obligations in Gaza (Aoláin, 2014).

Case Study: Gazan Women & the Ongoing Israeli-Hamas War

Existing literature helps frame the situation in Gaza as particularly sensitive since aid is easily co-opted to further neocolonial and destructive practices. This discussion should thus not only target the alignment of the R2P and WPS in Gaza, but also determine whether this alignment truly serves the Palestinian people. The previous section has made the lack of adherence to the R2P and WPS principles in Gaza painfully obvious. UN reports have pointed out the disproportionate targeting of Palestinian women and girls by Israel since October 2023, with 9,500 women killed and 57,000 injured (Office of the United Nations High Commissioner for Human Rights, 2024). They also state that a number of women and girls have been forcefully disappeared by the Israeli military, with many of them suffering sexual assault and violence. UN Special Rapporteurs working under the Human Rights Council have established Israel’s genocidal intent towards Palestinians on the basis of Israeli officials’ dehumanizing remarks. These range from labeling Palestinians “children of darkness” and “animals” to calling for a second Nakba.

Additionally, the Special Rapporteurs have condemned the reproductive violence committed against Palestinian women as an international crime and questioned the credibility of international law. The agony of Palestinian women points to the backsliding of the WPS agenda on a global scale (Global Centre for the Responsibility to Protect, 2023). The Global Center for the Responsibility to Protect called for a ceasefire as early as October 18th. This followed its five earlier warnings about Israeli atrocities against Palestinians before the October 7th attack, showing that the international community’s failures in Gaza are not limited to periods of war but are rather systemic. Given that the R2P emerged in response to global inaction towards genocide in Rwanda and Bosnia, it is hard to grasp the cognitive dissonance that characterizes the current silence. The R2P’s third pillar is built on a unanimous stipulation contained in Article 139 of the 2005 World Summit’s Outcome report:

We are prepared to take collective action, in a timely and decisive manner, through the Security Council ... should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. (United Nations General Assembly, 2005, p. 30)

For decades, the Palestinian people have been failed by their national authorities – whether the latter are considered to be the occupying power, the PA, or Hamas – while they suffered horrendous atrocities. However, the international community is yet to invoke intervention on the basis of the R2P’s third pillar. For some, this has indicated

the coming end of the R2P on a global scale (Mott, 2024). For others, it has led to questioning the reliance on international norms for action in Gaza. Considering the controversy around previous R2P interventions in the region, would it truly be wise to advocate its application to a context as volatile as the Israeli-Palestinian conflict? Existing forms of “intervention” have mostly served the West’s agenda at the expense of the Palestinian people. For instance, sanctions against Hamas have had harsh consequences for civilians but little effect on Hamas leadership. Additionally, gender issues have been co-opted by different actors in the conflict to gain legitimacy and sanction further military action, only to then discard the plight of Palestinian women. It seems that language tied to international norms – whether the R2P or WPS – has done more harm than good in the Gazan context. Indeed, it can be said that these norms have played into the narrative of Palestinian women as victims to benefit the warring status quo without going so far as to tackle their specific needs or include them in resolution efforts.

Existing Policies

While most of the work on aligning the R2P and WPS remains theoretical, there have been some subtle efforts to connect the two. First, the UN has gradually integrated a gender lens into its peacekeeping missions. This was the case with UNOCI, the UN mission in Côte d’Ivoire, which employed gender advisors and focused on the participation of women in the peacebuilding process. It should be noted that UNOCI supported the post-crisis transition following the 2011 R2P intervention and is considered one of the UN’s most successful missions to date. Aside from its gender aspect, many point to the consistent Security Council consensus received by the mission as a main factor behind its success (Hultman et al., 2019).

Second, many states have incorporated R2P principles into their WPS National Action Plans (NAPs). These include early warning systems, which are traditionally used to detect actions that may lead to atrocities but often miss specific threats against women and girls. Their integration into WPS plans creates more gender-sensitive protection agendas.

Finally, one should not underestimate the efforts of NGOs in pushing for a more holistic approach to civilian protection. Organizations such as the GCR2P or the International Women’s Network (IWAN) have taken on the task of researching and reporting on the gendered aspects of divisive conflicts, often using their data to lobby governments and international organizations (Global Centre for the Responsibility to Protect, 2023). Of course, these policies are not without their flaws and face several obstacles, namely to do with lack of resources as well as political resistance in national contexts.

Policy Recommendations

While the literature offers a rather pessimistic view of the R2P and WPS in the context of Gaza so far, there are many measures that could be put in place to improve the protection of the Palestinian population:

- Balancing Intervention and Prevention

Despite years of advocacy to stop the international community’s overreliance on intervention and focus instead on preventive measures, developed states continue to

lean toward coercion in fulfilling their “protection” duties. This paper advocates for collaboration between international organizations, governments, and NGOs to develop better prevention strategies for mass atrocity crimes that target women. These can build on the early warning systems existent in several states’ WPS NAPs by collecting gender-disaggregated data and training analysts to identify the subtler signs of violence against women in conflict. In contexts where governance is complex, such as Gaza, they may be implemented systematically through UN bodies with an established presence, such as UNRWA. The preventive approach ensures that women’s needs are not overshadowed by the paternalistic militarism that often fuels intervention. However, it is important to remember that prevention does not always work in volatile and protracted conflicts. As such, the increased focus on prevention should not be co-opted to maintain the impunity of states in such contexts.

- Minimizing Reliance on the Security Council

One of the pitfalls of international norms, particularly that of the R2P, is their enforcement through the UNSC which is prone to deadlock and P5 caprices. In fact, the UNSC is one of the main reasons why scholars are hesitant to advocate for R2P and WPS alignment, in fear of paralyzing WPS progress. Developing these normative frameworks outside the UNSC would allow for their connection without the concern of one costing the other. Additionally, it may create an opportunity for more widespread consensus on protection measures in divisive conflicts, particularly Gaza. Indeed, as previously seen with the case of UNOCI, the success of protection measures may largely depend on consistent agreement in the UNSC and between UN member states.

Since achieving UNSC agreement is far-fetched for Gaza, one must look for other institutions through which to build this consensus. Within the UN, one can turn to the human rights system. Since human rights abuses often precede mass atrocity crimes, human rights mechanisms are essential in preventing atrocities. Additionally, these mechanisms already employ a gender lens in discharging their mandates and are thus ready to provide protection for Palestinian women. The involvement of human rights mechanisms can be done through the Human Rights Council’s Universal Periodic Review, which supports states in meeting their international and national obligations toward their populations. It can also include various Special Rapporteurs (on violence against women and girls, on the situation of human rights in the Palestinian territory, on the right to safe drinking water and sanitation, and so on) as they have proven capable of dissecting the issue from a legal, non-political viewpoint.

- Involving Regional Institutions

Relying less on the UNSC to deliver protection also means the development of alternative mechanisms outside the UN system to fulfil R2P and WPS duties. This is where regional organizations and human rights bodies come in. They consist of the European Court of Human Rights, the African Commission on Human and Peoples’ Rights, the Inter-American Commission on Human Rights, and the Arab Human Rights Committee. They are vital in preventing atrocity crimes and providing protection since they possess contextual knowledge and can foster regional cooperation. One may even advocate for the establishment of an R2P-WPS network using these mechanisms

as focal points to strengthen interstate collaboration outside traditional forums and encourage the exchange of best practices or lessons learnt. The regional character and knowledge of these organizations may avoid the political resistance faced by existing policies, and their cooperation may remedy the lack of resources that singular institutions or NGOs deal with.

- Rethinking the R2P

In the long-term, it is apparent that there needs to be more radical changes to the current humanitarian system. For instance, there should be a clear understanding that gendering the R2P is not simply about adding gender into existing principles but reconsidering the current pillars from a gender lens. The R2P's and WPS's "moral" connotations should also be debunked. These principles need to be viewed using the political lens through which they operate if any progress is to occur. One could even go so far as to advocate for the abolition of these normative frameworks in favor of more concrete and pragmatic practices. The selectivity and hypocrisy shown vis-à-vis the Palestinian people have destroyed the norms' claim to universality. What Gaza and other stigmatized conflicts necessitate are locally-owned processes that directly speak to the needs of vulnerable populations and do not require the approval of far-removed actors.

Conclusion

In conclusion, international norms such as the R2P and WPS have undeniably failed the Palestinian population. The current conflict is the nail in the coffin of so-called universal humanitarian principles. Despite suffering unprecedented violence and destruction that fit the pillars of the R2P and WPS, Palestinian women have been abandoned by the world. It can even be said that the international community, headed by Western states, views the lives of women and girls in Gaza as expendable and sanctions their suffering. The aid and protection that they should be provided with has been held back by systemic hurdles, from the lack of consensus on the identity of the national authority in Gaza to the whims of the P5 in the UNSC. From scholarly articles to opinion pieces, the selectivity of the R2P and WPS seems to have dealt the final blow to the credibility of universal norms. This paper has presented policy recommendations that may either temporarily remedy the existing system or advocate for alternatives. Between a more balanced approach to intervention and the replacement of the R2P, hope should not be lost for Palestinian women. There is much that can be done, and the world should no longer fall for the depiction of the Gaza crisis as impenetrable or unsolvable.

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