

A group of soldiers in camouflage uniforms are standing in front of a military aircraft. The soldiers are wearing backpacks and some are holding rifles. The aircraft is a large, dark-colored plane with a white tail section. The scene is set outdoors on a tarmac or airfield.

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The Ethics of Using Military Force in Response to Humanitarian Crises

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Introduction

The use of military forces for humanitarian purposes is a long established tradition in all corners of the world. There is often the expectation that military units will assist the civilian population in the immediate aftermath of wars or large scale emergencies. Ever since the use of military force to protect the fundamental human rights of the citizens of another state has been increasingly prominent in debates about the role of ethics in international affairs. Ethical objections to such intervention focus on two issues in particular: the violation of national sovereignty and the use of armed force with the concomitant loss of life and human suffering that follows along.

Definition of key terms

Humanitarian Crises: A humanitarian crisis is defined as a singular event or series of events that are threatening in terms of the health, safety or well being of a community or large group of people.

Humanitarian Emergency: A humanitarian emergency is an event or series of events that represents a critical threat to the health, safety, security or wellbeing of a community or other large groups of people.

The Principle of Sovereignty: The principle of sovereignty holds that states have the right to non-interference in their internal affairs.

Humanitarian Intervention: Humanitarian Intervention is defined as the violation of a state's sovereignty in order to protect the fundamental human rights of those within its jurisdiction. Such an infringement is often justified by claims that the state itself is involved in perpetrating human rights abuses, is allowing them to occur or is unable to prevent them.

Contingent Sovereignty: Contingent sovereignty refers to the new and evolving theory that challenges the norm of non-intervention in the internal affairs of states. Argues the notions that sovereignty is given depending on if certain circumstances/ criteria are met.

- Conditional Sovereignty:** Sovereignty entails responsibilities and rights
 - responsibility to protect those within own borders

-responsibility to not protect those who would harm others

General Overview

The use of military force in response to humanitarian crises raises complex ethical questions, as it involves balancing the need to protect vulnerable populations with the potential harm caused by military intervention.

On one hand, military intervention can be seen as necessary to protect civilians from genocides, ethnic cleansing and crimes against humanity. On the other hand, military intervention can also lead to unintended consequences, such as civilian casualties, displacements and long term instability.

The Principle of National Sovereignty:

The principle of national sovereignty means that a state has supreme authority over both its own territory and its own citizens. In the terms of international relations, it implies that a state is not under the control of any other state and has rights equal to those of states within the international system. The recognition of a state's sovereignty has been the foundation of attempts to impose and maintain order in relations between states in the international systems.

International Law Regarding Humanitarian Intervention

International law allows for armed intervention under certain circumstances. If the interventions follow the requirements laid out by international law, it will not undermine the principles of state sovereignty. Additionally, international law provides strict and laid out rules regarding the use of armed forces in international affairs.

Treaties Establishing a State's Right to Sovereignty

1. The Peace of Westphalia (1648)

The Peace of Westphalia was a series of treaties signed that ended the Thirty Years War and the Eighty Years War. The Peace of Westphalia entrenched the notion of reaching peace through diplomatic congress and a new system of political order in Europe based upon the concept of coexisting sovereign states. The Westphalian principle of the recognition of another state's sovereignty and right to decide its own fate rests at the foundations of international law today and helped to establish the modern definition of sovereignty.

2. United Nations Charter (1945)

The UN Charter is the constitutive instrument of the UN, signed on June 26 1945, that sets out the rights and obligations of member states and helps establish the principle organs and procedures of the UN. In the UN Charter, Article 2 (1) it states that the organisation is based on the principle of sovereign equality of all the members.

3. The Helsinki Accord (1975)

The Helsinki accords were the final act of the conference on Security and Cooperation in Europe during the summer of 1975. 35 states, including the United States of America and Canada and all European countries, except Albania and Andorra, signed the declaration, as a crucial step towards improving the relations between the countries of the Soviet bloc and the West.

4. The Montevideo Convention on the Rights and Duties of States (1933)

The Montevideo Conventions is an agreement signed on December 26 1933 that puts forth the standard definition of a state under international law. The convention stipulated that all states were equal sovereign units consisting of a permanent population, defined territorial boundaries, a government and an ability to enter into agreements with other states.

5. The Maastricht Treaty (1992)

The Maastricht Treaty established the European Union (EU) and affirmed the principle of subsidiarity, which recognizes the importance of respecting the sovereignty of a member state in areas where the EU does not have exclusive competence.

6. The United Nations Responsibility to Protect (2005)

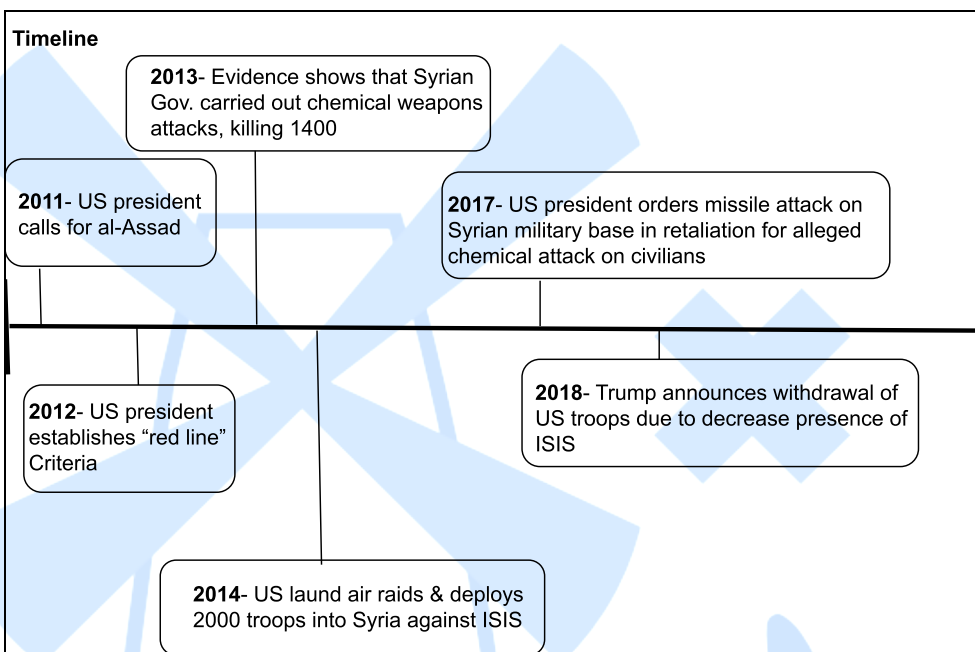
This article states that each individual state has the responsibility to protect its population from genocide, war crimes, ethnic cleansing, and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. Although, with this, a state's sovereignty is conditional and based on its ability to protect its population from the atrocities mentioned above.

American Led Intervention in the Syrian Civil War

The US intervened in the Syrian civil war by supporting Syrian rebels and the Syrian Democratic Forces (SDF). Initially, the US provided non-lethal aid to the Free Syrian Army, but soon began supplying training, money, and intelligence to select rebel commanders. The Pentagon planned to train and equip 15,000 rebels to fight the Islamic State in 2014, but the program was cancelled in 2015 after spending \$500 million. The CIA's \$1 billion covert program, Timber Sycamore, aimed at fighting President Bashar al-Assad, was

more successful but was decimated by Russian bombing and cancelled in mid-2017 by the Trump administration.

In April 2017, the US deliberately attacked the Syrian government forces for the first time by sending missile strikes to the Shayrat Airbase, marking the start of a series of direct military actions against the Syrian government and its allies. The Trump administration initially planned to maintain an open-ended military presence in Syria to counter Iran's influence and oust President Bashar al-Assad, but in late 2018, President Trump ordered the withdrawal of the 2,000-2,500



American ground troops. However, due to concerns over a power vacuum, a contingency force of around 400 American troops remains garrisoned in Syria indefinitely. As of February 2021, there are around 900 US soldiers operating in Syria, and the head of US Central Command has stated that there is no "end date" for the US's intervention in Syria.

Operation Sangaris

Operation Sangaris was French military intervention in the Central African Republic from 2013 to 2016, the seventh such intervention since the country gained independence. The intervention began in response to fighting between rebel groups and Christian self defence militias following the ousting of former president Francois Bozize. The French military, with 1200 troops deployed in the first 24 hours, secured the capital city by December 7th. The African Union committed to increasing the MISCA to 600 men during the Peace and Security summit, and the Sangaris Force was further reinforced with helicopters on the same day.

Major Parties Involved

Syria (The Syrian Civil War): Protests in Syria began in March of 2011. Before, Syria's economy was considered relatively stable with modest growth and relatively low inflation. But there were several economical, political and social factors that started what is now known as the Syrian Civil War; Unemployment, Drought, Corruption, Repression, Lack of Democracy, The Collapse of Ira, Economics Inequality and The Rule of the Minority.

The General Congress (GNC): The GNC is an organisation based in Libya that is backed by various militias with some support from Qatar and Turkey. The GNC included members associated with conservative Islamist groups as well as revolutionary groups. Due to this, there was voting to declare Sharia Law and establish a special committee to review all existing laws to guarantee they comply with Islamic law, such as; Imposing gender segregation and compulsory hijab mandates at Libyan universities. Also refusing to hold new elections when its electoral mandate has expired.

The Northern Atlantic Treaty Organization (NATO): NATO has been involved in military interventions during humanitarian crises in numbers of way, such as:

1. Authorising military intervention
2. Conducting military operations
3. Coordinating military efforts

NATO's involvement in military interventions during humanitarian crises is subject to the approval of member states and must be consistent with its mandate to provide collective defence and promote stability and security in the North Atlantic region.

Possible Solutions

1. Establishing an international code of ethics for military intervention in humanitarian crises
2. Providing mandatory training to soldiers involved in humanitarian interventions on ethical considerations
3. Providing incentives and recognition for military personnel who engage in ethical behaviour during humanitarian interventions
4. Establishing independent oversight bodies to monitor military conduct during humanitarian interventions

5. Developing a system of accountability for military personnel who engage in unethical behaviour during humanitarian interventions
6. Conducting research to understand the psychological impact of military force on humanitarian crises victims and using this information to inform ethical conduct
7. Developing alternative non-violent strategies for humanitarian intervention to avoid ethical conflicts
8. Encouraging the involvement of non-military actors in humanitarian interventions to balance the use of force with humanitarian considerations
9. Collaborating with local communities to ensure that military interventions align with their cultural and ethical values
10. Providing support and resources to military personnel who may experience moral distress during humanitarian interventions.

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