Intervention and State Sovereignty: The Dilemma of Armed Humanitarian Intervention

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The concept of state sovereignty has been the underlying principle of international relations since the Treaty of Westphalia in 1648. Violating national sovereignty was a serious infringement of international law. However, since the 1990th with the end of the Cold War, "state sovereignty" as a protection against external intervention has become internationally subject to change based on new international humanitarian law principles such as defense of human rights in cases of ethnic cleansing, genocide and lately, protection of civilian population seeking freedom and democracy from violence. A controversial debate regarding this new trend in international relations is taking place. Supporters of humanitarian's armed interventions claim that civil wars has replaced interstate war and resulted in millions of death, threatening regional and international peace and security. On the opposite side, supporters of state sovereignty claim that such intervention is not acceptable because the quest of such benevolent aims contradict the essence of international relations. The new approach in international law adopted by a number of UN resolutions since the 1990s has led to a debate as to the nature of the role the United Nations concerning internal conflicts as well as the real role of the states or international organizations in charge of implement Security Council decisions such as NATO. Other questions are raised over interventions in internal conflicts such as the human cost of such interventions, the basic international legal concepts governing such intervention, the limits of the role of UN in this respect especially in relation with the future of the principle of sovereignty of the state. Other concerns ranges from 'what level of violence will constitute argument for intervention' to 'will the concept of human rights violations be used as a pretext to intervene for strategic political interests rather than to protect civilians'? Such serious questions aroused during the UN armed interventions for humanitarian reasons in many countries such as Liberia, Libya, Ivory Coast, as well as other countries.

Challenges to the concept of sovereignty

Sovereignty could be defined as the possession of absolute authority within a bounded territory. Nevertheless, sovereignty has undergone a vast transformation across history. The Treaty of Westphalia 1648 was the first attempt to create an order in Europe on the basis of balance of power between states which is based on sovereign equality. Following 1648, sovereignty became the highest centralized authority which enacts and implements laws over the territory of a state.

Major change that took place across time especially in the twentieth century with the creation of the League of Nations in 1920 and afterword the United Nations in 1943. Article15, paragraph 8, of the Covenant states that "*If the dispute between the parties is claimed by one of them, and is found by the Council, to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the Council shall report so, and shall make no recommendation as to its settlement.*" Several significant differences can be noted between Article 15(8) of the League of Nations Covenant and Article 2(7) of the UN that reads as

follows "*Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.*" The word "solely" employed in the Covenant has been replaced by "essentially" that implies a broadening of the protection of national jurisdiction.

After World War II, sovereignty has witnessed many changes. It is no longer absolute; the authority of a state is increasingly limited by the demands that result from international legal, economic, and political constraints. Hence, sovereignty is no longer a cover for abuses of human rights which are no longer a sole domestic state issue. Since 1990, the large freedom of action traditionally belonging to states when dealing with human rights has been gradually restricted for many reasons such as: Self determination, democratization. Globalization and economic liberalism are affecting state authority and sovereignty.

There is a growing international recognition of the rights and claims of the individuals and peoples to determine their own fate. These claims concern rights of self-determination of minorities to choose their political and economic future. At national and international levels interest groups and civil society are exercising increasing influence on their own governments. Thus, self-determination, globalization, the communication revolution, calls for democratization and liberalism constitute a major challenge for sovereignty. A good example is the current situation   in North Africa and the Middle East was people are seeking freedom, dignity and democracy with the help of the international community.

The current process of international and regional integration is leading states to transfer certain aspects of their national sovereignty to supranational bodies in areas a diverse as environment, standards, and trade. These transfers diminish the freedom of action of member states to the account of global capital markets and multinational enterprises. Under this framework of globalization the importance of the communication technology and the instant access which go across every state boundary without permission or control. The whole world is connected. Any message can reach within seconds the entire globe. Thus, the internet and communication technology are impeding state sovereignty: nothing can be hidden anymore especially acts of repression and violence against civil population for secrecy is a major domination tool of dictatorships. Social networks are playing a major role in the organization in the fight for democracy in the Middle East and the whole world for it is relaying all the messages and live video scenes of repression to the international community and the world public opinion amidst a total inability of state intelligence service to stop them.

Also, privatization and economic liberalization programs have decreased the power and influence of states. Membership in the World Trade Organization opens boundaries of states to trade. States are no longer economically autonomous due to the economic interdependence in the current world economy. Practically states are bound to join the WTO for it controls ninety per cent of the world trade or they face the risk to be neglected in world trade. Their goods will not have a preferential treatment and access to the world markets. Under the WTO regulations states lower their customs, open their boundaries to foreign goods, waive their tariff and non- tariff barriers to trade, abstain from subsidizing their economy, open their markets to Foreign Direct Investments and accept the jurisdiction of the WTO dispute settlement body in case of disagreements on trade issues. Also, through privatization vital areas in the economy such as electricity, communication, and heavy industry are no longer state property and were diverted to the private sector ownership.

On the political level, the efforts by human rights watch organizations, advocacy groups, civil society and the UN to deal more aggressively with internal violations of human rights, including genocide, needs for democratization, transparency, accountability, and private freedoms are yielding results. Those principals are progressively overriding the principle of nonintervention and the sovereign status claimed in the UN Charter. Thus, there's a new conception of threat resulting from human rights abuse to international peace and security with the support of the UN Charter. Human rights are no longer solely restricted within the

domestic jurisdiction of a state. It became a major area of concern for the whole community of nations. Violations of these rights within a state is more and more considered as a threat for the international community and therefore, according to Chapter VII in the Charter, the UN is claiming the right to take measures and sanctions under the shield of humanitarian law amidst a tragic situation of civilians victims of internal conflicts and wars.

As a result, an explicit call to revise the concept of sovereignty is emerging to allow for internationally sanctioned intervention *"droit d'ingérence"* to protect populations from abuse. Progressively a number of documents produced at the initiative of the UN under the Responsibility to protect civilians. Thus, this decline in sovereignty legitimized by the UN Charter had great manifestations in many recent cases at a time were the percentage of civilian war-related deaths is increasing constantly as well as genocides, refugees and internally displaced persons.

The 1992 U.N. Secretary-General Agenda for Peace

In the period from 1990 through 1993, the United Nations Security Council adopted an extraordinarily pioneering interpretation of Chapter VII of the UN Charter on the enforcement provisions concerning international peace and world stability. The Security Council approved a fundamental shift in terms of collective intervention under the pretext of international humanitarian law at the time when ethnic and civil wars exploded across the globe. The UN decided to overcome the principle of sovereignty in case of severe human rights abuse by states. In this framework, the former U.N. Secretary-General Boutros Ghali issued in 1992 his *Agenda for Peace* in which he defined the following points as a transition remedy to post Cold war international relations, namely: Preventive diplomacy, peace enforcement, peacemaking, and post-conflict peace-building. It was the new U.N vigorous stance in which violations of human rights were seen to prevail over domestic sovereignty, becoming the major the focus of international concern. Archbishop Celestino Migliore, the Vatican's permanent observer at the United Nations summed up the new shift as follows: *"there exists a responsibility to protect not only the stability of a country, but first and foremost the population threatened by man-made catastrophes like genocide, mass killings, serious human rights violations, the starvations of entire populations and so on"*. (Quinn Derek: 2009) Hence, the Security Council started using its prerogatives to apply sanctions and authorize the resort to armed intervention to protect civilians and maintain international peace and security. After September11, 2001 attacks in New York there was an urgent need for the international community to find a common ground on the "right of intervention", the conditions of its application, the authorities involved in its implementation, timing, and a consensus on the modalities of its exercise. . The International Commission on Intervention and State Sovereignty (ICISS) in 2001 aimed at exploring such conditions for its implementation such as: when and how it should occur. The **International Commission on Intervention and State Sovereignty** (ICISS) was a commission of participants which in 2001 worked to popularize the concept of humanitarian intervention and democracy-promotion intervention under the title of responsibility to protect."The Commission was under the authority of the Canadian Government and consisted of members from the UN General Assembly. The purpose of the Committee was to respond to the following question posed by Kofi Annan: Should humanitarian intervention be above state sovereignty, and how should the international community respond to systematic violations of human rights? The ICISS final Report included recommendations to the International Community on the issue of humanitarian intervention versus state sovereignty. Sections 4.18-4.21 of the Report raises the issue of what scale of atrocity necessitates humanitarian intervention. *In both the broad conditions we identified - loss of life and ethnic cleansing - we have described the action in question as needing to be "large scale" in order to justify military intervention. We make no attempt to quantify "large scale": opinions may differ in some marginal cases (for example, where a number of small scale incidents may build cumulatively into large scale atrocity), but most will not in practice generate*

major disagreement. What we do make clear, however, is that military action can be legitimate as an anticipatory measure in response to clear evidence of likely large scale killing. Without this possibility of anticipatory action, the international community would be placed in the morally untenable position of being required to wait until genocide begins, before being able to take action to stop it.

ICISS discussions were based on the principle of "The Responsibility to Protect" in terms that sovereign states have a responsibility to protect their own population "from mass murder and rape, starvation"… However, when they are unwilling or unable to do so, the international community must bear this responsibility. The report laid down the principles which are to govern the principle of intervention for humanitarian purposes.

The conditions to exercise the Responsibility to Protect are:

   (a) The Just Cause Threshold: Serious and irreparable harm occurring to human beings, or imminently likely to occur, of the following kind:

o   Large scale loss of life
o   Large scale 'ethnic cleansing'.

   (b) The Precautionary Principles

o   Right intention: clearly supported by regional opinion and the victims concerned.
o   Last resort: when "every non-military option for the prevention or peaceful resolution of the crisis has been explored"
o   Proportional means: "The scale, duration and intensity of the planned military intervention should be the minimum necessary to secure the defined human protection objective.
o   Reasonable prospects: reasonable chance of success.

 (*c) Right Authority:* The Security Council authorization should in all cases is sought prior to any military intervention*.*

      (d) Operational Principles:
          - Clear objectives.
          - Common military approach among involved partners.

 - Acceptance of limitations, gradualism in the application of force, "the objective being protection of a population, not defeat of a state".
  - Rules of engagement must reflect the principle of proportionality; and involve total   adherence to international humanitarian law.
          - Force protection cannot become the principal objective.
          - Maximum possible coordination with humanitarian organizations.

At the world Summit of 2005, Member States included the Right to Protection in the Outcome Document of the Summit. Articles 138 and 139 gave the scope of the Right to Intervention. Article 138 states that: *'Each individual State has the responsibility to protect its populations 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. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.*" While article 139 reads:*" The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII,*

on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out." In April 2006, the Security Council reaffirmed the provisions of articles 138 and 139 in resolution s/res/1674. In January 2009, the UN Secretary-General Ban Ki Moon issued a report called *Implementing the Responsibility to Protect*. This report outlined the three principles of RtoP:

- States have the primary responsibility to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity (mass atrocities).
- The international community is committed to provide assistance to States in building capacity to protect their populations from mass atrocities and to help states avoid such crisis.
- The international community is responsible to take decisive action to prevent and stop mass atrocities when a State is manifestly failing to protect its populations. In a way, the responsibility to protect provides a broader set of rules to stop mass atrocities than humanitarian intervention. The later can be undertaken with or without a UN mandate. In Resolution (A/RES/63/308) the General Assembly adopted the TtoP report and promised to commit RtoP to further discussion in the General Assembly.

Sanctions: Nature of Sanctions

   The Security Council may apply two types of sanctions: sanctions not involving the use of armed forces, and military sanctions. Sanctions not involving the use of armed forces may relate to two categories diplomatic and/or economic:

o   The cessation of diplomatic relations with the belligerent state(s).
o   Economic sanctions, in terms of partial or complete severance of economic relations and communications.
o   Military sanctions which include air, sea, or land attacks; blockade; or other operations by air, sea, and land forces, as effective military action against the offending country. In addition to sanctions, the Security Council may allow military action against the belligerent state, acting according to the principles of preserving "international peace and security" and recently, for the "protection of civilians" under international humanitarian law. All UN member- states are under legal obligation to apply the sanctions decided by the Security Council. These sanctions are purportedly supposed to isolate the state against which they are directed so it may be obliged to abide by Security Council resolutions. Still the results of the applications of sanctions are in reality more mitigated. Previous experiences have proven that sanctions often negatively affect the population through disrupting the providing of basic services such as health, education, and food. As an example, when the Security Council imposed economic sanctions on Iraq in 1997, their implications were dramatic for civilian population. In a published report, the Committee on Economic, Social and Cultural Rights revealed that *"the living standard of a large section of the Iraqi population has been reduced to subsistence level since the imposition of the embargo" and "the effect of sanctions and blockades has been to cause suffering and death in Iraq, especially to children", maternal mortality rates increased from 50/100.000 in 1989 to 117/100.000 in 1997 , hospitals and health centers remained without maintenance…much more sad figures can go in long lists.* (The Human Rights Impact of Economic Sanctions on Iraq, Paper for the Office of the High Commissioner for Human Rights: 2005)

Numerous examples of sanctions demonstrate that they affect in the first place civil populations and often produce precisely opposite political and economic effects from those intended. For those reasons, the international legal level, the Sub-Commission on the Promotion and Protection Of Human Rights in its resolution 1997/35 on the *"Adverse consequences of economic sanctions on the enjoyment of Human Rights"* and in its resolution 1999/10 asserted that measures should respect the provisions of the Universal Human Rights Declaration and thus be limited in time and in no way affect innocent civilian population. Sanctions must also respect the provisions of the UN Charter (Articles 1, 55 and 56) and the rights of civilians recognized in the International Covenant on Economic, Social and Cultural Rights."* (The Human Rights Impact of Economic Sanctions on Iraq: 2005).

 UN Armed Intervention and the responsibility to protect: Analysis of some Case studies

Recent revolutions in the Arab led to UN military intervention such as in Libya while by the international media and propaganda found all over the web, television, and social networks exercised a key role in promoting the ideals of democracy and human rights and encouraged popular rebellions to achieve such ideals. The analysis of a   number of such recent military interventions in Libya, Liberia, and Ivory Coast provides to what degree such interventions can be considered as subversive or intended to protect civilian population, and promote democracy and human rights.

Libya

On 17 March 2011, the UN resolution 1973, based on Chapter VII of the UN Charter, established a "no fly zone" over Libya as proposed by France, Lebanon, and the United Kingdom, and authorized "the use of all means necessary to protect civilians**"**. It was the first military implementation of the principle of 'Responsibility to Protect' as invoked in the ICISS report. On the military level, a closer look at the operations will demonstrate that "using all necessary means" is a very broad term and in total contradiction with the ICISS report which clearly states that the objective for any military intervention should be protecting the civilians and not the defeating the state, US, French and British leaders have stated publicly on many occasions that "there is no decent future for Libya with Gazzafi in power" while the NATO had assured that regime change is not the aim of the intervention. On the political level, the UN armed intervention in Libya has also drawn opposition from the African countries. The African Union argued that the implementation of Resolution 1973 and the vague interpretation of "using all necessary means" allowed ulterior motives in terms of establishing the leadership of the US, France, and Britain in the region for the sake of securing Libya's oil supply, and preventing the spread out of the refugee crisis into Europe. Furthermore, the claim of protecting civilians is being seriously challenged by the complicated social, ethnic, and regional composition of the country. As a matter of fact, Libya's is formed of more than 100 different tribes. Relationships between the multiple ethnic groups are very sensitive and constitute a decisive factor of the country's future stability. Finally, Gazzafi was ousted at the cost of at least 55000 dead persons including civilians and military which raise serious questions about the real popularity of the regime. Documents seized at the Libyan intelligence headquarter have unveiled a surprisingly close relationship between US, British and Canadians intelligence services and their Libyan counterpart. More surprisingly, the Italian Prime Minister Berlusconi whose country actively participated in the ousting of Gazzafi stated that what happened in Libya was not a popular revolution for Gazzafi was very popular and loved by his people! Finally, the reconstruction process and the establishment of a democratic system in Libya present major challenges.

Liberia, success or myth?

Liberia was the center of an atrocious conflict that occurred in the period 1989-2003.The 15 year conflict started in the late 1990's when President Charles Taylor supported rebel groups in Guinea and Sierra Leone, in an attempt to get hold of diamond mines in these neighboring countries. The conflict led to the deaths of more than 250,000 people and the displacement of almost one million civilians. UN intervention in Liberia started in 1993. In 2003, the UN Security Council authorized a peacekeeping mission in Liberia. The intervening force or the United Nations Mission in Liberia (UNMIL) was to provide security to allow international humanitarian organizations to allow rebuilding operations. Nevertheless, the implementation of the UN humanitarian had shown mitigated results. Thus, the peacekeeping mission collaborating with a regional organization was a primary cause for fuelling the conflict particularly that regional politics and ethnic affiliation complicated the peacekeeping and rebuilding operations. In addition the UN as the sole responsible for the whole operation appeared to lack a proper implementation mechanism. The UN had not properly coordinated the military, diplomatic and political missions, hence the peacekeeping operations in Liberia lacked to a clear and consistent humanitarian objective. As a result, the UN mission was subject to much criticism and was labeled as far from succeeding[1].

Ivory Coast: The Legality of a Military Intervention

Previously known as the jewel of the French presence in Africa, Ivory Coast a former French colony became the center of a bloody internal conflict in the ninetieth. In 2002, the conflict started when soldiers from the Northern part of Ivory Coast attempted a coup. Events quickly developed into bloodshed and a civil war. The conflict came to a standoff in 2003, but the country became divided in two parts, with the South led by Mr. Gbagbo and the North under the control of the rebels.

In 2004, the Security Council decided to establish the United Nations Operations in Cote D'Ivoire (UNOCI) with a fragile stability. The November 2010 presidential elections ignited a new armed conflict: Gbagbo and Ouattara both claimed victory. Both sides have been accused of human rights abuses. Western governments, especially France and the United Nations recognized Ouattara as the legitimate President. On 30 March 2011, the Security Council acting under Chapter VII of the Charter adopted Resolution 1975 which "urged the defeated President Gbagbo to immediately step down and declared the situation in Ivory Coast to be a threat to international security", in addition to imposing sanctions against Laurent Gbagbo and members of his regime.

The resolution declared in its preamble that " the attacks currently taking place in Côte d'Ivoire against the civilian population could amount to crimes against humanity" and authorized the United Nations Operation in Cote d'Ivoire (UNOCI) to use "all necessary means to carry out its mandate to protect civilians". Surprisingly, the resolution specifically mentioned 'the French forces' supporting UNOCI, granting them the right to use force in assisting the UN operation.

As a result, the French forces have intervened to support the regime of Ouattara based on a vague mandate of the Security Council. Yet the major legal issue is whether the resolution 1975 is in compliance with the principle of protecting civilian and whether the international community should intervene in either side of a civil war.

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[1] *Feeney Chekov*, Liberia: The myth of humanitarian intervention.

The Intervention was costly in human lives: more civilians have been killed and stability was not reached because it's a protracted ethnic conflict. The UN intervention in Ivory didn't look like an intervention to protect civilians or as a threat to international security. On the contrary, it has triggered a chain reaction of violence and bloodshed in the country. *"Gbagbo's forces had been accused of targeting civilians over the past few weeks, but Ouattara's loyalists have also allegedly carried out abuses. Among other abuses, the United Nations and Human Rights Watch have cited evidence that Ouattara's forces committed reprisal killings of suspected Gbagbo supporters."* (Lynch, Colum, William Branigin: Washington Post June 7, 2011).

The UN intervention in Africa and recently in Cote D'Ivoire displayed the inability to deal directly with the armed conflicts and human rights violations in an internal or ethnic conflict framework. It has become clear, based on those two experiences that the Security Council is facing new challenges in international law when deciding on the overall context of any armed intervention on humanitarian grounds.

Resolution 1975 and even resolution 1973 on Libya have raised important questions with respect to the emerging doctrine in public international law on the responsibility to protect. In both the Libyan and the Ivory Coast resolutions the Security Council granted power to specific armed forces, like France, to exercise their international responsibility to protect. This specific mandate has entailed more difficulties and complications. The troops themselves have entered in these operations into the civil war as a belligerent, which is not in line with the UN Charter provisions. Still, in order to determine the legality of a UN armed intervention in Ivory Coast, it is essential to clarify the real reasons of the conflict. In fact, the crisis is without the shadow of a doubt an internal tribal and an ethnic conflict between the North and the South in spite of covert external interference.

UN Credibility Vs UN armed intervention on humanitarian basis

On 27 September 2010, the General Assembly 10999 conducted a debate on the United Nations credibility, and leadership role in the world, with many calls for reform within the international organization... Credibility of the UN has become an urgent issue in a changing world filled with global threats such as terrorism, pollution, ethnic conflicts, human right abuse, and uprising for democracy and freedom. Moreover, in light of the shifting in the balance of powers, the UN are facing a challenging new situation that requires the upgrading of its outdated structure and bring it in compliance with the twenty-first century expectations. Forty UN states representatives argued that a reform should be effectuated within the UN system including the necessity that the Security Council reflects "the views of developing countries and emerging economies, which were currently sidelined from that powerful decision-making table", in a world that is profoundly altered by shifting powers. The Security Council must reflect this new redistribution of power, with permanent seats for countries such as Brazil, India, Germany and Japan, the European Union as well as African representation. Along with these arguments, many posed the question on the reasons the Security Council engaged in some humanitarian situations but failed to intervene in other urgent ones? It is likely that international political pressures of member states exercise some influence. The credibility of the UN suffers from the selective Security Council's approach to responding to humanitarian crises affecting civilians. The UN credibility was also raised in different terms in the ICISS 2001 report which reaffirmed that the duty of the five members of the Security Council to commit themselves to not using their veto rights whenever humanitarian causes related to protecting civilians are at stake. UN credibility entails that the UN Security Council members have to comply with the principle of accountability, so, whenever they disagreed with a resolution in favor of a humanitarian intervention, this would require that they justify thoroughly their position. Based on the above, the UN responsibility to protect must be universalized and applied to any states abusers beyond geostrategic interests of superpowers. True, he UN deployed to conflicts around the

world "16 peacekeeping missions and 100,000 troops and personnel" (UN foundation: 2011) Perhaps cases of non intervention should allow a clearer picture about UN intervention. During the 1994 genocide in Rwanda, hundreds of thousands of Tutsis were killed in the space of 100 days. It is worth mentioning that the UN and the international community let the genocide in Rwanda take place. Worse, the UN troops withdrew after the murder of 10 soldiers. Policymakers in France, Belgium, and the United States and at the United Nations were aware of the preparations for massive slaughter and failed to take the steps needed to prevent it. It is time to implement the long awaited UN reform as called for in the Commission on Global Governance**:**" The expansion of the Security Council, the phasing out of the veto, and an increase in power for the General Assembly." (Our Global Neighborhood: Commission on global Governance: 2011)Kofi Annan stated "*I agree that the era of absolute sovereignty, as asserted in the past, cannot be sustained in contemporary conditions. In the years since the founding of the United Nations, we have lived in an interdependent world, a world in which no state has complete control over its destiny. State sovereignty retains its validity as a defining principle of international society, but the concept has evolved. No longer an absolute barrier to the outside world, it must, in extreme circumstances, give way to the overriding moral imperative to alleviate human suffering, including systematic violations of human rights, and to achieve common benefits on a global or regional framework. We confront a real dilemma. Few would disagree that both the defense of humanity and the defense of sovereignty are principles that must be supported. Alas, that does not tell us which principle should prevail when they are in conflict."* (Kofi Anan: We the people, 2000) In the Middle East, following the various struggles for self-determination, and the repressive dictatorships, the claims to sovereignty have been associated with gross human rights violations. Michael Ignatieff elaborates on this point "*State sovereignty safeguards self-determination and if we move into a world in which coalitions of the willing believe that human rights considerations automatically override the claim of state sovereignty we may actually arrive at the paradoxical and unwelcome result of using human rights arguments to sacrifice human rights.*"(Michael Ignatieff, Whose Universal Values?: The Crisis in Human Rights: 2010).

On observation of the current media trend there seems to be a general indifference regarding the many other forms of intervention besides armed intervention, and they are all very effective in intervening into the internal affairs of the other state, and can often be considered forms of subversive intervention as they can greatly affect the power of a government. The use of diplomatic pressure, economic sanctions, training of local governments by foreign organizations, and indirect support and assistance for media channels of opposition groups, are all highly undermining of any nation's sovereignty which is in line with the easy possibility of these means to be used for subversive intervention. The channels of interference into a nation's affairs have become much more numerous and accessible. Technology has played an enormous role in the feasibility of subversive intervention. The use of the media to sway the opinions of the world's population on humanitarian intervention is particularly significant. The media can generate support and justification for a particular intervention through the media. Images, statistics, and testimonials or personal witnesses claims can be exaggerated in one case, and silenced in another in order to shape the public's opinion in a certain direction convenient to justify an intervention or not. It can even turn a country's own population against its own government and facilitate its overthrowing. Therefore with the increase of the media's reach to people, and the greater social in interaction and exchange of views on the internet every nation's borders can be virtually crossed , and subversive intervention becomes a plot achievable from within for the sake of the "good cause". No guidelines exist on such media manipulation to influence and change people's opinion. Furthermore the existence of cases where there was urgent need of humanitarian intervention, and the UN did not take any decision to do so suggest that the process is selective and not standardized. A good example is the case of Sri Lanka crimes against humanity were silenced and humanitarian intervention was not even a mentioned however there was very tiny attention given to their situation as well as not enough

media coverage nor any discussion of the responsibility of the international community. Again it brings about the question of why some instances qualify for justified humanitarian intervention and some don't even come close which implies that there is no standardization of criteria for humanitarian intervention making it selective and easily accessible for the use of plainly weakening or overthrowing governments. In fact, nowadays states especially powerful ones have mastered the art of deception, since nations can no longer flagrantly invade a country with no explanation.

This is a dangerous finding since it can imply that the decision to intervene can be based on interests and not on justice. Therefore when such a decision has geostrategic, economic or political motives rather than pure humanitarian efforts, it is then classified as subversive intervention even if it is a legal intervention at face-value. Furthermore it seems that such intervention is in fact subversive one. This leaves the UN system inconsistent with its principles and reduces its credibility when passing resolutions that permit the intervention into other states. Consequently, the U.N. needs to elaborate a specific and detailed scheme on the modalities in intervention in internal humanitarian conflicts threatening international peace and causing immense atrocities to populations.   Therefore, the implementation of the UN armed intervention in international law can and must follow a pre determined legal process: a well informed Security Council, define a clear mandate, the adoption of specific military criteria, establishing a transparent mechanism of accountability once the armed intervention is over, and the adherence to humanitarian considerations away from backside interests. All the latter end up in realizing the ultimate aim: "UN credibility", the only principle which can engage the state members in a more serious approach and sincere commitments to humanitarian causes, in addition to the necessity of. The overall problem is with determining whether or not an act is humanitarian or subversive. Furthermore the process of intervention needs to be codified to avoid the possibility of subversive motives being aspired to through the UN. Recent UN interventions in Libya, Ivory Coast, and other places in the world constitute new grounds to reconsider the substance of the UN role in re-define the real concepts for humanitarian intervention away from political agendas and economic greed. Then it will contribute to create better world dictators free.

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