Committee: Special, Political & Decolonisation Committee (GA4)

Issue: Discussing the repercussions of international intervention in cases of state sovereignty

violation

Student Officer: Sokratis-Konstantinos Dallas

Position: Deputy President

PERSONAL INTRODUCTION

Dear delegates,

My name is Sokratis Dallas, I am a 12th grade student at Ekpedeftiki Anagennisi. It is my great pleasure to serve as a deputy president of the Special, Political & Decolonization Committee in the 9th conference of the Arsakeia Tositseia Schools Model United Nations (ATSMUN).

I will be entering my 4th year in the MUN family, and I must confess that it has been a delightful experience throughout, with the GA4 committee being a favourite of mine, and soon enough yours too! I had always been interested in the inner workings of politics and MUN has given me exactly that opportunity, to explore my interests as well as the real-life application of solutions to the world's most pressing issues. Apart from procedural matters, MUN is also a great way to home one's public speaking and collaborative skills, and most importantly to interact with people from all around the world. This is why I encourage all of you to overcome any potential hesitations and give MUN your best shot so that it can reciprocate with memories you will hold on to for the rest of your life.

This study guide will tackle the issue of "Discussing the repercussion of international intervention in cases of state sovereignty violation". Many international coalitions have been formed to tackle such instances, with the most important being the United Nations Intervention in the Korean War. Especially in today's political climate, with increasing tension in Ukraine and Armenia, the International Community is faced with the question of if and how intervention in cases of state sovereignty should be applied and the impact it has on the member-states involved. It is also important to note that the topic at hand does not apply to humanitarian intervention.

With the information presented in the study guide and your own research regarding your delegation's policies, you will hopefully be able to produce creative and effective clauses to resolve the matter at hand. Should you have any questions concerning the study guide or the topic as a whole, feel free to contact me via e-mail at sokrates.dallas@gmail.com.

Kind regards,

Sokratis-Konstantinos Dallas

INTRODUCTION

The concept of international intervention has been at the forefront of international law since the founding of the United Nations (UN), especially with the added parameter of sovereignty, a founding principle of the UN Charter, and the complication of its limitations.

So, although discouraged, the violation of another country's sovereignty can provoke the use of collective force by the international community, if approved by the United Nations Security Council (UNSC). Only 2 interventions have been greenlit, amid the Korean¹ and the First Gulf Wars². In both cases, the aggressor state was deemed not to have met the criteria for self-defense or the responsibility to protect under customary law. As such, the UN has shown its willingness to engage both diplomatically and militarily against states which work to undermine international peace and security and committed itself to global peacekeeping and peacebuilding missions.

Even so, international intervention has met significant problems in its applications. Many operations have gone through without the approval of the UNSC or are still pending, due to conflicts of interest. For example, NATO's unapproved intervention within Yugoslavia was a breeding ground for violence and multiple human rights violations under the terror-bombing campaign³. The Yugoslav campaign was also notable, as the countries receiving support had only received partial recognition from the international community, setting a new precedent for the scope of interventionist missions. Or on the other hand, Russia's "Special Military Operation" in Ukraine, is not being faced with joint military intervention, due to Russia's strategic position within the UNSC. In conclusion, one can see that apart from some shining examples, there is still a lot of work that needs to be done for the proper application of intervention in cases of the violation of state sovereignty.

¹ "Resolution 82 (1950) /." *United Nations*, digitallibrary.un.org/record/112025?ln=en.

² "Resolution 678 (1990) /." United Nations, digitallibrary.un.org/record/102245?ln=en.

³ "Final Report to the Prosecutor by the Committee Established to Review the NATO Bombing Campaign against the Federal Republic of Yugoslavia." Final Report to the Prosecutor by the Committee Established to Review the NATO Bombing Campaign Against the Federal Republic of Yugoslavia | International Criminal Tribunal for the Former Yugoslavia, www.icty.org/en/press/final-report-prosecutor-committee-established-review-nato-bombing-campaign-against-federal.



Figure 1: Photograph of Belgrade during Operation Allied Force⁴

As mentioned before, international interventions can sometimes worsen the humanitarian crises present, instead of alleviating them. This has been popularised after various interventions in the Middle Eastern region, under the responsibility to protect. Nonetheless, it also equally applies under the guise of the violation of state sovereignty. If not handled properly, intercedence by the international community can bring about lawlessness and over-reliance on said outside factors by the member-states involved.

And that is why the UN is being called to evaluate previous interventions and attempt to facilitate and oversee future endeavors, so that they can be properly regulated and serve the best interests of the victims of war and the international community.

DEFINITION OF KEY TERMS

Collective Security

Collective Security is a security arrangement between a multitude of political, regional and or interstate actors which promotes the idea that the security of any one-member state is the joint responsibility of all others and as such an automatic commitment by all entities to a

⁴ *Bombing of Belgrade 1999*. Business Center Ušće, Belgrade Serbia, 1999. https://plus.cobiss.net/cobiss/sr/sr/bib/272918535

collective response to threats and violation of peace. In the specific case of international intervention, it refers to global organizations or multilateral agreements.⁵

Interventionism

Interventionism is a concept in politics, which expresses characteristics, causes and purposes of coercion against another country's attitudes, policies or behavior. This interference can be characterized as political, humanitarian and or a military intrusion. Focusing on this specific topic, these acts of coercion are directed towards the end of hostilities between states.⁶

Non-forceful Intervention

Non-forceful Intervention is the application of intervention under international law, excluding however forceful means of pressure. Such political pressure can derive from cutting bilateral ties, embargoes, sanctions and political isolation from the international community.

Peacekeeping Operations

Peacekeeping Operations, as a subsidiary of the United Nations, focus on the provision of security and stability in regions of conflict and the protection of international law, with the goal of protecting civilians, assisting in the disarmament and demobilization of former regions and populations involved in conflicts. It also promotes efforts to restore human rights, the rule of law and the political process of a state.⁷

Proportional Force

The rule of proportionality indicates that in cases of self-defense, a country has the right to use force to defend itself, but must be proportionate to the amount of force employed by the threat posed by the aggressive party.⁸

Self-determination

Self-determination is the notion, under both international and customary law, under which all peoples have the right to decide for their own future and position on the world stage.⁹

⁵ "The Practical Guide to Humanitarian Law." *Doctors without Borders | The Practical Guide to Humanitarian Law,* guide-humanitarian-law.org/content/article/3/collective-security/.

⁶ Razvan, Sibii. "Interventionism." *Encyclopædia Britannica*, <u>www.britannica.com/topic/interventionism</u>.

⁷ UN Peacekeeping. "What Is Peacekeeping." *United Nations*, peacekeeping.un.org/en/what-is-peacekeeping.

⁸ "1.3.1 Criteria for Self-Defence." *The Use of Force in International Law*, <u>www.open.edu/openlearn/society-politics-law/the-use-force-international-law/content-section-</u>

^{1.3.1#:~:}text=This%20statement%20sets%20out%20two,gravity%20of%20the%20attack%20itself.

⁹ "Self Determination (International Law)." *Legal Information Institute*, www.law.cornell.edu/wex/self determination (international law)#:~:text=Self%2Ddetermination%20denotes%20 the%20legal,a%20number%20of%20international%20treaties.

State Sovereignty

"A State's sovereignty is based on the exclusive power that it exercises over its territory and its nationals. In international law, states themselves (i.e., governments) write the rules that they will be required to follow." ¹⁰

States with Limited Recognition

States or polities which function as independent state actors, but have nonetheless not received recognition by any member-states of the UN, are considered as states with limited recognition. Lots of member-states of the UN have not received total recognition, such as Cyprus, Israel, the People's Republic of China (PRC) and others.

BACKGROUND INFORMATION

Evaluation of Previous Interventions

Starting chronologically, the first instance of the use of collective force to protect the sovereignty of another country was during the Korean War. After the unjustified incursion of the armed forces of the Democratic People's Republic of Korea (DPRK) into the Republic of Korea (ROK), the UNSC approved the dispatch of a multinational task force under the United Nations Command (UNC). At first, the military campaign saw remarkable success, forcing the North Korean forces back to the border with China. Soon afterwards the PRC would launch its own intervention to aid the DPRK, leading the war to a stalemate. As such, in 1953 a ceasefire agreement between the two belligerents was signed which is still in effect as of today, guaranteeing the independence of the ROK.

¹⁰ "The Practical Guide to Humanitarian Law." *Doctors without Borders | The Practical Guide to Humanitarian Law,* guide-humanitarian-law.org/content/article/3/sovereignty/.

THE FOUR PHASES OF THE KOREAN WAR



Figure 2: Map depicting the 4 phases of the Korean War, the maximum extent of both parties and the ultimate ceasefire agreement¹¹

The ceasefire ended all hostilities and established a 250-kilometer demilitarized zone on the Korean border, as well as the United Nations Command Military Armistice Commission to enforce it. It is also important to note the swift nature of the reaction of the UNSC to the crisis, organizing a coordinated task force less than two weeks after the beginning of hostilities.

The second and last intervention approved by the UNSC was the First Gulf War. The response came after Saddam Hussein's invasion, illegal occupation and eventual integration of the State of Kuwait in August 1990. Following these events, the UNSC issued Resolution 678¹², issuing an ultimatum to Iraq to withdraw all troops from the State of Kuwait, as per Resolution 660.¹³ Iraq continued to stay defiant and the First Gulf War began. The operation had two phases, Operation Desert Shield (1990-1991) and Operation Desert Storm (1991). The former was a strategic bombing campaign targeting airfields, oil silos and military installments, while the latter included a military campaign to liberate the occupied lands.

¹¹Kollath, Richard. Korean War Map. Korean Peninsula, https://kollathdesign.com/portfolio/korean-war-map/.

¹² United Nations Security Council. "Resolution 678 (1990)." *United Nations*, digitallibrary.un.org/record/102245?ln=en#record-files-collapse-header.

¹³ United Nations Security Council. "Resolution 660 (1990)." *United Nations*, digitallibrary.un.org/record/94220?ln=en.

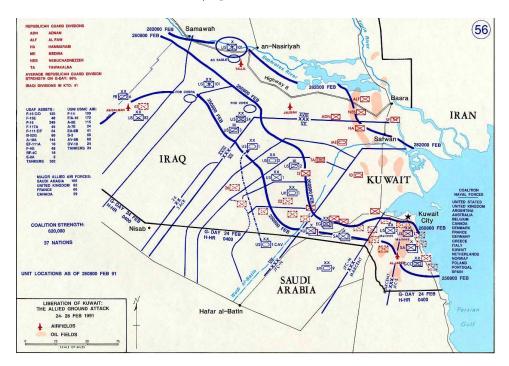


Figure 3: Operational map of Operation Desert Storm¹⁴

The operations were mostly spearheaded by the joint effort of the West, under George H.W. Bush and the Arab League under Egypt. The operation succeeded in securing the independence of Kuwait and enforced strict" no-fly zones" in Iraq to avoid any future conflicts.¹⁵

In 1991, right after the end of the First Gulf War, the Yugoslav Wars ignited. Following the dissolution of the Union of Soviet Socialist Republics (USSR), Yugoslavia followed suit. Slovenia and North Macedonia left the union peacefully, but the government in Belgrade refused to accept the independence of the Republics of Croatia, Bosnia and Kosovo, all new established states with vague or sometimes conflicting sovereignty. After lengthy deliberation, the UN decided to impose sanctions on the Federal Republic of Yugoslavia and a no-fly zone over Bosnia, to protect civilian populations, under Resolutions 757¹⁶ & 781¹⁷ respectively. NATO took it upon itself to enforce these resolutions, by issuing Operations Maritime Guard & Operation Deny Flight, cutting Yugoslavia off from sea and air. They also performed coordinated unauthorized air strikes over Bosnia. Later, the UN established the United Nations Protection Force (UNPROFOR),

¹⁴ United States Military Academy Department of History. *History Map of the Gulf War*. Iraq, http://www.emersonkent.com/map_archive/gulf_war_1991.htm.

¹⁵ United Nations Security Council. "Security Council Resolution 687." *United Nations*, www.un.org/Depts/unmovic/documents/687.pdf.

¹⁶ United Nations Security Council. "Resolution 757 (1992)." *United Nations*, https://digitallibrary.un.org/record/142881?ln=en.

¹⁷ United Nations Security Council. "Resolution 781 (1992)." *United Nations*, https://digitallibrary.un.org/record/151454?ln=en.

to attempt to negotiate a peaceful resolution of the conflict, but both sides rejected the proposals. The mission's new goal was humanitarian protection and border monitoring, which also fell short, with the infamous Srebrenica massacre, taking place right outside the UN embassy in Bosnia. The war ended in 1995 with the Dayton Accords, establishing the Republic of Croatia and the Republic of Bosnia & Herzegovina. However, many criticized the lack of coordination by the international community.

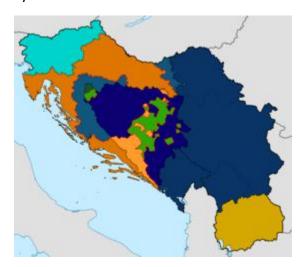


Figure 4: The situation in Yugoslavia as of 1993¹⁸

The region would not yet find peace, as in 1998 Albanian nationalist elements would incite an uprising in the region of Kosovo, issuing NATO intervention. NATO launched a nationwide bombing campaign on Yugoslavia, targeting both civilian and military objectives. Lots of member-states condemned the actions of America and NATO, emphasizing the humanitarian crisis of such an action¹⁹. The International Criminal Tribunal for the former Yugoslavia also questioned the application of the use of force against a sovereign nation, as well as the proportionality and the targets of the force used²⁰.

Moving into the 21st century, the Georgian Wars are a very crucial turning point in Russia's role in interventions. Already since 1993, the Russian Federation had helped establish the defacto Republics of Abkhazia and South Ossetia. On the 7th of August 1995, as relations

Map of the Frontlines, Late 1993. Former Yugoslavia, 24 Dec. 2022, https://commons.wikimedia.org/wiki/File:Yugoslav Wars map late 1993.png#/media/File:Yugoslav Wars map late 1993.png.

¹⁹ United Nations Press. "NATO Action against Serbian Military Targets Prompts Divergent Views as Security Council Holds Urgent Meeting on Situation in Kosovo." *United Nations*, https://press.un.org/en/1999/19990324.sc6657.html.

²⁰ United Nations International Criminal Tribunal for the former Yugoslavia. "Final Report to the Prosecutor by the Committee Established to Review the NATO Bombing Campaign against the Federal Republic of Yugoslavia." International Criminal Tribunal for the Former Yugoslavia, www.icty.org/en/press/final-report-prosecutor-committee-established-review-nato-bombing-campaign-against-federal.

deteriorated, Russian troops invaded Georgian-controlled areas within the breakaway states, violating the ceasefire agreements of 1992 and 1993. Seeing the escalation of conflict in the region the UNSC acted passing Resolution 1808²¹, guaranteeing the territorial integrity of Georgia, which passed unanimously. Even though Russia had agreed to respect Georgia's sovereignty it continued its military presence and faced no repercussions, as they vetoed any non-diplomatic means of conflict resolution. Finally, on August 26th after the conclusion of the war, Russia recognized the Republics of Abkhazia and Alania (South Ossetia), as sovereign, independent states. The unresponsive nature of the international community led Russia to form an expansionist foreign policy, the aftermath of which can be observed with the current Russo-Ukrainian War.

Justification & Motives for Intervention

All the aforementioned cases were vastly different in nature concerning the parties involved and their vested interests. In both the Korean and Gulf Wars, the UNSC decided the necessity of an armed intervention, to secure the territorial integrity of the two member-states. The timing of both interventions out of various cases of state sovereignty violations is no coincidence. Meaning, they coincided with times of weakness in USSR foreign policy, which allowed for greater unity within the UNSC. In 1950 the USSR was still recovering from WW2 and in 1990 it was on the brink of collapse. Concerning the Gulf War, the West was primarily invested in securing oil and fuel supplies. As for Egypt, they wanted to maintain control of the Arab League, which revolutionary states such as Saddam's Iraq destabilized.

While in the Yugoslav Wars, the UN intervened imposing sanctions under the auspices of the protection of human rights in the region. The intervention was later taken over by NATO's intervention ARY forces, in the form of terror-bombing campaigns and volunteer forces, which violated the agreed specifications and international law. This allowed NATO and the EU to influence and establish footholds in the region.

Similar is the case with Russia's intervention, claiming self-defense in the case of Ukraine and the protection of ethnic minorities in the case of Moldova or Georgia to secure their socioeconomic influence over those countries.

Interests will always be at the forefront of bilateral relations and do not prove obstructive unless they come before the goal of interventionary missions. As per the UNSC-led interventions, they managed to secure the independence of the states under attack, despite any other motivations.

Modus Operandi

²¹ United Nations Security Council. "Security Council Resolution 1808 (2008) [on Settlement of the Georgian-Abkhaz Conflict and Extension of the Mandate of the UN Observer Mission in Georgia (UNOMIG)]." *United Nations*, https://digitallibrary.un.org/record/624721?ln=en.

International Interventions also vary when it comes to their application, with a wide selection of methods and tools used to guarantee the respect of sovereignty. There are two basic categories of intervention, forceful and non-forceful. Forceful means an active military intervention against the aggressor state and falls under the use of collective force under the UNSC. Non-forceful interventions take on different forms, such as economic sanctions. There have been 31 sanction regimes approved by the UNSC against organizations or states threatening world peace²². States can also impose individual sanctions, cutting economic opportunities to potentially threatening states.

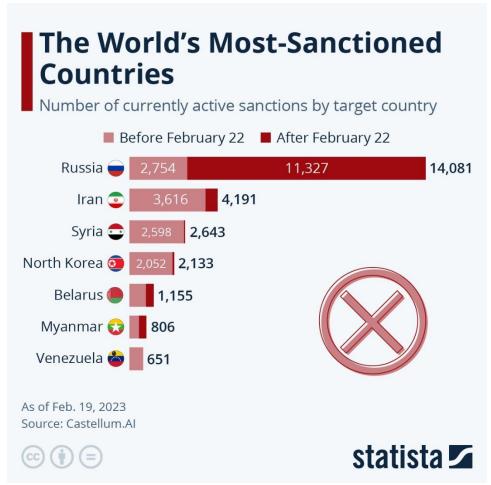


Figure 5: 7 countries with the most individual sanctions against them²³

²² United Nations Security Council. "Sanctions." *United Nations*, www.un.org/securitycouncil/sanctions/information.

²³ Zandt, Florian, and Castellum.Ai. *The World's Most Sanctioned Countries*. 19 Feb. 2023, https://www.statista.com/chart/27015/number-of-currently-active-sanctions-by-target-country/.

For example, The EU Court of Justice is calling for the severance of trade and investment agreements with Morocco, due to their occupation of Western Sahara²⁴. Another commonly used application of non-forceful intervention is diplomatic isolation. The withdrawal of a member-state from multinational institutions and organizations, in addition to cutting off diplomatic ties. The goal of non-forceful interventions is to pressure a government or country to reconsider its actions, which includes the withdrawal of armed personnel.

A parameter which is often overlooked is the question of self-determination. International law allows for the peaceful transfer of land and the creation of independent states²⁵, an unrealistic prerogative with countries struggling for independence or recognition. In such cases, a dilemma is created; To support the decision of partially recognized countries, under the notion of self-determination, or prioritize the territorial integrity of existing member-states. This also puts into question the reach of sovereignty for unrecognized territories and how they might obtain it. States acquire sovereignty through recognition and elevation of their status within the international community. However, if a state manages to achieve such support, it has also effectively secured its protection, undermining the importance of collective self-defense.

The use of force is viewed as controversial on a governmental and societal level. This distrust derives from repeated blunders during previous interventions. The use of force is a last resort in diplomatic relations, as displayed by the UNSC in the form of ultimatums before the launch of interventional operations, which emphasizes the notion of proportionality. The notion requires that any use of force corresponds to the risk of harm posed, as well as to the extent of measures used by the opposing force. Although, the biggest international intervention liability lies behind the countless civilian casualties and restricted commitment displayed. For example, the repeated use of incendiary bombings and anti-personnel mines in Yugoslavia and the Gulf Wars, which are illegal under international law²⁶.

²⁴ Ohanes, Gasia. "EU Court Annuls Morocco Trade Agreements over Western Sahara." *Deutsche Welle*, 29 Sept. 2021, www.dw.com/en/eu-court-annuls-morocco-trade-agreement-over-western-sahara/a-59351343.

²⁵ "Chapter I - Purposes & Pricniples." *United Nations*, https://legal.un.org/repertory/art2.shtml.

²⁶ Canadian Red Cross. "IHL Treaties and the Regulation of Weapon." *Red Cross Canada*, <a href="www.redcross.ca/how-we-help/international-humanitarian-law/what-is-international-humanitarian-law/weapons-and-international-humanitarian-law/ihl-treaties-and-the-regulation-of-weapons#:~:text=Types%20of%20weapons%20banned%20under,the%20use%20of%20booby%2Dtraps.



Figure 8: Distribution of landmines within Bosnia & Herzegovina²⁷

A more recent controversy is the use of cluster munitions within Ukraine. Which, as neither country has ratified the Convention on Cluster Munitions, is not illegal and has been heavily criticized for the threat it poses.

Relevant International Legislation

The issue of international interventions is heavily intertwined with international legislation and the UN charter. The use of force against another state is deemed illegal under Chapter 1, Article 2 (4) 28 of the UN Charter. There are however 2 exceptions provided; The proportional use of force for self-defense under Chapter 7, Article 51^{29} of the UN Charter and the authority to intervene for the protection of a member-state. Intervention can only be decided

²⁷ Fitzpatrick, Michael. "Minefield Map of Bosnia." *European Union Force*, 9 Feb.

^{2017,} https://euforbih.org/index.php/latest-news/2120-eufor-mine-information-coordination-cell.

²⁸ "Chapter I — Purposes and Principles, Article 2 (1)-(5)." *United Nations*, https://legal.un.org/repertory/art2.shtml.

²⁹ "Chapter VII — Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression | Article 51." *United Nations*, https://legal.un.org/repertory/art51.shtml.

upon by the UNSC. States are also obliged to abide by the final decision of the UNSC, as stated in Chapter 5, Article $23\ ^{30}$ of the UN Charter.

The UN also makes a strong case for the protection of sovereignty and self-determination of its member-states. Again, in Chapter 1, Article 2 (1) of the UN Charter, there is mention of the "sovereign equality" of all member-states. Following the conclusion of the Forum of Small States in New York, UN Secretary-General António Guterres made a statement calling sovereignty "sacrosanct". This statement clearly shows the importance of sovereignty within the UN system and the dedication of its members to ensure its protection.

Modern case-studies and application

The application of international intervention has once again come to the forefront of discussion, after the ignition of the Russo-Ukrainian War. Nonetheless, the Russian Federation had already shown signs of aggression by taking Crimea in 2014 and recognizing the Donetsk and Luhansk People's Republics³¹, a prelude for what was to follow. As a permanent member of the UNSC, they have also managed to veto all proposals for intervention within the council. Still, Russia has not remained unscathed, facing isolation from the global stage alongside sanctions, embargoes and other economic restrictions. The Russian Federation has been removed from the Group of 8, the Council of Europe and many more institutions, causing it to be cut off from international affairs³². NATO has also aided Ukraine on an individual level, providing expert arms and training, which have paralyzed Russian offensive capabilities.

³⁰ "Chapter V — The Security Council | Article 25." *United Nations*, https://legal.un.org/repertory/art25.shtml.

³¹ Pitchford, Samuel. "Russian Recognition of Donetsk and Luhansk: Legal Analysis." *Human Rights Pulse*, 2 Mar. 2022, https://www.humanrightspulse.com/mastercontentblog/russian-recognition-of-donetsk-and-luhansk-legal-analysis.

³² Rochlitz, Michael. "Russia's Slide into International Isolation." *Zentrum Für Osteuropa- Und Internationale Studien (ZOiS)*, 16 Mar. 2022, www.zois-berlin.de/en/publications/zois-spotlight/russias-slide-into-international-isolation.

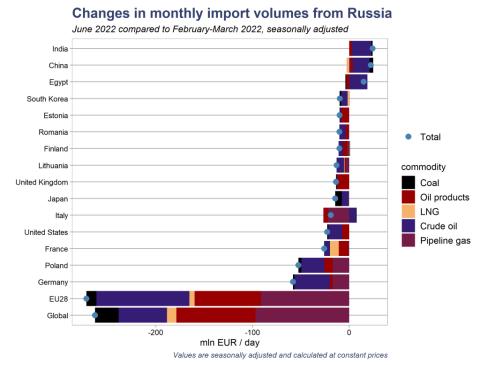


Figure 9: Reduction of Russian exports of fossil fuels by country³³

Another country facing serious threats to its continued existence is the Republic of Armenia, which has been in a state of conflict with Azerbaijan since both their independence in 1991. Recently, after the defeat of Armenia in the Second Nagorno-Karabakh War, there have been increased incursions of Azerbaijani troops on Armenian soil, with the support of Turkey and Israel. With Russia preoccupied and the Western Powers turning a blind eye, Armenia has to now fend for itself, while the situation remains unaddressed by the UNSC.

Lastly, a much more convoluted case is that of the Syrian Civil Conflict. Since 2019 the Turkish Republic has launched offensives, threatening the territorial integrity of the Syrian Arab Republic.

³³ Myllyvirta, Lauri. Changes in Monthly Import Volumes from Russia, https://energyandcleanair.org/russia-fossil-fuel-exports-july/.

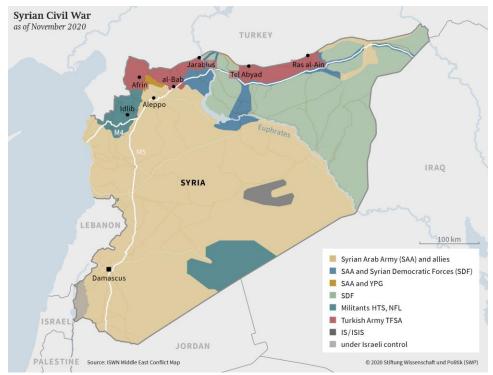


Figure 10: Situation in Syria as of 2020, with Turkish forces marked in red³⁴

The Turkish Armed Forces have failed to reach their original occupational goals, thanks to the coordinated efforts of the government in Damascus, the Kurdish populations and Russian aerial, material support. The incursion was condemned by the USA³⁵, but international action was not taken, out of suspicion of Syria's ties with Russia. So, Russian intervention was at least partially successful, in the absence of the international community.

MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED

Haiti (The case of the Haitian Crisis)

A longstanding humanitarian crisis in Haiti deteriorated in 2019, when a gasoline shortage led to unrest, bloodshed, and food shortages. Two years later President Jovenel Mose was assassinated and the country suffered the tragic consequences of a 7.2-magnitude earthquake. These moments have been just some of the latest inflection points in a country that has suffered more than five centuries of political instability.

³⁴ Çevik, Salim. Syrian Civil War Map. Syria, 30 May 2022, https://www.swp-berlin.org/10.18449/2022C37/.

³⁵ Garamone, Jim. "Esper Condemns Turkey's Syria Incursion, Says U.S. Stands with Syrian Democratic Forces." *U.S. Department of Defense*, 11 Oct. 2019, <a href="www.defense.gov/News/News-Stories/Article/Article/1987962/esper-condemns-turkeys-syria-incursion-says-us-stands-with-syrian-democratic-fo/#:~:text=Defense%20Secretary%20Dr.,cause%20the%20resurrection%20of%20ISIS.

Since the beginning of 2023, criminal organizations have substantially escalated the number of killings, kidnappings, and sexual assaults in and around Port-au-Prince, the capital of Haiti. The Haitian government has been blamed for its inability to protect its citizens from the violence of these criminal organizations, many of which are said to have connections to powerful politicians, business figures, and law enforcement personnel.

Foreign governments have been attempting to restore order through a number of legal actions against Haitian elites, all of whom, according to the Canadian foreign minister, are "profiteering" from the violence that is being weaponized by gangs in Haiti. It seems that foreign governments have been hesitant to engage in another military intervention although in October 2022, faced with the fact that the police were not able to effectively tackle the gangs, de facto Prime Minister Ariel Henry called for the "immediate deployment" of foreign troops "in sufficient quantity to free the country of the gangs which had the island paralyzed."

On November 20, 2022, the United States and Canada issued sanctions against Joseph Lambert and Youri Latortue, both of whom had previously served as president of the Haitian Senate, for money laundering and providing security to drug traffickers. Later, Canada slapped additional penalties on a number of current and former leaders and officials.

Very recently the U.N. Security Council approved sending an armed multinational force to Portau-Prince to combat deadly gang violence.

Any intervention will be met by claims that sovereignty is being violated and that the Haitian Constitution prohibits foreign troops on its territory. However, many experts claim that any serious effort to reform Haitian governance will undoubtedly have to involve an even greater and more direct foreign presence.

Kosovo

Since its de facto independence in 1999, Kosovo has been recognized by 101 out of 193 member-states of the United Nations but still faces opposition from countries with opposing interests. Under resolution 1244, the UNSC vowed to deploy an international civilian and military presence to help alleviate the situation³⁶. Additionally, the United Nations Interim Administration Mission in Kosovo took up the task of establishing an independent country in the region. And now the question of Kosovo is once again in the headlines, after increasing reports of deteriorating human rights conditions of the Serbian population and unwillingness to cooperate with NATO and international institutions to resolve the issue.

North Atlantic Treaty Organisation

The North Atlantic Treaty Organisation was founded in 1949 to protect its members from Soviet expansionism. Its first order of business was to lead the allied efforts in the Korean War,

³⁶ United Nations Security Council. "Security Council Resolution 1244 (1999) on the Situation Relating Kosovo | UN Peacemaker." *United Nations*, peacemaker.un.org/kosovo-resolution1244.

through the NATO military committee. NATO is based on the principle of collective defense under Article 5³⁷ of the North Atlantic Treaty and has emphasized efforts for intervention in cases of both humanitarian and sovereignty violations by member states around the world. In recent times their use of force has been open to criticism as to its effectiveness and necessity, such as in Iraq and Libya. But, the organization still maintains its current obligations and is pushing against Russia's repeated violations of international law.

Republic of Cyprus

After the creation of an independent sovereign Republic of Cyprus in 1960, there had been clashes between the ethnic Greek and Turkish communities of the island. This culminated in the Turkish invasion of the island in 1974 and its eventual partition. In light of this invasion, the UNSC issued Resolution 353³⁸, calling for an armistice and the immediate withdrawal of foreign military personnel, as well as highlighting the mission of the UN Peacekeeping Force in Cyprus. The Republic of Turkey claimed, however, that the Hellenic Republic was undermining the sovereignty of the Republic of Cyprus as well as the Turkish minority, after the 1974 coup d'état against archbishop Makarios³⁹. Even though the response from the international community has been lackluster, Cyprus' strategic importance in the Mediterranean and its connections with the European Union has made it a considerable advocate in favor of the respect of the right to sovereignty.

Russian Federation

Russia is of paramount importance to both issues of international intervention and sovereignty violations. It is a permanent member of the UNSC with veto powers, which means its consent is necessary to launch interventionary operations. The Russian Federation has also been involved in a plethora of conflicts with other territories of the former USSR. Starting with the Georgian Civil War (1991-1993) Russia used its invitation by the government of Georgia to crush the uprising to also establish two new states within Georgia, Abkhazia and South Ossetia. Which led to an all-out war in 2008, to aid the two breakaway states, justified by Russia's peacekeeping mission in South Ossetia⁴⁰. Similar tactics were also employed elsewhere, with Russia getting involved in the internal affairs of Moldova, during the Transnistrian War (1992) and Ukraine during the Crimean Crisis (2014). With little to no repercussions, Moscow applied these tactics for their incursion into Ukraine (2022). The UNSC is still on slow ground, due to Russia's involvement, but the invasion has been condemned internationally, even by traditional Russian

³⁷ Nato, North Atlantic Treaty Organisation. "Collective Defence and Article 5." *NATO*, 22 Feb. 2023, www.nato.int/cps/en/natohq/topics 110496.htm#:~:text=Collective%20defence%20means%20that%20an,of%20the%20North%20Atlantic%20Treaty.

³⁸ "Resolution 353 (1974)." United Nations, digitallibrary.un.org/record/93470?ln=en.

³⁹ Kareklas, Iakovos. "International Law & Diplomacy on the Turkish Military Intervention of Cyprus." *Eliamep*, www.eliamep.gr/wp-content/uploads/en/2011/05/18 2011 -WORKING-PAPER- -lakovos-Kareklas.pdf.

⁴⁰ Nichol, James P. (2009). Russia-Georgia Conflict in August 2008: Context and Implications for U.S. interest. Library of Congress. Congressional Research Service, "https://sgp.fas.org/crs/row/RL34618.pdf".

allies such as Serbia⁴¹, while also facing huge waves of embargoes and sanctions. Through these actions, international economic and diplomatic intervention from coordinated forces outside the UN is becoming more normalized.

State of Israel

The creation of an Israeli state following World War 2 had been and remains controversial. Israel's neighboring Arab countries attempted to threaten Israeli sovereignty with 5 consecutive invasions from 1948 to 1982⁴². Nowadays, Israel has normalized relations with most Arab League countries, but some still refuse to take part in bilateral relations with Israel. As is the Islamic Republic of Iran which is accused of sponsoring militant groups within Israel/Palestine. On the other hand, the United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem and Israel, published findings condemning Israeli occupation in the region, as violating basic human rights and classifying it as an annexation of another state's territory.⁴³ In conclusion, Israel faces external threats wishing to undermine its sovereignty, but at the same time is accused of doing so itself.

Ukraine

Since the 24th of February 2022, Ukraine is engaged in an interstate conflict with the Russian Federation. Ukraine has had to fend off Russia since 2014, with the Euromaidan protests and the rise of pro-Western politics. Nevertheless, there was still significant support for Russia, which caused a series of counterdemonstrations against the government in Kiev⁴⁴. This culminated in the invasion and annexation of Crimea by the Russian Federation. After a limited period of tension between Russia and the West, relations returned to normalcy, leaving Ukraine at a loss and without foreign support. Things would take a different turn during Russia's second attempt in 2022. With Russian troops occupying Ukrainian territory and with a lack of UNSC approval, the international community came to Ukraine's aid. Apart from punitive measures against Russia, they provided Ukraine with the necessary armaments and equipment needed to counter Russian attacks. Even though there has been no direct intervention within Ukraine, there is an ongoing proxy use of collective force in the form of weapons shipments and military training.

⁴¹ Stojanovic, Milica. "Serbia Backs UN Resolution Condemning Russian Attack on Ukraine." *Balkan Insight*, 3 Mar. 2022, https://balkaninsight.com/2022/03/02/serbia-backs-un-resolution-condemning-russian-attack-on-ukraine/.

⁴² "Arab-Israeli Wars." Encyclopædia Britannica, 7 July 2023, www.britannica.com/event/Arab-Israeli-wars.

⁴³ The United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and in Israel. "The United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, Including East Jerusalem, and in Israel." *OHCHR*, www.ohchr.org/en/hr-bodies/hrc/co-israel/index.

⁴⁴ Euromaidan Press Staff. "A Timeline of the Euromaidan Revolution." *Euromaidan Press*, https://euromaidanpress.com/2016/02/19/a-timeline-of-the-euromaidan-revolution/.

United Kingdom

The United Kingdom (UK), as a permanent member of the UNSC with full veto powers, is a key player in international operations. It has involved itself with most NATO and UN peacekeeping operations worldwide. It is one of the few nations to continuously approve and join US-led military interventions, even the unpopular Iraq War in 2003, being one of 3 nations to actively participate. Additionally, they have been one of Ukraine's largest supporters in materiel and training⁴⁵. After assessing British foreign policy concerning international intervention, it becomes clear that they are very willing to be at the forefront of such operations, attempting to curry favor with America, as well as securing vested interests abroad.

United Nations Command

The United Nations Command (UNC), established in 1950, was a multinational military task force established to secure the independence of the ROK. The UNC is still active in Korea, as the two nations are still technically in a state of war. It is also a testament to the works of the UNSC, as it was the first coordinated organization tasked with defending the sovereignty of another member-state. Apart from that, the UNC can provide useful insight into the negotiation and the formation of organs, not only to apply the use of force but also as a peacebuilding mechanism afterwards.

TIMELINE OF EVENTS

Date	Description of event
26 th of June 1945	Signing of the UN charter and ratification of the principles of sovereignty and collective security.
25 th of June 1950	Beginning of the Korean War
24 th of July 1950	Establishment of the United Nations Command
27 th July of 1953	Demarcation of the Demilitarized Zone in Korea
2 nd of August 1990	Iraq begins its invasion of the State of Kuwait
6 th of August 1990	The UNSC imposes sanctions on Iraq

⁴⁵ "Military Assistance to Ukraine since the Russian Invasion." *UK Parliament*, commonslibrary.parliament.uk/research-briefings/cbp-9477/

15 th of January 1990	Beginning of the Coalition Campaign to liberate Kuwait
28 th of February 1991	Kuwaiti independence is restored by the Coalition
6 th of April 1992	Beginning of the Bosnian War
30 th of May 1992	Establishment of a sanctions committee on Yugoslavia
16 th of July 1992	Beginning of NATO intervention in Yugoslavia
27 th of July 1993	Creation of the United Nations Observer Mission in Georgia
14 th of December 1995	Dayton Peace Agreement is signed
28 th of February 1998	Beginning of the Kosovo War
24 th of March 1999	NATO launches its bombing campaign of Yugoslavia
1 st of December 2001	The Report of the International Commission on Intervention and State Sovereignty on the Responsibility to Protect is published ⁴⁶
21 st of February 2008	The position of Special Advisor of the Secretary General on the Responsibility to Protect is established, under the Office of Genocide Prevention ⁴⁷
7 th of August 2008	Beginning of the Russo-Georgian War
19 th of March 2011	Beginning of the Military Intervention in Libya, under the Responsibility to Protect

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⁴⁶ International Commission on Intervention and State Sovereignty. "The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty, 2001." Global Centre for the Responsibility to Protect, 1 Dec. 2021, www.globalr2p.org/resources/the-responsibility-to-protect-report-of-the-international-commission-on-intervention-and-state-sovereignty-2001/.

⁴⁷ United Nations Office on Genocide Prevention. "United Nations Office on Genocide Prevention and the Responsibility to Protect." *United Nations*, www.un.org/en/genocideprevention/special-adviser-responsibility-protect.shtml.

9 th of October 2019	Turkey launches its offensive into North- Eastern Syria
24 th of February 2022	Beginning of the Russian invasion of Ukraine
2 nd of March 2022	Adoption of General Assembly Resolution ES- 11/1 ⁴⁸ calling for the complete withdrawal of Russian forces from Ukraine

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

2005 World Summit Outcome Document (responsibility to protect)

After the conclusion of the 2005 World Summit, the General Assembly pushed to ratify Resolution $60/1^{49}$, which called for the integration of the responsibility to protect within the UN system not only as customary law. This decision brought to the forefront humanitarian interventions, but also broadened the scope of international intervention, calling upon the United Nations General Assembly to ratify and implement any necessary involvement, not the UNSC.

General Assembly resolution 2131 (Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty)

Resolution 2131⁵⁰, titled; "Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty", passed in 1965 with a clear majority. It outlined the importance of the rights to sovereignty and self-determination of states and called for the collective responsibility of member-states to respect and protect these notions.

⁴⁸ United Nations General Assembly. "Resolution Adopted by the General Assembly on 2 March 2022." United Nations, 2 Mar. 2022, https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/293/36/PDF/N2229336.pdf?OpenElement.

⁴⁹ "Resolution Adopted by the General Assembly on 16 September 2005." 2005 World Summit, www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A RES 60 1.pdf

⁵⁰ "Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty General Assembly Resolution 2131 (XX)." *United Nations*, legal.un.org/avl/ha/ga_2131-xx/ga_2131-xx.html.

Helsinki Final Act 1975

Part of the Conference on Security and Co-operation in Europe was the adoption of the Helsinki Final Act⁵¹. The "Decalogue" of the Helsinki Accords were a series of 10 points highlighting the importance of the protection of state sovereignty, as well as respect for self-determination, human rights and international law principles. Its importance derives from being the first non-legally binding treaty to promote such ideals on a pan-European level. The Helsinki Declaration can be declared a success, establishing frameworks for bilateral relations at the height of the Cold War.

United Nations Draft Resolution on the Georgian War S/2008/570

During Russo-Georgian War, the Russian Federation supported by the French Republic proposed Resolution S/2008/570⁵² to the UNSC, which was ultimately rejected. The content of the Resolution was very intriguing, calling for the cession of hostilities between states, bilateral withdrawal of forces and the respect of human rights. This resolution addresses specifically the two nations involved, with Russia making a personal commitment to the completion of its obligation under it, emphasizing once more the importance of bilateral agreements and regional problem-solving.

POSSIBLE SOLUTIONS

Increased accessibility

The process for deriving to multinational efforts is time-consuming and difficult, as it needs to get the attention and later the approval of the UNSC, which usually the states under attack do not have. By increasing participation and accessibility of those nations, to non-UNSC tools within the UN, it is easier to produce faster and more impartial results at times of sovereignty violation. Such measures could include invoking available special emergency powers within the United Nations General Assembly (UNGA), permitting the creation of sub-commissions of the UNGA, or expanding on already existing ones. The goal being not to have sole UNSC oversight, especially with non-forceful means, as is the status-quo.

Strengthened UN oversight

⁵¹ Organisation for Security and Co-operation in Europe. "Conference on Security Final Act." *OSCE*, www.osce.org/files/f/documents/5/c/39501.pdf.

⁵² Russian Federation, and French Republic. "Security Council Draft Resolution 2008/570." *Security Council Report*, www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Georgia%20Blue%20draft%20resolution.pdf.

Sometimes foreign countries and intergovernmental actors might intervene in interstate conflicts, despite all efforts by the UNSC. It should be of utmost priority for the council to then engage itself in such cases. This is a solution the UN is already attempting to pursue, by pushing for greater audits and investigations among interstate conflict on both sides. Additionally, the UNSC, as a third-party actor, could take on the task of mediating ceasefire and peacekeeping missions in good faith.

Clarity regarding the application of intervention

Currently, interventions are up to the discretion of the UNSC, meaning that there are cases of sovereignty violation which have received differing treatment by the council. So, a better system of classification of the urgency, based on predetermined parameters and criteria, of cases of state sovereignty violations and the necessary measures to be implemented will help for a more streamlined process. Also, by providing an outline of response, the UNSC would limit the admissibility of parallel cases and facilitate greater public insight into which member-states have vested interests in which cases.

The expansion of the responsibility to protect

International intervention in cases of human rights violations is already secured through the responsibility to protect. As established after the 2005 World Summit, the notion calls upon member states to intervene in countries where there is a severe humanitarian crisis and crackdown on the international rights of man. Yet, the principle fails to consider the rights of states to sovereignty and self-determination. The Chadian-Libyan war resulted in the deaths of around 16 times more people⁵³ than the 2011 crackdowns in Libya where the principle was applied. This highlights the interconnected nature of both principles. As such, similar agreements could be made to include sovereignty vi olations and the reaction imposed by the international community.

⁵³ Pollack, Kenneth Michael. "Arabs at War: Military Effectiveness, 1948-1991." *Columbia University*, https://ciaotest.cc.columbia.edu/olj/si/si 3 1/si 3 1 mod01.pdf.

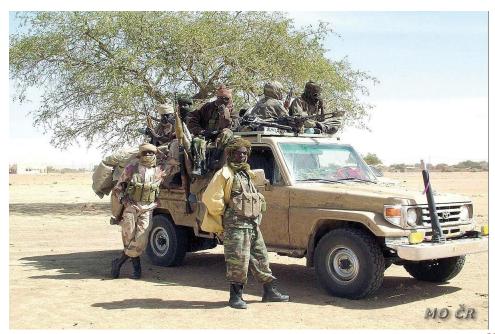


Figure 11: Chadian Armed Forces during the Toyota War between Chad and Libya⁵⁴

Discouraging independent interventions

Countries or intergovernmental organizations might take the initiative to call for their own interventions. Due to the lack of coordination and accountability that the UN system provides, individual interventions are much more likely to violate international stipulations and humanitarian law, which discredits future efforts. One can clearly see the difference between the clear and orchestrated strikes of the UN in liberating Korea, Kuwait compared to Yugoslavia, which is still under crisis. For this reason, the UN must encourage all member states to move through the legal pathway available and apply relevant systems of accountability.

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