

CHAPTER 6

THE RELATIONSHIP BETWEEN ISIS, BOKO HARAM AND THE UNITED NATIONS IN THE CONTEXT OF THE RESPONSABILITY TO PROTECT PRINCIPLE

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INTRODUCTION

In the post-Cold War period, there have been significant changes in expectations regarding the responsibilities of the international community for individual and social welfare. Following unhindered massacres in Rwanda and the Balkans in the 1990s and the Kosovo intervention during which North Atlantic Treaty Organization (NATO) broke many rules concerning the use of force, the international community has seriously debated how to respond to systematic violations of human rights. In September 1999, when Kofi Annan presented his annual report to the United Nations General Assembly, he reflected upon expectations for human security and intervention in the next century and called on member states to meet on common ground to adopt the principles of the Charter of the United Nations and to protect humanity.¹ Kofi Annan repeated this call in his 2000 Millennium report by

1 United Nations Secretary General, "Secretary-General Presents His Annual Report to General Assembly", 20 September 1999, <https://www.un.org/press/en/1999/19990920.sgsm7136.html> (May 26, 2018).

asking “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?”² Thus, in cases where universally accepted human rights have been violated, the international community’s responsibility to act against such violations arose.

Annan’s call was embraced by the International Commission on Intervention and State Sovereignty founded by the Canadian Government at the end of 2001 and prepared way for the Responsibility to Protect Report.³ The concept of responsibility to protect was inspired by Francis Deng’s idea of “state sovereignty as responsibility”⁴, and Deng concluded that sovereignty is not only protection against foreign interference, on the contrary, states have positive responsibilities to ensure the welfare of societies and to assist other states in this regard. As a result, the primary responsibility for the protection of society sits principally with the sovereign state itself. However, the remaining responsibility belongs to a wider set of states.⁵ In other words, when the state that has the responsibility to protect its citizens cannot fulfil this duty, the international community has the authority to intervene. If military intervention is to be followed, the principals to be considered are as follows: just cause, right intention, last resort, proportional means and reasonable prospects.⁶

After this report, the concept of responsibility to protect gradually took its place as an international norm. In September 2005, at the United Nations World Summit, all member states formally adopted the responsibility to protect their communities from genocide, war crimes, ethnic cleansing and crimes against humanity. At the summit, world leaders also acknowledged that if any state fails to fulfil this responsibility, all states (the international community) are responsible for helping to protect those who are threatened with such crimes. If peaceful methods are insufficient and the national authorities explicitly fail to protect the society, the international community must act in a timely and decisive manner through the United Nations Security Council and in accordance with the Charter of the United Nations.⁷

2 United Nations Secretary General, “Secretary-General Presents His Annual Report to General Assembly”, http://www.un.org/en/events/pastevents/pdfs/We_The_Peoples.pdf, (May 26, 2018).

3 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001, <http://responsibilitytoprotect.org/ICISS%20Report.pdf> (May 26, 2018).

4 For more information: Francis M. Deng *et al*, *Sovereignty as Responsibility Conflict Management in Africa*, Washington: The Brookings Institution, 1996.

5 International Commission on Intervention and State Sovereignty, *op. cit.*

6 Oliver Ramsbotham *et al.*, *Contemporary Conflict Resolution*, Cambridge: Polity Press, 2006, p. 284.

7 United Nations General Assembly, “Resolution adopted by the General Assembly on 16 September 2005”, 24 October 2005, http://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_601.pdf (May 26, 2018).

The Security Council made the first official referral to the responsibility to protect in 2006 through Resolution 1674 on the Protection of Civilians in Armed Conflict.⁸ Also, the Security Council referred to this principle in Resolution 1706, which sent United Nations peacekeeping troops to Darfur (Sudan).⁹ Thereafter, the United Nations Security Council made decisions within the frame of this principle for Libya (2011), the Ivory Coast (2011), Yemen (2011) and South Sudan (2011).¹⁰

However, the Security Council has not always been able to reach consensus within the framework of the responsibility to protect. This situation is much better understood considering the Syrian crisis as an example. Since the beginning of the civil war in 2011, thousands of people being killed by the Syrian government itself and by the armed groups against it, as well as people who died as a result of terrorist attacks carried out in Syria and around the world by the Islamic State of Iraq and Damascus (ISIS) were not enough for the United Nations Security Council to activate the responsibility to protect principle and intervene. Similarly, millions of people in Nigeria, especially women and children, were affected by the terrorist acts of Boko Haram. Nevertheless, the Security Council did not take adequate action against this terrorist group and did not even keep this issue on the agenda of the Security Council.

The attitude of the United Nations against some governments and terrorist organizations has also been criticized by various researchers and some elements of the international community. This study will examine the stance of the United Nations Security Council against ISIS and Boko Haram. In its 2014 report, the United Nations Commission on Human Rights stated that members of ISIS committed war crimes and crimes against humanity in Aleppo and Raqqa, including acts such as torture, murder and forced displacement. At the same time, the chairman of the commission, Paulo Sérgio Pinheiro said that ISIS was a clear threat to civilians and, in particular, to minorities in Syria and in the areas controlled by this terrorist group.¹¹ Despite the fact the United Nations also had other reports which proved that

8 United Nations Security Council “Resolution 1674”, 28 April 2006, [https://www.un.org/ruleoflaw/files/S-Res-1674%20on%20protection%20civilians%20in%20armed%20conflict%20\(28Apr06\).pdf](https://www.un.org/ruleoflaw/files/S-Res-1674%20on%20protection%20civilians%20in%20armed%20conflict%20(28Apr06).pdf) (May 26, 2018).

9 Nick Grono, “Briefing: Darfur: The International Community’s Failure to Protect”, *African Affairs*, 105(421), 2006, p. 626.

10 United Nations Office on Genocide Intervention and the Responsibility to Protect, “Compendium of Practice Implementation of the Responsibility to Protect 2005-2016”, 20 Mart 2017, [http://www.un.org/en/genocideprevention/documents/RtoP%20Compendium%20of%20Practice%20\(Provisional%20Pre-Publication%20Version\)%20FINAL%2020%20March%202017.pdf](http://www.un.org/en/genocideprevention/documents/RtoP%20Compendium%20of%20Practice%20(Provisional%20Pre-Publication%20Version)%20FINAL%2020%20March%202017.pdf) (May 26, 2018).

11 United Nations Human Rights Council, “Syria’s brutal war threatens international peace and security: UN commission of inquiry”, 27 August 2014, <http://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=14966&LangID=E> (May 31, 2018).

war crimes and crimes against humanity had been committed by ISIS and international media coverage of the situation, the United Nations Security Council failed to take action. Moreover, the Permanent Representative of Nigeria to the United Nations, Dr. Tijjani Bande stated that since 2009, 14.5 million people have been impacted by Boko Haram and suffered from this terrorist organization. Boko Haram has caused humanitarian crises especially in Nigeria and in neighboring countries such as Chad, Cameroon, Niger and Benin.¹² As in the case of ISIS, the United Nations Security Council has failed to intervene in these humanitarian crises.

In accordance with the above, the main question sought in this study is the question of why the United Nations Security Council cannot take action to intervene. In order to answer this, first ISIS, then Boko Haram and ultimately the steps taken by United Nations regarding ISIS and Boko Haram will be examined.

1. The Islamic State of Iraq and Syria (ISIS)

ISIS, came into prominence during the intervention of the United States (US) in Iraq. It became stronger and more prominent in Iraq between the years 2004 and 2008. Later, between the years 2007 and 2010, ISIS, which was faced with resistance from the Sahwa Militia, suffered great losses and came close to breaking up in 2010. In 2010, ISIS regained power due to reasons such as Nouri al-Maliki's ascendance to becoming Prime Minister of Iraq, the beginning of the Arab Spring and the USA's withdrawal from Iraq, which led to the organization becoming highly active in both Syria and in Iraq. In December 2017, it was announced by the then-Prime Minister of Iraq al-Abadi that ISIS had been cleared out of Iraq, thus the war was finally over.¹³ Despite al-Abadi's announcement, it is perhaps not misleading to say that the organization is still pursuing its activities ideologically. ISIS' ideology, its avowed warriors and their actions still remain in many places around the globe.

1.1. History

ISIS, the foundations of which were laid in Afghanistan in 1999 by Musab al-Zarqawi, was founded in Iraq and started its activities in this country.¹⁴ Al-Zarqawi went to Afghanistan some time before the end of the Soviet invasion and fought in a number of battles there. Al-Zarqawi, who visited Pakistan several times while he was in Afghanistan, met Abu Muhammad al-Maqdisi there and was influenced by his religious views. After staying in Afghanistan

12 The Guardian, "Nigeria says 14.8m people affected by Boko Haram", 23 May 2018, [https://guardian.ng/news/nigeria-says-14-8m-people-affected-by-boko-haram/\(May 31, 2018\)](https://guardian.ng/news/nigeria-says-14-8m-people-affected-by-boko-haram/(May 31, 2018)).

13 BBC Turkish, "Irak Basbakani Ibadi: ISID ile Savas Bitti", 9 December 2017, [https://www.bbc.com/turkce/haberler-dunya-42293826 \(May 31, 2018\)](https://www.bbc.com/turkce/haberler-dunya-42293826 (May 31, 2018)).

14 Necati Alkan, *El Kaide'den ISID'e Din, Siddet ve Terorizm*, Ankara: Karınca Yayın, 2016, p. 164.

between 1989 and 1992, al-Zarqawi returned to Jordan and tried to form his militia there. He was arrested for ordering a suicide bombing in Jordan and remained in prison from 1993 to 1999. After being released, al-Zarqawi returned to Afghanistan to meet bin Laden.¹⁵ Bin Laden, despite not liking al-Zarqawi, gave five thousand dollars to him afterwards (upon bin Laden's assistant al-Zawahiri's insistence). With this money, al-Zarqawi found the chance to build his training camp, which laid the foundations of ISIS. With this support, al-Zarqawi founded "Jama'at al-Tawhid wal-Jihad", that is, "the Organization of Monotheism and Jihad".¹⁶

Al-Zarqawi and the organization he had founded were not very well-known from 1999 to the US invasion of Iraq in 2003. However, after the 2003 US invasion, al-Zarqawi became known for his attacks and cruelty against US soldiers.¹⁷ During this time, al-Zarqawi also became known for his hatred towards the Shia. With this hatred and cruelty, al-Zarqawi unleashed an attack on the United Nations (UN) in Baghdad in August 2003 which killed 22 people including UN special delegate Sergio Vieira de Mello. Later, in February 2004, al-Zarqawi's followers performed synchronous attacks in Baghdad and Karbala, a very important city for the Shia, on the day of Ashura; 150 people lost their lives in these attacks.¹⁸ These kinds of attacks led by the Organization of Monotheism and Jihad, as well as al-Zarqawi's declaration of allegiance to Osama bin Laden in 2004 and the change of the name of the organization to "Al-Qaeda Organization in the Land of the Two Rivers", or the better known name, "Al-Qaeda in Iraq" (AQI)¹⁹ increased popularity of al-Zarqawi and his organization. Nevertheless, the fact that the US announced a monetary award of 25 million dollars for al-Zarqawi's capture was a sign that he had begun to cause serious problems.

By 2006, AQI, led by al-Zarqawi, had incorporated several minor jihadist groups and changed its name to "Mujahideen Shura Council". Al-Zarqawi lost his life after a US airstrike on 7 June 2006.²⁰ Abu Omar al-Baghdadi, who succeeded al-Zarqawi changed the name of the organization to "The Islamic State of Iraq" (ISI) in October 2006. Following this name change, Omar al-Baghdadi declared that ISI was also founded as a state. This declaration by al-Baghdadi led to an increase in conflicts in the region because al-Baghdadi, who declared

15 Gulsum Boz, *ISID Teror Orgutu ve Evrim Sureci: Irak El-Kaide'sinden Irak-Sam İslam Devleti'ne*, Ankara: Ankara Strateji Enstitüsü Yayınları, 2014, p. 7.

16 Sinan Hatahet, *Suriye'de "ISID"*, *ORSAM*, No: 20, 2015, p. 2.

17 Elliot Friedland, *The Islamic State*, Special Report of Clarion Project, 2015, p. 4.

18 Lawrence Joffe, "Abu Musab al-Zarqawi obituary", *The Guardian*, 9 June 2006, <https://www.theguardian.com/news/2006/jun/09/guardianobituaries.alqaida> (May 23, 2018).

19 E. Friedland, p. 8.

20 L. Joffe.

that he had founded a state, demanded that the local and regional organizations swear allegiance to him.²¹ ISI tried to force the public to obey the Sharia law, which led to resistance from the public against the organization and increasing conflict. The US, trying to benefit from the situation, started to support the Sahwa Militia, which was founded in early 2007 by 17 Sunni chieftains.

The Sahwa Militia fought effectively against ISI until 2010. In fact, between 2007 and 2011, the Sahwa Militia managed to decrease the number of ISI militants from an estimated 15 thousand to around one thousand. Similarly, there were 35 thousand casualties in ISI attacks around 2006, whereas in 2011, this number had decreased to 2700.²² Nonetheless, the Sahwa Militia, after brutal battles with ISI, managed to draw ISI militants out of Fallujah and al-Anbar. Also, through collaboration between the US and the Sahwa Militia, out of the top 47 leaders of ISI, 34 were either killed or captured.²³ In 2010, ISI leader Omar al-Baghdadi was killed as a result of the combined operations of US and Iraqi forces.

The progress mentioned above demonstrates that the Sahwa Militia were successful. However, they were disbanded by Shia leader Nouri al-Maliki, who became the Prime Minister of Iraq in 2010. Al-Maliki saw the Sahwa Militia as a threat against the Shias. For this reason, he did not integrate the Sahwa Militia into the army. As a result of the disbanding of the Sahwa Militia, the beginning of the Arab Spring, the expansion of ISI towards Syria and the withdrawal of the US from Iraq, ISI, which was on the verge of collapse, regained power.

Meanwhile, following the killing of Omar al-Baghdadi in 2010, the ISI Shura Council had to elect Abu Bakr al-Baghdadi as a new leader. Following his election, Abu Bakr al-Baghdadi tried to rally and empower ISI. As the Arab Spring was becoming notable in Syria, al-Baghdadi sent Abu Mohammad al-Julani to Syria. Al-Julani founded the al-Nusra front in Syria. With al-Julani's efforts and organizational skills, the al-Nusra Front gained significant power in a short time. The al-Nusra Front, being flooded with foreign fighters and gaining more power day by day with the weapons confiscated from the Assad regime²⁴ came to be seen as a threat by al-Baghdadi. In fact, some time later, ISI demanded that al-Julani abolish the al-Nusra Front and pledge loyalty to al-Baghdadi. Al-Julani, however, refused to obey this demand. Several ISI senior leaders went to Syria to take over the al-Nusra Front. This led

21 Recep Tayyip Gurler ve Omer Behram Ozdemir, "Tevhid ve Cihad Orgutu"nden "Islam Devleti"ne, SETA, Issue: 60, 2014, p. 2.

22 Ibid.

23 Melek Ulagay Taylan, "Yarin: ISID Yeniden Doguyor", *Bianet*, 1 July 2015, <https://m.bianet.org/bianet/siyaset/165694-irak-islam-devleti-kuruluyor> (May 23, 2018).

24 Can Acun, *Neo el-Kaide: Irak ve Sam Islam Devleti (ISID)*, SETA, Issue: 53, 2014, p. 3.

to battles between ISI and the al-Nusra Front. In 2013, al-Baghdadi went to Syria and declared “the Islamic State of Iraq and Syria” (ISIS).

As this conflict between ISIS and the al-Nusra Front continued, al-Qaeda leader Ayman al-Zawahiri intervened and made a decision concerning the issue. According to al-Zawahiri’s decision, ISIS would maintain their activities in Iraq, while the al-Nusra Front would maintain theirs in Syria.²⁵ Al-Julani would remain the leader of the al-Nusra Front for at least a year and then the matter would be clarified with a Shura Council meeting. Al-Baghdadi protested this and kept battling the al-Nusra Front, which led to an announcement by al-Qaeda in February 2014 that ISIS was no longer associated with al-Qaeda. As ISIS was no longer related to al-Qaeda, they moved on to act more independently, without the necessity of informing a higher organization.

On 10 June 2014, ISIS invaded Mousul and gained further power. Following the invasion of Mousul, ISIS confiscated all banks and all weapons left by the Iraqi army in the city. This empowered ISIS, both financially and in terms of their weaponry. By the end of June, al-Baghdadi had claimed lands both in Syria and in Iraq, and thus declared that he had founded an “Islamic State” in these two countries.²⁶ Thereby, ISIS changed its name once more and became the “Islamic State” (IS). IS acquired significant financial and military power in 2014 and 2015. After 2015, however, with the increase of international strife, they began to lose power. IS, which suffered severe losses particularly in 2017, was the target of an airstrike in Raqqa by Russia in May. It was claimed by Russia that many top-level leaders of IS, including al-Baghdadi, were killed in this attack.²⁷ However, IS later broadcasted a voice recording of al-Baghdadi, attempting to demonstrate that he was not dead.²⁸ In the recording, al-Baghdadi threatened the US and Japan. This led to a common belief that al-Baghdadi was not dead. In early 2018, IS had lost 98% of the land they had invaded, and was weakened greatly, both in financial and military terms.²⁹ The salvation of the Syrian city Raqqa, which was seen as the capital of the organization and of the caliphate, and the Iraqi city Mousul, which provided important financial resources to the organization, from the IS invasion caused the organization to suffer significant losses.

25 Ibid., p. 4.

26 W. Theo Oosterveld and Willem Bloem, *The Rise And Fall Of ISIS*, Centre For Strategic Studies, The Hague, 2017, p. 8.

27 Al Jazeera, *Russia claims killing ISIL leader Baghdadi*, 7 June 2017, <https://www.aljazeera.com/news/2017/06/russia-claims-killing-isil-leader-baghdadi-170616082539284.html> (May 24, 2018).

28 Al Jazeera, *ISIL Posts ‘Baghdadi Audio’ Issuing ‘Resistance’ Call*, 27 Eylül 2017, <https://www.aljazeera.com/news/2017/09/isil-posts-baghdadi-audio-issuing-resistance-call-170928165854930.html> (May 24, 2018).

29 BBC, *The US-Led Coalition Against So-Called Islamic State (IS) Says 98% Of Territory Once Claimed By The Jihadist Group Across Iraq And Syria Has Been Recaptured*, 28 March 2018, <http://www.bbc.com/news/world-middle-east-27838034> (May 24, 2018).

1.2. Purpose and Structure

Following the Soviet invasion of Afghanistan in 1979, radical Islamist militants rushed to Afghanistan. The militants, who had gathered in Afghanistan and Pakistan, engaged in armed conflicts against the USSR throughout the invasion. The militants and combatants received both military and religious/ideological training in Afghanistan and Pakistan. This training allowed their campaigns to be increasingly more systematic, ordered and organizational. Indeed, by the end of the invasion (1988-1989), the terrorist organization al-Qaeda was formed to ensure more organizational campaigns. The terrorist organization al-Qaeda became an organization that other terrorist organizations obeyed and paid homage to. Abu Musab al-Zarqawi, the founder of the terrorist organization ISIS, took al-Qaeda as a reference in his organization and paid homage to al-Qaeda in 2004.

ISIS' purpose can be understood by looking at their basic ideological view. According to ISIS' Salafi Jihadism, Islam should revert to its pure state from the era of bliss (the initial stage of Islam). ISIS refuses anything that was accepted or added into Islam after that period. According to the organization, anyone who does not obey these conditions is a heretic and has renounced the religion. The suitable penalty for heresy is death.³⁰ According to this worldview, the main purpose of ISIS is to build a state that is ruled by Shariah law and restore the caliphate. The organization has, aiming to accomplish these purposes, determined some short-, medium- and long-term goals, based on their activities in 2014-2015. The goals of ISIS can be listed as follows:

1-Short-term Goals: To protect their lands in Syria and Iraq and expand to larger territories. In order to succeed in this goal, the organization tried to provoke the Shia and Sunni conflict in Iraq and took advantage of it.

2-Medium-term Goals: Following the expansion in Iraq and Syria, move on to neighboring Sunni countries and invade them as well. In order to succeed in this goal, ISIS tried to make use of potentially violent youth in neighboring Sunni countries who were their sympathisers.

3-Long-term Goals: As the main purpose was to restore the caliphate, the long-term goal of ISIS is to invade all Muslim countries and fight against the West.³¹

In accordance with the above-mentioned goals, ISIS invaded Fallujah, 50 kilometres to the west of Baghdad, in January 2014. By this invasion, ISIS declared that Fallujah was now

30 E. Friedland, p. 13.

31 Ibid., p. 16.

a part of the Islamic State and announced to the people of Iraq that they were there to protect them. Also, ISIS demanded that the people fight alongside the organization.³² In June 2014, ISIS spokesperson Abu Muhammad al-Adnani declared that they had restored the caliphate in his speech “This is the word of Allah”.³³ Thereby, ISIS began to focus more on their attacks against neighboring Muslim countries as well as the West, and called their militants to jihad with promises like heaven, houris, and martyrdom.

When the structure of ISIS is analyzed, it can be seen that the organization has a structure very similar to that of a state. ISIS integrates the lands they invade into their ‘provincial’ system. According to the UN report in 2014, ISIS has 8 provinces. It assigns governors to these provinces and rules the provinces through these governors.³⁴ From a more general viewpoint into its structure, there is one leader at the top, and two representatives just below this leader, one for Syria and one for Iraq.³⁵ Aside from these, it has Shariah, Counseling, Security and Military Councils in order to administer its lands better. This establishment also exists in provinces and districts.³⁶

ISIS plays the role of a state in this establishment. With this role, it is strictly organizational in terms of the maintenance and administration of the state in the lands it has invaded. The organization tries to gain support from the locals of the Islamic State it has declared. After invading Raqqa, they announced it as their capital and started to provide education, health and public services in the lands they had invaded, primarily in Raqqa. Aside from these, the organization has established a court which applies the rules of Shariah and a “Hisbah (Vice Squad)”³⁷ was also established to inspect whether or not the public obeys the rules of Shariah. As it can be deduced, ISIS, unlike most terrorist organizations, has become deeply established and has claimed state-like duties. Despite suffering great losses in terms of land, militants and finances in 2018, ISIS still maintains its activities in certain regions.

32 NY Times, *Iraq Fighters, Qaeda Allies, Claim Falluja as New State*, 3 January 2014, <https://www.nytimes.com/2014/01/04/world/middleeast/fighting-in-falluja-and-ramadi.html> (May 25, 2018).

33 Site Intel Group, *ISIS Spokesman Declares Caliphate, Rebrands Group as “Islamic State”*, 29 June 2014, <https://news.siteintelgroup.com/Jihadist-News/isis-spokesman-declares-caliphate-rebrands-group-as-islamic-state.html> (May 25, 2018).

34 United Nations, *The Islamic State In Iraq and The Levant and the Al Nusrah Front For The People Of The Levant: Report and Recommendations Submitted Pursuant to Resolution 2170*, 2014, p. 8. http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/815 (May 25, 2018).

35 Friedland, p. 18.

36 Semsettin Erdogan and Ergun Deligoz, “Irak Sam Islam Devleti (ISID): Gucu ve Gelecegi,” *Savunma Bilimleri Dergisi*, Volume: 14, Issue: 1, 2015, p. 10.

37 Friedland, p. 19.

2. The Terrorist Organization Boko Haram

The terrorist organization Boko Haram is a radical religious organization that is significantly active in the northern states of Nigeria. Boko Haram, the official name of which is “Jamā’at Ahl as-Sunnah lid-Da’wah wa’l-Jihād ala-Manhaji’s Salaf”, meaning “Group of the People of Sunnah for Preaching and Jihad for Salafism”, tried to gather militants by providing free education to underprivileged and unemployed youth in the Borno state of Nigeria during the leadership of its founder Mohammad Yusuf. Due to the free training opportunities which Yusuf had provided, and the fact that his views, which were rooted in the Salafī worldview, found supporters in neighboring countries such as Niger, Chad and Cameroon, the organization gained power over time.

Around a thousand people, including the founder Yusuf, were killed in the operations carried out by the Nigerian government against Boko Haram in 2009. As the organization suffered great losses and found itself on the verge of collapse, the surviving militants fled to neighboring countries. The organization began to gather power in 2010 and gained international recognition through the attacks they performed on UN buildings, the Nigerian army, schools, mosques and churches. The organization became known on a worldwide level when they kidnapped 270 female students in a school attack in 2014.

2.1. History

Although the year of foundation of the terrorist organization Boko Haram is considered to be in 2002, certain reports connect its establishment to minor radical Islamist groups which had not yet gained international notoriety and which were attempting activity in Nigeria in mid-1990s.³⁸ According to these reports, the terrorist organization Boko Haram was related to the “Sahabah” movement, which was a small resistance group consisting of young men and was led by Abubakar Lawan in the 1990s.³⁹ Mohammad Yusuf, the founder of Boko Haram, took part in this small, radical Islamist resistance group and had come to prominence by the mid-1990s. Yusuf started to have significant activity in Maidugari, the capital of Borno, a northern state of Nigeria, in the early 2000s. Consequently, around 2002-03, he started a Salafism-based movement, protesting the secular government, which was, from his perspective, corrupt and lacking Islamic values.⁴⁰

Yusuf, who formed a sect called Yusufism in 2001, built a campus which consisted of a

38 Foard Copeland, “The Boko Haram Insurgency in Nigeria”, *Civil-Military Fusion Centre Presents*, 2013, p. 1

39 James Adewunmi Falode, *The Nature of Nigeria’s Boko Haram War, 2010-2015: A Strategic Analysis, Perspectives on Terrorism*, Volume: 10, Issue: 1, 2016, p. 43.

40 F. Copeland, p.2.

school and a mosque named Ibn Taymiyyah in Maiduguri in 2002.⁴¹ Many people, not only from Nigeria but also from neighboring countries like Chad, Cameroon and Niger, attended this campus between 2002 and 2009. The fact that Yusuf was providing free education to underprivileged youth in this campus increased participation. Also, Yusuf tried to organize inclusive programs for underprivileged students and unemployed youth, aiming to fight poverty and unemployment in the northern states of Nigeria.⁴² As a result, Yusuf soon had around 280,000 supporters in Nigeria, Niger, Cameroon and Chad. According to his teaching, it is sinful to work as a public official in Nigeria as it is not an Islamic state. Also, according to Yusuf, any activity performed in this country is sinful. In his view, the West might be idolized in this way.

Based on Salafism, Yusuf's ideology has been influential on the youth both in his country and in neighboring countries. In fact, in 2003, a group of Yusuf's students started to call themselves "the Nigerian Taliban" and began brutal attacks in Yobe state, to the west of Borno state. The Nigerian Taliban performed these attacks under the control of Yusuf and was led by Mohammad Ali. This is the reason why some consider that Boko Haram originated there.⁴³ However, as mentioned above, others relate the foundation of Boko Haram with the Sahabah movement, also known as "Ahl as-Sunnah v'al Jamā'at'al-Hicrah", initiated by Abubakar Lawan in 1995. Some even track the foundation of Boko Haram back to Mohammed Marwa's (known by his alias, Maitatsine) 1980 uprising.⁴⁴ Marwa was a figure who interpreted religion in extreme ways and, in fact, he claimed to be a prophet in 1979. Marwa's followers were poor, underprivileged, unemployed youth. In his 1980 uprising, he and around five thousand other people were killed.⁴⁵ There is a belief that Boko Haram originates from a branch of the Maitatsine Movement. It is claimed that the organization used these names after 1995: Sahabah Movement, Yusufism, the Nigerian Taliban and Boko Haram. It is believed that the organization claimed the name Boko Haram in 2006. The first major action under this name was burning a traffic police officer to death in 2009.⁴⁶ In 2009, the Nigerian government carried out operations against Yusuf and his followers, which resulted in the deaths of Yusuf and around 1000 others.

41 Abdurrahim Siradag, "Sahra Altı Afrikası'nda Terorist Grupların Yükselişi: Boko Haram Ve Es-Sebab", *SETA*, Issue: 125, 2015, p. 9.

42 Ibid. P. 10.

43 Emrah Kekilli, Hayri Ömer and İ. Bachir Abdoulaye, "Bir Örgütün Anatomisi: Boko Haram", *SETA*, Issue: 214, 2017, p. 12.

44 For more information see: Aydın Erdoğan, *El Kaide, ISID ve Boko Haram (Dini Motifli Terorizm ve Finansal Kaynakları)*, Ankara: Berikan Yayıncılık, 2018, pp. 87-103.

45 Siradag, p.11.

46 İzzettin Artokca, "Boko Haram Ve Es Sebab Teror Örgütlerinin Yapısal Bakımdan Karsılaştırılması", *TASAM*, 2012, p. 11.

The organization had suffered great losses and almost came to an end. The militants who survived the operations fled to countries which share borders with Borno state such as Chad, Niger and Cameroon, in an attempt to regain power. In 2010, Boko Haram attacked Nigerian prisons and set their imprisoned members free. Thereby, they entered a period of rebuilding the organization. Abubakar Shekau, who became the leader in 2010, acted with a vengeful attitude. Consequently, the organization performed much more brutal attacks from this date on.

If the current state of the organization is analyzed, it can be observed that their choice of target is widening. Since 2010, they have attacked churches, UN offices, mosques and schools. The organization became known to the international public after an attack they made on a school. In fact, after the attack, Michelle Obama, spouse of the then-president of the USA, Barack Obama, started a social media campaign to persuade Boko Haram to release the girls they had kidnapped.⁴⁷ In 2015 and 2016, the organization engaged in intense battles with the Nigerian army, and they have been pursuing their suicide bombings and other attacks since early 2017. The organization was still performing their attacks in 2018 and they continue targeting schools and kidnapping female students.⁴⁸

2.2 Purpose and Structure

The purpose of the terrorist organization Boko Haram was constructed upon the Salafist view. Similar to al-Qaeda and ISIS, Boko Haram aims to found an Islamic State governed by the rules of Shariah. To achieve this purpose, they intend to found an Islamic State firstly in Nigeria and then integrate all Muslim countries into it. According to the organization, in order to achieve this purpose, it is necessary to fight against the West and Western values. Semantically, the organization's name indicates this obligation.

In Hausa, the local language of the region where the organization is active, "boko" means "book". What it denotes in this context is that a Western education is sinful (haram).⁴⁹ Despite this discourse considering the name of the organization, Mallam Sanni Umaru, who temporarily led the organization after the killing of Yusuf in 2009, declared that these discourses are constructed by the heretical media and the organization does not accept such a definition. According to Umaru, Boko Haram does not mean "Western Education is Sinful",

47 Kekilli et al., p.17.

48 The Guardian, *Boko Haram Returns More Than 100 Schoolgirls Kidnapped Last Month*, 21 March 2018, <https://www.theguardian.com/world/2018/mar/21/boko-haram-returns-some-of-the-girls-it-kidnapped-last-month> (May 27, 2018).

49 Freedom Onuoha, "Boko Haram And The Evolving Salafi Jihadist Threat In Nigeria," *Boko Haram: Islamism, Politics, Security And The State in Nigeria*, African Studies Centre, Volume: 2, 2014, p. 160.

it means “Western Civilization is Sinful”.⁵⁰ Umaru emphasizes the difference between these two definitions and explains it as follows: “The former definition causes the impression that we are against a Western-style education, which is not true; the latter definition expresses our belief in the superiority of Islamic culture. The concept of culture is much wider and it includes education as well.” However, this education is not defined by Western education.⁵¹

During the period of Yusuf’s leadership, the organization was already against Western-style education and Western values; they are against the Western culture because, as they have declared, Muslims in the northern regions of Nigeria are becoming more and more influenced by Western values and the secular policies of the Nigerian government is causing the loss of Muslim identity in the North.⁵² The organization, which is against Western culture and is actively trying to emphasize the superiority of Islamic culture, prefers to be called “Jamā’at Ahl as-Sunnah lid-Da’wah wa’l-Jihād ala-Manhaji’s Salaf” (the group of people who have devoted themselves to preaching and jihad based on the Salafi method) instead of Boko Haram. At this point, Salafism, which is the basis of the central ideology of the organization, consists of returning to the first days of Islam and protecting Islam from external factors. Yusuf, who had this ideology, aimed to build an Islamic State in the northern region of Nigeria, based on the government model the Taliban once built in Afghanistan. Yusuf worked towards this goal and wanted to establish the Islamic State, not only in Northern Nigeria, but, if possible, all around the world with a pure faith.⁵³

When the mindset behind Yusuf’s and Boko Haram’s main ideology, hence their purpose, is analyzed, it can be seen that it is to build an Islamic State that is governed by Salafi ideology and established all around the world, primarily in Nigeria. It must be noted that Yusuf, who continuously called for Jihad to achieve their purpose, put jihad before the five pillars of Islam. According to him, the reason why Iraq, Palestine, Afghanistan and other Muslim countries are invaded is that Muslims are in a state of laziness and lack spirituality. According to Yusuf, to solve this problem and to reclaim the Muslim lands under invasion, jihad is a religious obligation (fardh); he called the Muslims to jihad, asking “where is jihad?” and “where is faith?”. According to him, Islamic Shariah is the only acceptable way of government and way of living; jihad should be held against any other form of government. Therefore, there should

50 F. Onuoha, p. 160.

51 Ibid.

52 World Almanac of Islamism, *Boko Haram*, American Foreign Policy Council, 2015, <http://almanac.afpc.org/sites/almanac.afpc.org/files/Boko%20Haram%202017%20Update.pdf> (May 27, 2018).

53 Innocent Chiluwa, “The Discourse of Terror Threats: Assessing Online Written Threats by Nigerian Terrorist Groups,” *Studies in Conflict & Terrorism*, Volume: 40, Issue: 4, 2017, p. 320.

be a jihad against Nigeria, which is not ruled by Islamic Shariah. These beliefs and his discourse against the Nigerian government caused the end of Yusuf. He and around one thousand of his supporters were killed in operations by the Nigerian government in 2009.⁵⁴

When the organizational structure of the terrorist organization Boko Haram is analyzed, it can be observed that they only acquired an actual structure in 2009. Until this date, the organization acted like a denominational group; after 2009, their structure became ordered and systematic. Although they lost power after the operations of the Nigerian government, they recovered quickly and attempted to expand the regions under their influence in the northern states of the country. Abubakar Shekau (who took over leadership after the death of Yusu), in particular played an important role in the power Boko Haram acquired and was supported by the Shura Council of the organization. The Shura Council, consisting of 30 members, is where all important decisions of the terrorist organization Boko Haram are made (even though Shekau sometimes makes decisions without consulting the Shura Council).⁵⁵

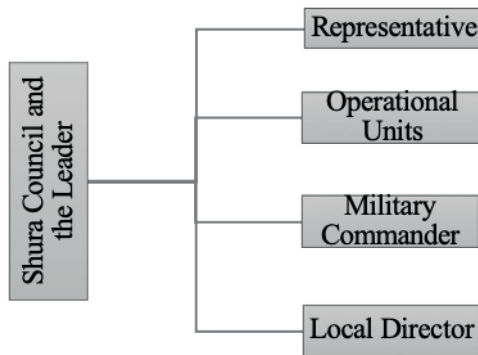


Figure 1. Organizational Structure of Boko Haram

Source: Generated by the authors using data from SETA Report, Issue: 125, Year: 2015.

As can be seen in Figure 1, Boko Haram's organizational structure consist of the Leader and Shura Council at the top, and the Local Director, Military Commander, Representative and Operational Unit located below the Shura Council. Alongside these, below the Military Commander unit is Nabin's unit, who is the Associate Military Commander, and below this is Mu'asker, who is Nabin's associate. Below the Operational Unit are the Military Education Unit, Health Committee, Public Information Unit, Financial Unit, Intelligence Unit,

54 A. Erdogan, p. 93.

55 Amy Pate, *Boko Haram: An Assessment of Strengths, Vulnerabilities, and Policy Options*, Washington: National Consortium for the Study of Terrorism and Responses to Terrorism START, 2015, p. 16.

Contraband, Weaponry and Explosives Unit.⁵⁶ Back when Yusuf was the leader, at a simpler stage, Boko Haram had one leader and his two associates below him; under Shekau's rule, they looked up to ISIS and tried to form a state-like structure. In this regard, Shekau pledged loyalty to ISIS in 2015. After this act, the organization change its name to "the Western Africa State of the Islamic State". In 2016, due to intra-organizational conflicts, ISIS leader Abubakar al-Baghdadi intervened, removed Sheau from his position and declared that he chose Abu Musab al-Barnawi as the governor of Western Africa and as the new leader of the organization. After this, Shekau left the Western Africa State of the Islamic State and restored Boko Haram.⁵⁷

3. UNITED NATIONS' (NON) INTERVENTION IN ISIS

Twenty years after the genocides in Rwanda (1994) and in Bosnia (1995), the former United Nations Secretary-General Ban Ki-Moon, at the commemoration ceremony at the Kigali Holocaust Memorial, said that the international community must remember its commitment to the idea of "never again"⁵⁸. In fact, after the Second World War, 147 countries were obliged to prevent the crime of genocide by signing the Convention on the Prevention and Punishment of the Crime of Genocide (1951). However, after Rwanda, Bosnia and Darfur, the United Nations, which has promised to never let that happen again, has failed to intervene after a number of attacks were committed by ISIS against Muslims, Christians, Yazidis and other religious and ethnic minorities.

3.1. An analysis of resolutions of the United Nations on Syria

The founding fathers of the UN Charter believed that due to their key role in the establishment of the UN, five countries – China, France, the URSS (the Russian Federation since 1990), the United States and the United Kingdom – would play an important role in ensuring international peace and security. Therefore, these countries, together with the Permanent Member status in the Security Council, also had a special right known as the "veto right". Those who prepared the UN Charter agreed that the 15-membered Security Council would not approve a resolution if one of the five permanent members were to cast a negative vote.⁵⁹

Although the veto power is not explicitly stated in the UN Charter, the fact that the *substantial* decisions to be taken by the Security Council require permanent members'

56 A. Siradag, p. 12.

57 American Foreign Policy Council, *Boko Haram*, World Almanac Of Islam, <http://almanac.afpc.org/sites/almanac.afpc.org/files/Boko%20Haram%202017%20Update.pdf> (August 20, 2018).

58 BBC, "Rwanda genocide: UN ashamed, says Ban Ki-moon", 7 April 2014, <http://www.bbc.com/news/world-africa-26917419> (May 24, 2018).

59 United Nations Security Council, "Voting System and Records", <http://www.un.org/en/sc/meetings/voting.shtml> (May 2, 2018).

unanimity voting provides an authority to permanent members to prevent such decisions. Therefore, sometimes the veto power is also referred to as the “great power of unanimity” or the authority itself is called the “great power veto”.⁶⁰

This veto power is often used by five permanent members for various interests. Countries do not hesitate in using these powers to intervene in ISIS or elsewhere. Since ISIS is carrying out some of its activities in Syria and the Syrian issue has been transformed into an international security problem, the interests of the five permanent members do not always coincide. In order to better understand the relationship between ISIS and the UN, it will be useful to examine the accepted and non-accepted resolutions. In this manner, first, non-accepted resolutions and then accepted resolutions will be discussed.

When we speak of non-accepted resolutions, it was Russia and sometimes China who prevented resolutions by using their veto power. Since the start of the Syrian civil war in 2011, twelve draft resolutions have been vetoed. The first was presented to the Security Council on 4 October 2011 and the draft expressed serious concerns about the situation in Syria. At the same time, it was emphasized that the only solution to crisis in Syria would be possible by an inclusive formula, taking into account the demands and needs of the people. This resolution was vetoed by China and Russia. Vitaly Churkin, representative of the Russian Federation, opposed warnings against Damascus and sanctions for peaceful conflict resolution. China’s representative Li Baodong stated that the UN had to respect Syria’s sovereignty and territorial integrity while promoting the objectives set out in the draft.⁶¹

Four months later, on 4 February 2012, Russia and China re-used the veto right. In this way, they prevented the draft resolution which stated that all acts of violence in Syria had to end immediately and that there were great concerns about the deaths of thousands of people. China, stressed that Syria’s sovereignty should be respected. Russia criticized the draft for lacking any proposals to eradicate radical armed groups in Syria.⁶²

Also, in 2012, Russia and China rejected the resolution which condemned the Syrian authorities’ increased use of heavy weapons and all armed violence including armed opposition groups. Russia refused to accept this resolution claiming that no suggestion was

60 United Nations, “Security Council”, <https://www.norway.no/en/missions/un/norway-and-the-un/un-bodies2/security-council/> (May 24, 2018).

61 United Nations Security Council, “Security Council Fails to Adopt Draft Resolution Condemning Syria’s Crackdown on Anti-Government Protestors, Owing to Veto by Russian Federation, China”, 4 October 2011, <https://www.un.org/press/en/2011/sc10403.doc.htm> (May 24, 2018).

62 United Nations Security Council, “Security Council Fails to Adopt Draft Resolution on Syria as Russian Federation, China Veto Text Supporting Arab League’s Proposed Peace Plan”, 4 February 2012, <https://www.un.org/press/en/2012/sc10536.doc.htm> (May 24, 2018).

made to end the terrorist organizations in Syria.⁶³ On 22 May 2014, a draft resolution condemning human rights violations caused by the Syrian government and counter-armed groups and demanding the referral of Syria to the International Criminal Court was vetoed such as others before it. The Chinese representative used his veto power, saying that China had always had reservations about bringing events to court.⁶⁴ More than two years later, the UN Security Council opposed the increased civilian casualties and violence caused by Assad regime forces in Aleppo which was in the hands of opposing groups. While China abstained, Russia vetoed this bill alone.⁶⁵

When the humanitarian crisis was worsened in besieged Aleppo, a draft resolution called for the suspension of all attacks for seven days to transfer humanitarian equipment to the region. But both China and Russia used veto power against this. Delegates rejecting this draft called for intensive political activity to end the crisis in Syria.⁶⁶ Then, in spite of a resolution calling for the destruction of Syria's chemical weapons stock, China and Russia blocked a draft resolution calling for sanctions on related parties in February 2017. With this draft, members called for sanctions on the institutions and persons involved in the production and/or use of chemical weapons in Syria.⁶⁷ The final draft, which was not accepted because of Russia's veto, was presented in the wake of the sarin gas attack at Khan Shaykhun in Idlib. The draft resolution condemned the attacks and called for international investigation of their perpetrators. While Russia used the veto power, China abstained.⁶⁸

In terms of adopted resolutions, the first resolution adopted on 14 April 2012 concerned sending a team of 30 unarmed military observers to Syria to monitor the implementation of

63 United Nations Security Council, "Security Council Fails to Adopt Draft Resolution on Syria That Would Have Threatened Sanctions, Due to Negative Votes of China, Russian Federation", 19 July 2012, <https://www.un.org/press/en/2012/sc10714.doc.htm> (May 24, 2018).

64 United Nations Security Council, "Referral of Syria to International Criminal Court Fails as Negative Votes Prevent Security Council from Adopting Draft Resolution", 22 May 2014, <https://www.un.org/press/en/2014/sc11407.doc.htm> (May 25, 2018).

65 United Nations Security Council, "Security Council Fails to Adopt Two Draft Resolutions on Syria, Despite Appeals for Action Preventing Impending Humanitarian Catastrophe in Aleppo", 8 October 2016, <https://www.un.org/press/en/2016/sc12545.doc.htm> (May 25, 2018).

66 United Nations Security Council, "Security Council Fails to Adopt Two Draft Resolutions on Syria, Despite Appeals for Action Preventing Impending Humanitarian Catastrophe in Aleppo", 8 October 2016, <https://www.un.org/press/en/2016/sc12545.doc.htm> (May 25, 2018).

67 United Nations Security Council, "Double Veto Prevents Security Council from Adopting Draft Resolution Intended to Impose Sanctions for Use of Chemical Weapons in Syria", 28 February 2017, <https://www.un.org/press/en/2017/sc12737.doc.htm> (May 25, 2018).

68 United Nations Security Council, "Security Council Fails to Adopt Resolution Condemning Chemical Weapons Use in Syria, Following Veto by Russian Federation", 12 April 2017, <https://www.un.org/press/en/2017/sc12791.doc.htm> (May 25, 2018).

the ceasefire.⁶⁹ Following this, on April 21, the UN Syria Supervision Mission was established to observe the implementation of the Syrian peace plan.⁷⁰ The head of the UNSMIS Major General Robert Mood explained in 2014 that this mission was actually unable to fulfill the goals settled in the UN Council and furthermore despite an atmosphere of increasing violence because of the Islamic State terrorist organization and other groups, the mission suspended its activities in June 2012. The deployment was unarmed and had to follow passive rules of engagement. In the end, the mission was unsuccessful and the UN's attempt to organize a ceasefire in Syria and to establish peace within the country failed.⁷¹

In September 2013, the resolution to confirm the existence and to demand destruction of Syria's chemical weapons stocks was adopted unanimously. In this way, a call was issued to begin peace talks in Geneva and to establish of a temporary administrative body with all the executive powers in Syria.⁷² The subsequent resolution demanded that all parties, particularly the Syrian authorities, allow access of humanitarian assistance to the lines of conflict and the besieged areas.⁷³ However there were difficulties in applying this. For example, since mid-2013, when ISIS fighters arrived in areas where Médecins Sans Frontières (MSF) were running most of its hospitals, ISIS have abducted lots of MSF staff members which has prevented humanitarian assistance from reaching civilians. Hence this resolution has failed to help the populations in need.

The first UN Security Council resolution referring to ISIS was adopted on 15 August 2014. This resolution condemns the inclusion of Al-Nusra's foreign fighters in the ranks of ISIS and lists the names of six people linked to these groups.⁷⁴ However, there is no article related to any intervention against these terrorist groups. The following resolution expanded the framework of the fight against terrorism by introducing various obligations to member states against the threat of foreign terrorist fighters.⁷⁵ Here, we cannot speak of a UN

69 United Nations Security Council, "Resolution 2042", 14 April 2012, <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Syria%20SRES%202042.pdf> (May 25, 2018).

70 United Nations Security Council, "Resolution 2043", 21 April 2012, <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Syria%20SRES%202043.pdf> (May 25, 2018).

71 Robert Mood, "My experiences as Head of the UN Mission in Syria", Carnegie Middle East Center, 21 January 2014, <https://carnegie-mec.org/diwan/54238> (January 23, 2019).

72 United Nations Security Council, "Resolution 2118", 27 September 2013, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2118.pdf (May 25, 2018).

73 United Nations Security Council, "Resolution 2139", 22 February 2014, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2139.pdf (May 25, 2018).

74 United Nations Security Council, "Resolution 2170", 15 August 2014, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2170.pdf (May 25, 2018).

75 United Nations Security Council, "Resolution 2178", 24 September 2014, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2178.pdf (May 25, 2018).

intervention against ISIS because this resolution aims to combat terrorism within the member states' territories and to increase international cooperation.

Later, there was a resolution concerning ISIS prepared by Russia. Resolution 2199 emphasizes many fiscal measures such as freezing and preventing all financial resources of terrorism, including the elimination of illegal drugs and of mining natural resources in the context of the fight against terrorism. The resolution underlines the need to combat terrorism by all possible means in accordance with the UN Charter and international law to ensure peace and security.⁷⁶ However, this resolution seems to be a catalogue of solely already existing sanctions. Indeed, the resolution gives more details about the sanctions imposed by the Security Council against ISIS. These sanctions have already been applied to the Al-Qaeda terrorist organizations and to its followers for many years. The implementation of this resolution also seems difficult because ISIS works with many intermediaries to provide financial resources. As a result, according to the statement of one diplomat, this decision merely declares that the Security Council is concerned with the matter, and no beneficial results are expected in the short term.⁷⁷

Following the Paris attacks on 13 November 2015, the UN Security Council adopted Resolution 2249 on 20 November 2015.⁷⁸ With this resolution, the Security Council called on member states to take necessary measures in accordance with international law to prevent and suppress terrorist attacks, in particular the ones that were perpetrated by ISIS.⁷⁹ After this, even though some resolutions adopted contained a few articles concerned with fighting against ISIS, there are no responses or resolutions to intervene in ISIS in Syria or Iraq.

As understood from these unaccepted resolutions, China and Russia (which openly support the Syrian government), argued that these resolutions posed a threat to Syria's territorial integrity and sovereignty. In this case, they did not hesitate to use their veto powers. An examination of these decisions reveals that the UN Security Council perceives the Syrian government as a more dangerous force than a terrorist organization like ISIS. Russia has often suggested this as the rationale for vetoing.

76 United Nations Security Council, "Resolution 2199", 12 February 2015, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2199.pdf (May 25, 2018).

77 Le Temps, "L'ONU adopte une résolution pour bloquer le financement de l'Etat islamique", 12 February 2015, <https://www.letemps.ch/monde/lonu-adopte-une-resolution-bloquer-financement-letat-islamique> (May 26, 2018).

78 Aljazeera Türk, "BM'den IŞİD'le Mücadele Kararı", 21 November 2015, <http://www.aljazeera.com.tr/haber/bmden-isidle-mucadele-karari> (May 28, 2018).

79 United Nations Security Council, "Resolution 2249", 20 November 2015, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2249.pdf (May 28, 2018).

In spite of having the authority to take all necessary measures given in Resolution 2249 (which is generally accepted as allowing use of force), while adopting this resolution, the UN Security Council did not act according to the UN Charter's 7th Section which is a pre-condition for the use of force. This also contradicts the reaction of the Security Council after Al Qaeda's attacks in the United States: in resolution 1373 adopted in 2001, the Security Council specifically stated that it had acted in accordance with the 7th Section.⁸⁰ Neither the United Kingdom⁸¹ nor Germany⁸² have requested an open permit from the UN Security Council when interfering with ISIS forces in Syria.

4. United Nations' Actions Concerning Boko-Haram

In order to be able to intervene in Nigeria within the framework of the responsibility to protect, the UN should give authority to the state to intervene and bring legitimacy in. This requirement was put in place to prevent the responsibility to protect principle from being used as a political tool. The UN may only grant such authorization in accordance with the aforementioned offences. According to the International Criminal Court, a crime against humanity is defined as murder, extermination, enslavement, torture, forcible transfers of populations, imprisonment, rape, persecution, enforced disappearance, and apartheid committed as part of a widespread or systematic attack directed against any civil population.⁸³

In fact, Boko Haram has committed crimes against humanity in Nigeria through large-scale murders and other inhumane acts. In view of these massacres and the exponential loss of Nigerian civilians, we see that Nigeria cannot fulfil its responsibility to protect civilians. The responsibility to protect principle supports the exhaustion of all peaceful intervention methods before the use of force. It is therefore unclear what will be the scope of the authority, even if it is given. In fact, regardless of the intervention method, a responsibility to protect authority would provide various countries legitimate field to help those who are exposed to large-scale tragedy in Nigeria, even for a military intervention. However, this has not yet been achieved.

80 Patrick Terry, "Germany Joins the Campaign Against ISIS in Syria: A Case of Collective Self-Defense or Rather the Unlawful Use of Force?", *Russian Law Journal*, 4(1), 2016.

81 House of Commons Library, "Legal Basis for UK Military Action in Syria", 1 December 2015, <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7404>. (28.05.2018).

82 Deutscher Bundestag, "Antrag der Bundesregierung vom 01.12.2015", 1 December 2015, <http://dip21.bundestag.de/dip21/btd/18/068/1806866.pdf>. (May 28, 2018).

83 United Nations Office on Genocide Prevention and the Responsibility to Protect, "Crime Against Humanity", <http://www.un.org/en/genocideprevention/crimes-against-humanity.html> , (June 4, 2018).

The UN Security Council responded to the various terrorist attacks of Boko Haram, including the kidnapping of 276 girls, with non-formal press releases. The first officially registered statement was Security Council Presidential Statements. These Presidential Statements come second after the Security Council resolutions. They are often created when the United Nations Security Council cannot reach consensus or are prevented from passing a resolution by a permanent member's veto, or threat thereof. Such statements are similar in content, format, and tone to resolutions, but are not legally binding.⁸⁴ On 10 December 2014, the Security Council expressed concern over the dissemination of Boko Haram.⁸⁵ In a second statement, approved by all 15 members, the Security Council reported their deep concerns about Boko Haram's activities which undermined peace and stability in Central and West Africa. The Security Council demanded that Boko Haram must immediately stop all hostilities and disarm. In addition, the Council asked all persons who had been detained by the group, including the 276 girls who had been kidnapped in April, to be released immediately. The Council stressed that some of Boko Haram's actions could be considered as "crimes against humanity" and the terrorist organization could be held responsible for international human rights violations.⁸⁶ In the following years, there have been various Presidential Statements, however, the effects remained very limited.

The most important resolution adopted by the Security Council on Boko Haram is the resolution directly condemning the terrorist attacks and other violations of rights that took place in the Chad Basin Region on 31 March 2017. In its resolution, the Council declared its full support to the people affected by the conflict. The Council encouraged the governments in the region to increase military cooperation and coordination. In the same way, the Council emphasized the importance of strengthening cross-border judicial cooperation in order to identify and prosecute human rights violations and perpetrators. Most importantly, the member states have been reminded once again of their responsibility to protect the civilian populations living in their territory.⁸⁷

84 M. J. Farrall, *United Nations Sanctions and the Rule of Law*, Cambridge, Cambridge University Press, 2007, p. 21.

85 United Nations Security Council, "Statement by the President of the Security Council", 10 December 2014, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/_prst_2014_25.pdf (June 4, 2018).

86 United Nations Security Council, "Statement by the President of the Security Council", 19 January 2015, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/_prst_2015_4.pdf (June 4, 2018).

87 United Nations Security Council, "Resolution 2349", 31 March 2017, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/S_RES_2349.pdf (June 4, 2018).

CONCLUSION

In 2011, Arab societies rebelled against their oppressive leaders and experienced the Arab spring. In Libya, Muammar Gaddafi, the then president, responded quickly and ruthlessly to the attack against his rule, saying that he would clean Libya house by house.⁸⁸ The UN took action: The Security Council allowed military intervention⁸⁹ and NATO-led forces carried out airstrikes that overthrew Gaddafi. Today, the effects of this intervention are still felt in the Middle East and many other crises are taking places in many locations.

Libya was the first state to experience intervention on the basis of the responsibility to protect, a relatively new norm adopted by the UN member states in 2005. As is known, the responsibility to protect is an attempt to prevent mass persecution, genocide, war crimes and crimes against humanity. The responsibility to protect norm is based on three pillars, each of which requires a separate responsibility. First, governments must protect their communities against genocide, war crimes and crimes against humanity. Second, the international community is obliged to assist governments in fulfilling this responsibility. Finally, the international community has the responsibility to use diplomatic, humanitarian and other means to protect the population from such crimes. If a government is “clearly failing” to protect its people, the international community must be prepared to undertake collective action, including military action, under the UN Charter.

The doctrine of responsibility to protect is now universally accepted; however, its effectiveness and application is still being questioned as it is understood from the case studies discussed above. Although the responsibility to protect framework is the basis of both successful and disappointing actions in the past, observers and various researchers have argued that it is not sufficient to take necessary action in the crises that are currently occurring.

Indeed, several questions can be asked when considering the examples examined above: Why did the intervention take place in certain countries only after reaching a certain level, not before events deteriorated? When should the UN intervene? Are the responses to the conflicts sufficient? Considering geopolitical challenges between actors, how realistic is the concept of international cooperation? How should the responsibility to protect be realized today?

88 BBC News, “Libya protests: Defiant Gaddafi refuses to quit”, 22 February 2011, <https://www.bbc.com/news/world-middle-east-12544624> (June 4, 2018).

89 United Nations Security Council, “Resolution 1973”, 17 March 2011, <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%20RES%201973.pdf> (04.06.2018).

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