

**T.C.  
ISTANBUL AYDIN UNIVERSITY  
INSTITUTE OF GRADUATE STUDIES**



**THE ROLE OF THE INTERNATIONAL  
ORGANIZATIONS IN THE HUMANITARIAN  
INTERNATIONAL INTERVENTIONS IRAQ, LIBYA, SYRIA CASES**

**MASTER'S THESIS**

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**Department of Political Science and International Relations**

**Political Science and International Relations Program**

**May, 2020**

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**May, 2020**

## ONAY FORMU



## **DECLARATION**

I hereby declare that all information in this thesis document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results, which are not original to this thesis.

Faisal Baraa ALMARASHI



*To my mother who is the mother, father, teacher and everything in my life...*

*To my father's soul...*

*To my brother, sister and her husband....*

*To my friends who make me feel at home in a place far of my home, Erhan Zelluh, Mohammad Haddad, Najib Naser, Orhan Koç, Saria Alzaim, Selenay Erduran, Sevgi Erarsalan, Şennur Ercan Çakabay... without you, it would have been a nightmare, Thank you for your support and encouragement...*

*Thank you for supporting me to follow my dream and work towards my goals...*

## **FOREWORD**

Someone asked Alexander why you worshipped your teacher more than your father, to which he answered "For I have my father the life but for a certain time, and of my teacher I have the perpetual life"

From the words stated by Alexander, which greatly correlates with my feelings, I would like to deeply express my thanks and gratitude to all Doctors from the Department of Political Science, and a special thanks to my precious supervisor Dr. Emine Tutku VARDAĞLI. Without her and her scientific, academic and psychological support, it would have been difficult to move forward and reach the end of the master's degree and present this work.

I would also like to thank my undergraduate doctors at Ebla Private University, and a special thanks to Ph.D. Abdalnasser Nasser, Ph.D. Sabri Hasan, Dr. Firas ALNaeb, and Dr. Raed Haj Suliman for what the help they provided for me as an undergraduate student, which was a big motivator in helping me complete my master's level.

March, 2020

Faisal Baraa ALMARASHI

# **THE ROLE OF THE INTERNATIONAL ORGANIZATIONS IN THE HUMANITARIAN INTERVENTIONS: IRAQ, LIBYA, SYRIA CASES**

## **ABSTRACT**

Have international organizations, on top of them the United Nations, succeeded in making the international humanitarian intervention humanitarian? What is the role of international organizations in international humanitarian intervention? This thesis will discuss in depth the role of international organizations regarding the matter of international humanitarian intervention from a military perspective, with a focus on international military interventions that took place in Iraq, Libya, and Syria. It will be specifically looking into the differences and similarities in the objectives. The impacts of humanitarian interventions will also be analyzed in depth while basing the arguments on Kenneth Waltz's analysis of international relations, which represent the neorealist approach. In other words, the aim of this study is to come up with an answer to the question whether the humanitarian intervention was conducted for humanitarian purposes as the United Nations wanted them to be or are there any hidden Great Power motives behind it. The humanitarian interventions in Iraq, Libya and Syria will be searched in-depth to answer this main question.

**Keywords:** Humanitarian Intervention, Humanitarian Military Intervention, Crisis, Iraq, Libya, Syria, United Nations, Security Council, NATO

# ULUSLARARASI ÖRGÜTLERİN İNSANI MÜDAHALELERDEKİ ROLÜ: IRAK, LIBYA, SURİYE VAKALARI

## ÖZET

Uluslararası örgütler, bunların hepsinin üstünde Birleşmiş Milletler, uluslararası insani müdahaleyi insani hale getirmeyi başardı mı? Uluslararası insani müdahalede uluslararası örgütlerin rolü nedir? Bu tez, Irak, Libya ve Suriye'de gerçekleşen uluslararası askeri müdahalelere odaklanarak, uluslararası kuruluşların uluslararası insani müdahale konusundaki rolünü derinlemesine ele alacaktır. Özellikle, insani müdahalelerin amaç ve etkilerindeki farklılıklar ve benzerlikler, Keneth Watlz'ın neorealist yaklaşımı temsil eden uluslararası ilişkileri analizine dayanan argümanlara dayanarak derinlemesine analiz edilecektir. Başka bir deyişle, bu çalışmanın amacı, Birleşmiş Milletler'in istediği gibi insani müdahalelerin insani amaçlarla alınıp alınmadığı veya arkasında gizli Büyük Güç güdüsü olup olmadığı sorusuna bir cevap bulmaktır. Irak, Libya ve Suriye'deki insani müdahaleler bu ana soruyu cevaplamak için derinlemesine araştırılacaktır.

**Anahtar kelimeler:** İnsani Müdahale, İnsani Askeri Müdahale, Kriz, Irak, Libya, Suriye, Birleşmiş Milletler, Güvenlik Konseyi, NATO.



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## ABBREVIATIONS

<b>IAEA</b>	: International Atomic Energy Agency
<b>R2P</b>	: Responsibility to Protect
<b>ICISS</b>	: International Commission on Intervention and State Sovereignty
<b>KDP</b>	: Kurdistan Democratic Party
<b>PUK</b>	: Patriotic Union of Kurdistan
<b>CIA</b>	: Central Intelligence Agency
<b>WHO</b>	: World Health Organization
<b>GCC</b>	: Gulf Cooperation Council
<b>NPT</b>	: Nuclear Nonproliferation Treaty
<b>UNSC</b>	: United Nations Security Council
<b>NTC</b>	: National Transitional Council
<b>UNHCR</b>	: United Nations High Commissioner for Refugees
<b>OCHA</b>	: United Nations Office for the Coordination of Humanitarian Affairs
<b>ICRC</b>	: International Committee of the Red Cross
<b>MSF</b>	: Médecins sans Frontières (Doctors Without Borders)
<b>CMI</b>	: Civil-military interaction
<b>UNSCOM</b>	: United Nations Special Commission
<b>SFSG</b>	: Special Forces Support Group
<b>SAS</b>	: Special Air Service
<b>SIGINT</b>	: Signals Intelligence
<b>ISIS</b>	: Islamic State of Iraq and the Levant
<b>NAC</b>	: North Atlantic Council
<b>RCC</b>	: Revolution Command Council
<b>LORAN</b>	: Long Range Aid to Navigation System
<b>CW</b>	: Chemical Weapon
<b>WMD</b>	: Weapons of Mass Destruction

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# **I. INTRODUCTION**

## **A. Background to the Study**

The issue of the international intervention for humanitarian purposes is a very important agenda item from an international stage in the present due to the number of international interventions that have occurred over the past three decades alone. The international humanitarian intervention has become an important mechanism that the international community depends on when it comes to achieving international peace and security by protecting human rights and fundamental freedoms. This is done by implementing the principle of democracy and providing humanitarian assistance when necessary.

The subject of international intervention for humanitarian reasons (or the humanitarian international intervention as another name) for the same action has been known to the international community since the sixteenth and seventeenth centuries.

By looking at the historical background of the concept of the international humanitarian interventions, it has found that there is a mutual agreement between political scholars regarding the origin of the international humanitarian interventions. From this, the scholars implemented a return to the concept of humanitarian intervention to both natural law and early international law simultaneously.

For example, in the book prepared by the Danish Institute of International Affairs (DUPI, 1999), in both Şaban Kardaş' article (Kardaş, 2001) and in Bhikhu Parekh's study (Parekh, 1997), they both reclaimed the concept of the humanitarian intervention to the discussions of Grotius, Vincent, Lillich and Lauterpacht in their discussions on the concept of a just war.

In this regard, Kardaş mentioned in his aforementioned article that Grotius stated in his book *De jure Bell ac pacis* (On the Law of War and Peace) of 1625 that "states are entitled to exercise the right vested in human society on behalf of oppressed individuals." Kardaş argued in his article that the Grotian's formulation

"allows the full-scale use of force to end human suffering" (Kardaş, 2001).

Parekh's study also reclaimed the humanitarian intervention concept to the sixteenth century and supported the study besides Suarez view which mentioned, "the human race, into howsoever many different peoples and kingdoms it may be divided, always preserves a certain unity, not only as a species but also a moral and political unity." It followed that, "although a given sovereign state may constitute a perfect community in itself, nevertheless each one of these states is also, in a certain sense, and viewed in relation to the human race, a member of that universal society" (Parekh, 1997).

Henceforth, most scholars see the emergence of the concept of humanitarian intervention until the concept has evolved side by side with the development of societies and found a legal basis within international agreements and treaties. Supplementary to this was the United Nations Charter creating a global contract that works to ensure the respect for human rights in order to maintain international peace and security.

Despite the contradictions of the humanitarian international intervention issue regarding the two main principles, namely the principle of equality in sovereignty and the principle of non-interference in the internal affairs of countries, these two principles did not actually constitute an obstacle to the humanitarian international intervention's approach either from a military or non-military perspective. Probably because the interference finds a real basis in protecting human rights and fundamental freedoms which are rights that transcend all other principles. These rights have received and still receive increasing attention at the international level, especially in the framework of international organizations, whether at the legal or political level.

Accordingly, although the United Nations has remained devoted to the principle of non-interference internal affairs, it has authorized international intervention for humanitarian reasons under specific conditions. Because human rights violators and perpetrators of international crimes cannot be left without punishment and a deterrence factor should be exerted on the violators to tackle with the imbalances that will affect international peace and security.

Over the past years, specifically from 1990 until today the world has faced

more than 15 international intervention for humanitarian reasons, an issue that has always been viewed as a tool in the hands of powerful states, holders of military and economic capabilities. The question is a matter of consent for their active intervention, especially in cases where the severe repercussions of these actions are not taken into account.

In this respect, the recent humanitarian interventions are listed to refresh our minds:

- The Economic Community of West African State (ECOWAS) intervention in Liberia in 1990 to restore law and order.
- The American, British and French intervention in northern Iraq in 1991 to create safe havens and to implement no-fly zones to protect thousands of endangered Kurds.
- The US-led intervention in Somalia in 1992 to open up humanitarian corridors.
- The US-led intervention in Haiti in 1994 to restore the democratically elected Jean-Bertrand Aristide.
- NATO's bombing of Bosnian-Serb positions in 1995 to end the civil war in former Yugoslavia.
- ECOWAS intervention in Sierra Leone in 1997 to restore peace and stability after heavy fighting.
- NATO intervention in Kosovo in 1999 to protect the Kosovan Albanians from ethnic cleansing.
- The Australian-led intervention in East Timor in 1999 after Indonesian brutality.
- The UN action (including a European Union force) in eastern part of the Democratic Republic of Congo) since 1999.
- The UK intervention in Sierra Leone in 2000 to strengthen the faltering United Nation Mission (UNAMSIL).
- The ECOWAS, the UN and the US intervention in Liberia in 2003 after the renewal of fighting.



- The French and UN intervention in Cote d'Ivoire in 2003.
- The US and NATO intervention in Libya to protect civilians 2011.
- The US-led intervention in 2014 (with nine countries) in Syria against the Islamic State of Iraq and the Levant (ISIL), al-Nusra Front and Syrian Government.
- The Saudi Arabia-led intervention in 2015 (with nine countries) in response to calls from the pro-Saudi president of Yemen Abdrabbuh Mansur Hadi for military support after he was ousted by the Houthi movement due to economic and political grievances.

Some of these interventions have succeeded and some have failed. But there is a clamor surrounding this concept of humanitarian intervention which can be seen obviously in the international scene. Sometimes the organizations such as the Arab League ask the international society to intervene and provide humanitarian protection to the Palestinian citizen and sometimes refuse the humanitarian intervention like what happened in the Sudan case in 2003.

In the midst of the increasing number of international humanitarian interventions aside from the selectivity of the interventions, many scholars have discussed how the international community should respond to these situations in order to ensure the preservation of human rights' values, civilian protection, and the maintenance of international peace and security.

The question of direct intervention and sovereignty started to come to surface. It started to rise especially amongst political researchers who were arguing on the main characteristics of sovereignty where they considered that state's sovereignty, in its conventional sense, does not grant permission to a government to commit inhumane practices against its people through its sovereign rights. This issue would lead to direct international military intervention, in attempt to replace the government's humanitarian responsibilities. This intervention can be considered as a factor which reflects the rising importance of international values and standards and the international community's responsibility, which are now based on the United Nations Charter, relevant treaties and conventions, as well as the Universal Declaration of Human rights.

These contradictions reveal that the concept of international humanitarian intervention is a convoluted concept. Political interference, specially the interests of Great Powers further complicates the issue.

This thesis will discuss in depth the role of international organizations regarding the matter of international humanitarian intervention in a military way, with focusing on international military interventions that took place in Iraq, Libya and Syria.

Specifically, the differences and similarities in the objectives and impacts of humanitarian interventions will be analyzed in depth in reference to the internal situations of the three cases mentioned above. The historical backgrounds of the issues will help to lay the ground to discuss thoroughly the factors leading to direct humanitarian military intervention. Then, the study will move to analyze the practices of international military interventions for humanitarian reasons with a realistic view in each of the three cases by examining the factors influencing the decisions of international organizations and the mechanism of taking intervention decisions.

Last but not the least, the study will examine the goals and impacts of humanitarian interventions in order to improve the understanding of the causes of humanitarian interventions and its relations to the interests of states in humanitarian interventions.

The theoretical framework of the study will be mainly based on Waltz's analysis of international affairs which put forwards that the anarchic structure of the international system obliges states to prioritize their national security to better protect their interests as will be described in the following chapters.

## **B. Objective and Main Questions**

The purpose of this study is to give an answer to the question whether the humanitarian intervention were taken for humanitarian purposes as the United Nations wanted them to be, or are there any hidden Great Power motives behind it. The humanitarian interventions in Iraq, Libya and Syria will be searched in-depth to answer this main question.

In order to give a compound picture of the cases, the following questions

were formulated:

- How did International Organizations take the decision of humanitarian intervention?
- What were the main objectives of the humanitarian intervention in the three cases?
- What were the main impacts of the humanitarian intervention in the three cases?

### **C. Method and Technique**

To answer the aforementioned research questions, it is necessary in the first chapter to specify a precise definition of the terms such as international intervention, international humanitarian intervention, the right to intervention, the responsibility to protect and their classification and role in international politics and international relations based on the information from secondary sources including books and articles.

After that, the study will examine the crises in each of the three cases and the ways that the governments dealt with them and how the international organizations and their decision-making mechanism responded to these three cases. The study adopts a comparative approach based on quantitative sources such as previous studies, books, articles, speeches, interviews, reports, the UN proposals and resolutions (S/RES/678, S/22435, RES/1970, S/RES/1973, S/2011/612, S/2012/77, S/2012/538, S/RES/2165).

Then the study will move forward to explain the objectives and impacts of these humanitarian interventions and compare them together in the last chapter to find the genuine role that the interests of states play in humanitarian interventions and to identify potential indicators, leading to direct humanitarian military intervention.

### **D. Time Frame**

As an alternative to the studies focus on humanitarian intervention in Iraq since 1991 and studies that refer to the humanitarian intervention in both Libya and

Syria since the Arab spring uprising, this study will try to expand the time frame in the three cases to return to the origin of the problems.

In the Iraqi case, the conflict with the Kurds which is considered as the main axis of humanitarian intervention in Iraq started after the end of World War I and was related to the collapse of the Ottoman Empire. Therefore, the time frame of this case will start with this historical period and will be extended to the crises of 1991.

As for the Libyan case, it will start with the period when Colonel Muammar Qaddafi came to power in 1969. The reason behind this periodization is the Libyan international disputes with the Western powers that led to violations of international law and the issuing United Nations resolutions No. 731 and 748 in 1991 that were related in one way or another to the events of 2011.

For the Syrian case, it has been studied from the independence of the country to explain the impact of its complicated history of coups, regional conflicts, and internal and external causes that led to the Syrian conflict in 2011.

Considering that the wars in Iraq, Libya and Syria are still ongoing, it is challenging to follow all the updates due to the difficulty in determining which sources are confirmed and trustworthy.

Because of that, the timeframe for the three cases will end after the moment of the intervention. In the Iraqi case, the study will stop until the end of 2003, and in the Libyan case until the end of 2011, while the Syrian case will stop until the end of 2015.

## **E. Theoretical Framework**

Generally, international intervention reflects on power relations between countries, in which the powerful state employs its capabilities. This includes being alert if their allies' interests become exposed to danger. Most likely, the same principle applies to the international humanitarian intervention as a means to justify the military intervention.

Regardless of the preceding intellectual precursors, the modern concept of international humanitarian intervention is linked to the practices of the modern state when the Treaty of Stavelia emerged and developed into the new concept of the state.

Although scholars have unanimously agreed that the conceptual concept of interventions dates back to the sixteenth century, scholars from Wheaton college onwards have agreed that the first armed intervention on humanitarian grounds in world history in its current concept dates back to 1821. This was when Britain, Russia, and France intervened in the Greek War of Independence to assist the Greeks in gaining their independence from the Ottoman empire (Heraclides & Dialla, 2015, p. 105).

This intervention followed several interventions under humanitarian justifications, including the French intervention in Greater Syria within the Ottoman Empire (which included today's Lebanon, Syria, Jordan, and Occupied Palestinian Territories) in 1860 to protect Christian Maronites from the Druze chieftains in Lebanon (Pogany, 1986, P.p 182-186).

Regarding this, it can be said that the subject of international military humanitarian intervention is not a new phenomenon in the field of international relations. Its forms, uses, and rules have evolved over the past few centuries to make its governing rules dependent on the broad consent of the international community of the states and the institutional mandate of the United Nations.

Despite the old and present use of this concept which made it very popular, ambiguity and inaccuracy still surrounds the analyses upon it. Perhaps the clash of the humanitarian intervention concept with the international interests of states and political factors has led to an increase in this ambiguity.

Moreover, the political and legal scholars' opinions about the legitimacy of this humanitarian intervention and its opposition to the concept of sovereignty are also inconsistent. In other words, if international humanitarian intervention described as legitimate, is the intervention on humanitarian grounds considered as a right of the international community or responsibility of it?

This question is asked in light of the evolution of the tasks and responsibilities entrusted to the United Nations, which have increased the importance of protecting human rights. The protecting of human rights became not only a matter of state internal authorities but, it became - especially after the International Covenant on Human Rights - an issue that possesses international protection mechanisms. One of its tools is international humanitarian intervention.

In this regard, another question comes to mind when we notice this development which is: Does the protection of humans and humanity is the intention of this intervention? Or is humanitarian intervention one of the new forms that provides international legitimacy to this intervention?

To answer these questions, the study must first clarify the concepts of international intervention and international humanitarian intervention, then the study will explain the concept of the responsibility to protect (R2P) and the right to interfere, to compare the theory with the practical reality of international humanitarian intervention that ends in a military form.

## **1. The Concept of International Intervention**

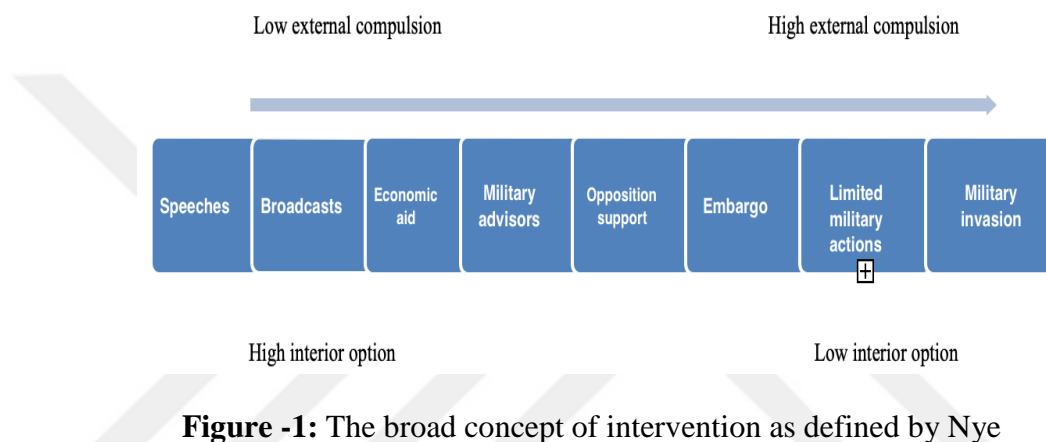
The international intervention in its contemporary definition appeared when the concept of the territorial state gained common acceptance in Europe with the Peace Treaty in Westphalia in 1648 which ended the chaotic structure of international affairs and the Thirty Years' War that happened because of hegemonic ambitions. The Peace Treaty in Westphalia introduced a new concept of absolute sovereignty, that considered the primary source of stability in the international system. The Treaty of Westphalia guaranteed that no state would interfere in others' internal affairs unless there was a clear violation of the treaty, or in cases of self-defense. This concept of sovereignty indicates that no interference from any external party in the internal affairs of any other country can be practiced, as the ruling authority alone exercises its will within its territory according to their sovereign rights (Osiander, 2001, p.206).

However, the fact is that countries continue to interfere in the internal affairs of other countries whenever their interests require that, whether to expand their regional capabilities or to gain access to invaluable resources or other reasons driven by the goal of achieving interest and benefit. All these kinds of interventions rendered the Westphalian principle restricting intervention as dysfunctional (Kabbara, 2015, p. 14).

Within the definition framework of the international intervention, there was a definition from Joseph Nye where he defined the forms of international intervention in its narrow and broad sense. The narrow sense refers to the intervention by military force in the internal affairs of another country.

As for the broad sense, Nye gives the international intervention levels of intervention that range from using low to high levels of force. According to Nye, these levels of force that could be used in the intervention are very important because they are inversely proportionate to the degree of internal choice of decision making; the higher the degree of interference force, the lower the degree of internal choice of decision making and vice versa (Abdulrahman, 2004, p14).

Based on this, the concept of interference in terms of exercising forms of influence ranges from the lowest forms of oppression to the highest as it's shown in the following figure-1.



**Figure -1:** The broad concept of intervention as defined by Nye

The figure is disjoined by the writer

## 2. The Concept of International Humanitarian Intervention

Despite a large number of interventions for humanitarian reasons there is no generally accepted definition of “humanitarian intervention.” It is not defined in any of the main international treaties and the boundaries of the term are a bit unclear. The doctrine of “humanitarian intervention” has long been a controversial subject, both in law and in international relations and remains so today. Many scholars tried to define the meaning of the term and most of the definitions are quite similar. Among these scholars E. Stowell’s definition of humanitarian intervention says: “The justifiable use of force for the purpose of protecting the inhabitants of another State from treatment so arbitrary and persistently abusive as to exceed the limits within which the sovereign is presumed to act with reason and justice.” (Wolf, 1988, p.334)

In the words of T. Brems Knudsen, humanitarian intervention is "dictatorial or coercive interference in the sphere of jurisdiction of a sovereign state motivated or

legitimated by humanitarian concerns” (Knudsen, 1996, p.146).

For B. Parekh, humanitarian intervention is "an act of intervention in the internal affairs of another country with a view to ending the physical suffering caused by the disintegrations or gross misuse of authority of the state and helping create conditions in which a viable structure of civil authority can emerge”(Parekh, 1997, p.53).

JL Holzgrefe defined humanitarian intervention as: “the threat or use of force across state borders by a state or group of states aimed at preventing or ending widespread and grave violations of the fundamental human rights of individuals other than its own citizens, without the permission of the state within whose territory force is applied.”(Macklem, 2006, p.2).

Adam Roberts defines humanitarian intervention as: "military intervention in a state, without the approval of its authorities, and with the purpose of preventing widespread suffering or death among the inhabitants”(Kardaş, 2001).

By reviewing the previous definitions about the concept of international humanitarian intervention, it could be clear that the majority of scholars agree in determining that the humanitarian factor is the basis for international humanitarian intervention, but it is also clear that the scholars differed in determining the form of the intervention, some of them left it open like the definition of Parekh when he defined the humanitarian intervention as "an act of intervention in the internal affairs of another country with a view to ending the physical suffering caused by the disintegrations or gross misuse of authority of the state", while other scholars such Roberts, Knudsen and Stowell limited the humanitarian intervention concept with coercive and military force.

Based on these previous definitions of the concept of international humanitarian intervention and international intervention, this study intends to draw a procedural definition as such: An organized action of an international political unit ( group of states, international organization, or both of them) includes all forms of intervention, from low level of compulsion to a high level of compulsion, starting with speeches, proceeding to broadcasts, economic aid, military consultancy, support for oppositional groups, embargo, limited military actions and reaching its last level which is military invasion with the purpose of preventing widespread suffering or



death among the inhabitants.

### **3. International Humanitarian Intervention Under The United Nations (1990 - 1945)**

The aforementioned Westphalia order and its conditions of intervention remained a basic determinant of international relations until the mid-twentieth century, specifically until 1945 when the United Nations was established and assumed the role of a number of other regional and international organizations after the Second World War.

With the formation of the new international system, the policies of international non-interference became protected by international law and the United Nations Charter, which postulated ensuring equality in the sovereignty of the territories of the member states of the organization and its responsibility towards the international community.

Article 2 of the Charter of the United Nations states: “The Organization is based on the principle of the sovereign equality of all its Members.”

But the United Nations' view of the international humanitarian intervention was not at the same perspective; in the 4<sup>th</sup> clause of Article 2 of the Charter, it is stated: “All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.” By that, the Charter made the choice. In other words, international humanitarian intervention will be legal if the country's internal situation threatens international peace and security.

Furthermore, The Charter of the United Nations has provided member states with the appropriate legal mechanism for intervention under the authority of the United Nations Security Council under Chapter VII if all other peaceful methods and diplomatic efforts to settle the situation have been exhausted.

However, regarding the large number of interventions during the Cold War period between 1945-1990, the legal framework established by the United Nations Charter's failed to impose perfect restrictions on intervention. This failure in imposing perfect restrictions on intervention may be due to the use of military

interventions during these times to secure a balance amongst rivals and their conflicting parties. The overriding necessity was of preserving international order, or, rather of maintaining peace between the major powers (Kabbara, 2015, p.19).

#### **4. Humanitarian Intervention From The Perspective of Waltz's Realism in The International Relations**

In 1979 Waltz argued in his book *Theory of International Politics* that in most cases international relations was explained by changes in the structure of the international system rather than by human nature or the character of individual states. Accordingly, structural realists such as Waltz and others developed realism to study social sciences in a more practical way by looking at the structure of the international system and the way in which states behave through achieving their personal interests (Kremer & Müller, 2013, p.61).

Many scholars have defined realism as a doctrine which suggests that states will pursue only their most vital national interests related to survival. Upon this idea, Waltz derives his realist perspective of international relations and international politics from societies in general. These societies, according to Waltz, are led by rules based on human nature, dependent on interest (Kabbara, 2015, p.16) Thus, Waltz considers the actions of states in the context of international competition based on the interest that guides states' decisions, directions and options regarding its interest (Kremer & Müller, 2013, p.61).

In the words of Waltz the main goal of all countries, regardless of its size and power is to survive in an international order based on chaos. So Waltz saw the international order is consisting of a system of structure based on three determinants or pillars; the first determinant is the international order based on chaos and that means the absence of a comprehensive authority. The second is the capabilities of interacting units and he means here that states seek to survive by any means, either by war or isolation, with a limited environment in terms of capacity distribution. The last determinant is the capacity distribution which is the most important factor in explaining the clashes that occur in the international system (Waltz, 2010, p.97).

According to the concept of structural realism, these capabilities may be military, economic, or even related to the size of the population. This means that these countries or these international active units in the international order are

obliged to change their position toward international issues according to their changeable power and capabilities or in response to the power of other states (Fiott, 2013, p. 769).

Thus, Waltz, along with many realists, believes that the differences in states policies are a result of their different aforementioned capabilities, power and interests, as well as all countries intentionally blind their eyes to the role of human rights and other social standards in current international affairs practices (Kabbara, 2015, p.17).

After reviewing numerous humanitarian interventions that took place during the past three decades, it is possible to say that realism is still the prevailing theory in the interpretation of the states' positions towards any international crisis. However, the increasing importance of the values and standards presented in the Universal Declaration of Human Rights and the international responsibility to protect no longer make the realism that Waltz talks about exercised independently in the international relations. This fact can be seen clearly in each of the Iraqi, Libyan and Syrian cases and discussed in detail in the following chapters.

## **5. The Right of International Humanitarian Intervention**

Despite the overthrow of the bipolar international order and the change in the political and cultural identity in the international political environment, most of the institutions and charters of the old international order continued within the framework of the United Nations and its principles of international covenants. These principles officially continued to rule the international relations (Fiott, 2013, p. 770).

This continuation in the old international order created a kind of schism between principles and institutions and what is happening in the field of international relations. This was reflected in the topic of international humanitarian intervention, which was clear when two different opinions emerged analyzing the issue of international humanitarian intervention.

The first opinion claimed that the concept of the international system clashes with the United Nations system and its charter as well as with traditional conventions that have discussed the issue of state sovereignty since the Westphalia system (Kabbara, 2015, p.22). Whilst, the other opinion camp argued that the right to sovereignty is related to the state if the state maintains international human rights

values and standards. But if the state violates these human rights values, it loses its right to sovereignty and gives way to the international community's right to intervene.

The supporters of this opinion justified their view by citing the international humanitarian intervention that happened in Rwanda in 1994, which justified the necessity of establishing a clear humanitarian legal framework and defining and organizing the standards as well as the concepts that would give the international community the right to interfere and protect human rights (Kouchner, 1999, October).

Considering that humanitarian intervention does not recognize the traditional concept of national sovereignty, nor does it recognize the laws built according to this concept. The notion of humanity or humanitarianism has gained supremacy over sovereignty and formed the basis of right to intervene in the current international system. Accordingly, one of the two important developments in the current international system is the decreasing of the legitimacy of national sovereignty as a result of the successive concessions that many countries made in favor of international organizations such as the International Monetary Fund and other supranational organizations. The second one is the spread of globalization and the disappearance of the concept of respecting the national borders, which in turn led to the internationalization of internal problems and made any internal problem in any country influencing the approach and policy of the entire international system (Abdulrahman, 2004, p.148).

Accordingly, the humanitarian intervention that took place in the mid-1990s in Somalia, Haiti and Kosovo in an attempt to protect civilians created a justified customary legal basis for the right to intervene when civilians are under risk, but in the eyes of some scholars, humanitarian interventions still controlled by the interests of countries, even if these cases involve grave violations of human rights. This point will be examined further through the Iraqi, Libyan and Syrian cases.

## **6. The Responsibility To Protect**

According to the previous review of international humanitarian intervention in the light of the Westphalia's and the United Nations' orders, it became clear that there is no clear legal text permitting for the violation of the sovereignty of any

country by using armed force for humanitarian reasons.

As for scholars' diligence in reconciling humanitarian intervention with sovereignty, it has been proven that it did not reach an agreed outcome because the intervening countries often intervene according to their own interests.

Interpretation of international intervention remained in dispute until 2001 when the former Secretary-General Kofi Annan, alongside the Canadian government, established a 12-member committee known as International Commission on Intervention and State Sovereignty (ICISS) that worked on regulating a framework to legalize humanitarian intervention according to rules and limitations (Hasler, 2012, p.44).

In 2001, ICISS submitted a report titled "The Responsibility to Protect" concluded that military intervention might be a necessary tool to prevent a humanitarian crisis that could lead to massacres against civilians. But this military intervention must be conditional on the inability of the state itself to prevent the violation or if that state itself participated in the violation (ICISS, 2001).

ICISS report made a contribution to development of the concept of responsibility to protect (R2P) and how the international community should respond to a specific crisis. These contributions were evident through the following points:

- Dealing with humanitarian crises from the perspective of the R2P rather than the right to intervene

- Recommending to define a legal rule that provides the principle of non-interference in internal affairs under the principle of responsibility to protect. In other words, the report recommending that if the state fails to protect its citizens, it will lose sovereignty right.

- Identified criteria related to the R2P that must be examined before seeking direct military intervention like peaceful and diplomatic measures must precede military actions and the military option must be the last resort if there is a clear reason for the intervention, and guarantee that the motives of the intervening countries are for humanitarian reasons and they maintain their initial purposes.

In 2005, the former Secretary-General of the United Nations Kofi Annan was urging all countries in his report, "In larger freedom: towards development, security

and human rights for all", to adopt the concept of a responsibility to protect (R2P) and to impose it when necessary (Annan & Assoc, 2005).

Annan's efforts succeeded in the 2005 UN World Summit by including the recommendations of the ICISS in the main document of the summit with an agreement of the heads of state to sign on the final statement of the summit, which included:

*"That each individual state has the primary responsibility to protect its populations from genocide, war crimes, crimes against humanity and ethnic cleansing. And it is also a responsibility for prevention of these crimes."* Moreover, the final statement included *"The international community has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means to help protect populations threatened by these crimes. When a state manifestly fails in its protection responsibilities, and peaceful means are inadequate, the international community must take stronger measures, including collective use of force authorized by the Security Council under Chapter VII."*

In 2006, the Security Council's decision S/RES/1674 stated its affirmation of the responsibility to protect through and the necessity of applying the legal and moral dimension of the responsibility to protect. Thus, a legal base has been established that relies on the United Nations' responsibility to protect in order to reduce acts of collective violence.

Finally, one can conclude that the concept of sovereignty and international intervention was like a cat and a mouse in an attempt to delegitimize and legitimize the interventions that occurs under human reasons.

However, studying the states' motives and interests regarding the intervention remains the main factor that determines whether the intervention that is taking place is actually humanitarian or not.

Therefore, this thesis will examine in the following chapters the international humanitarian interventions in three cases; the first that occurred in Iraq in 1991 and the second in Libya in 2011, which happened after developments in the concept of international humanitarian intervention and the R2P, while the last case will be the Syrian case that no decision was issued from the Security Council to interfere in. This will be to obtain a complete and clear view of the role of international

organizations and the Security Council in humanitarian intervention, the extent of its role in reducing humanitarian consequences and the extent of their ability to control the interests of the intervening countries.



## **II. CASES STUDIES OF THE HUMANITARIAN INTERNATIONAL INTERVENTION**

In the last three decades, after the end of the cold war, moral norms of the international order have undergone a process of change that perplex the international society, especially on the international humanitarian intervention matters. Some scholars have objected to humanitarian intervention by arguing that it is resorted to implement great powers' political agendas and cover it by humanitarian causes, but other scholars see that humanitarian intervention can be morally, legally and politically permissible on occasion when international organizations began assuming responsibility for humanitarian interventions.

Perhaps this difference of opinions is due to the selective politics of humanitarian intervention response in the Security Council of the issues at hand, whereas, the exploitation of local developments by the great powers with a lack of basics pertaining to different forms of the humanitarian intervention such as providing foods, health aid.

Throughout time and despite the large numbers of international humanitarian interventions over the world, I will focus on the international humanitarian interventions in the Arab world which largely occupied the agenda of the major powers in the Security Council after the cold war.

Hence, this part will take three cases which are; Iraq, Libya and Syria. Starting with the short backgrounds of the cases, the study will focus mainly on how the International Organizations took decision of humanitarian intervention and what were the main objectives and impacts of the humanitarian interventions in the aforementioned cases.

### **A. The International Humanitarian Intervention in Iraq**

The literature review conducted on the intervention in Iraq shows that there is a clear and definitive difference between the views of researchers who studied the topic on humanitarian intervention in Iraq in 1991, such as Gordon W. Rudd (Rudd,



2012) and Taylor B. Seybolt. (Seybolt, 2007). Similarly, there are differences of opinions among those who studied the US intervention in Iraq in 2003 including Raymond Taras (Taras, 2006) and Nicholas J. Wheeler (Wheeler, 2000).

Rudd and Seybolt viewed the intervention as a humanitarian act aimed at protecting the Kurds along with those targeted by the Iraqi chemical weapons, while Taras and Wheeler considered that the US's main objective in the invasion of Iraq in 2003 was to topple the regime.

On the other hand, there were a few studies that linked the two interventions such as the study achieved by Luiz Alberto Moniz Bandeira (Bandeira, 2017) where he analysed the American war on Iraq from the point of political geography and revealed the economic game with an emphasis on the change of American foreign policy strategy in the term of President Bush.

In this regard, the main purpose of this section is to examine the historical background of the intervention in Iraq from the beginning of the crisis with the Kurds, as it was the main humanitarian crisis. Following this, the decision-making mechanism of the international humanitarian intervention will be presented and indicated whether there are any differences between the objectives and the resulting impacts of international humanitarian intervention in the Iraqi case.

## **1. Overview of The Iraq Crisis**

Kurdish civilians could be considered as one of the largest ethnic groups in the Middle East that are regarded as being deprived of their nation-state, except the Kurdish Regional Administration on Northern Iraq. Most of the historians and political scientists agree that the Kurdish conflict started when American President Woodrow Wilson announced his famous self-determination principles (Wenner, 1963, 69-70). After the Ottoman Empire lost the World War I, the Allied Powers forced Ottomans to sign the Treaty of Sèvres, which is included in Article 62:

*"A Commission sitting at Constantinople and composed of three members appointed by the British, French and Italian Governments respectively shall draft within six months from the coming into force of the present Treaty a scheme of local autonomy for the predominantly Kurdish areas lying east of the Euphrates, south of the southern boundary of Armenia as it may be hereafter determined, and north of the frontier of Turkey with Syria and Mesopotamia.... The scheme shall contain full*

*safeguards for the protection of the Assyro-Chaldeans and other racial or religious minorities within these areas,"*(Sevres Treaty, 1920, August).

and also in Article 64:

*"If within one year from the coming into force of the present Treaty the Kurdish peoples within the areas defined in Article 62 shall address themselves to the Council of the League of Nations in such a manner as to show that a majority of the population of these areas desires independence from Turkey, and if the Council then considers that these peoples are capable of such independence and recommends that it should be granted to them, Turkey hereby agrees to execute such a recommendation, and to renounce all rights and title over these areas."*(Sevres Treaty, 1920, August).

However, the quick revival of Turkey under Ataturk changed the entire situation as Ataturk's victories forced the Allies in July of 1923 to replace the Treaty of Sèvres with the Treaty of Lausanne, which changed the political geography not only for Turkey but also for the countries in the region. The new Treaty recognized the modern republic of Turkey without any special provision for the Kurds and left them divided, as they were given minority statuses among four countries: Iran, Iraq, Syria, and Turkey (Gunter, 2004, p. 199).

After the Kurd's dream of establishing their own state pursuant to the Sèvres Treaty was lost, they tried to fight back many times in 1925, 1930 and from 1938-9 both in Turkey and Iran. After the conclusion of the Kurdish rebellions, cultural as well as political activities of the Kurds were forbidden (Olson, 2000, pp. 69-80). Laws were passed in both countries forbidding the speaking of the Kurdish language in public. Iraq was one of the exceptions to the general suppression of the Kurds during the interwar period, which can be traced back to the British policy that encouraged Kurdish nationalism as an instrument for sustaining its control over Iraq (Olson, 1992, p. 476).

After the coup of Abdul Karim Qasim in 1958 against the kingship regime of Iraq, the Kurds experienced an era of freedom. There were political refugees such as Mullah Mustafa Barzani, who were allowed to return to Iraq. Kurds even began to issue newspapers, magazines, and arrange political conferences. Additionally, the new provisional Iraqi constitution recognized that Kurds and Arabs reached a

consensus between themselves about respecting the citizens and their rights (Harris, 1977, p. 118).

This current state of freedom was inevitably going to come to an end as the differences of opinion between the Kurds and the Iraqi government emerged over the regulation of the relationship between the Iraqi central authority and the Kurdish national movement, which is represented by the Kurdistan Democratic Party. These differences greatly affected both parties. While the Iraqi government adopted the perspective that the freedoms granted to the Kurds were sufficient enough to please and maintain them in a single central state, the Kurdistan Democratic Party demanded autonomy as the solution for the Kurdish question (Naji Jawad, n.d.).

The Iraqi government tried to convince Kurdish leaders to negotiate and reach a consensus to appeal to both parties by creating a unitary system. In the statement made by the Iraqi government in March 1970, they declared that the Iraqi population will consist of two nations; the Arab nation and the Kurdish nation in a unitary system. According to this consensus, it was recognized that both the Kurdish and Arabic languages are the equal official languages of the Kurdish-majority area. As a result, the Kurds were not satisfied with these terms as it did not align with their insistence on a broad autonomy of power so they demanded more. Part of this issue is related to Iran's support for the Kurds, as it has been one of the main factors of the prolongation of this dispute. This situation did not come to an end until Algiers Accord was instituted. This Accord stated that Iraq would give some authority to Iran that would allow them to utilize the Shatt Al-Arab in exchange for stopping their support to the Kurds (Congressional Research Service, & Katzman, 2010).

Although Tehran has repeatedly fought against the Kurds in Mahabad and in other parts of Iran, it supported Iraqi Kurds as a strategy to exploit on the weaknesses of the Iraqi government. Therefore, after the Islamic Revolution succeeded in seizing control of Iran, the Iranian government began supporting the Iraqi Kurds again as an attempt to weaken Iraq in the Iran-Iraq war. In order to persuade the Kurds not to cooperate with Tehran, the Iraqi government tried to accommodate them in 1984 through the Patriotic Union of Kurdistan (PUK). This was a ceasefire agreement for the forces fighting against the Baghdad regime, but the Kurdistan Democratic Party (KDP) remained in rebellion (ibid).

In response to their refusal, Iraqi forces launched a couple of lethal gas attacks targeting Kurdish towns in 1988, including the town of Halabja. The attacks left multiple casualties including 5,000 people killed and more than 10,000 injured (Human Rights Watch, 1991). Baghdad claimed that the chemical attacks were indeed response to Iranian incursions (Congressional Research Service, & Katzman, 2010). During the peak of the Iran-Iraq war in 1987-1989, Iraq attempted a siege through the 'Anfal (spoils collected from war) Campaign' along the Iranian border (also known as a 'cordon sanitaire'), which led to the evacuation of many Kurds on the border villages. Regarding this case, the Human Right Watch Report says that the campaign killed as many as 100,000 Kurds (Human Rights Watch, 2006).

## **2. How Did International Organizations Take The Decision Of Humanitarian Intervention?**

Up until the beginning of the crisis in Kuwait in 1990, the international community did nothing to help Halabja survivors except conducting insignificant discussions at international forums. In those discussions, the humanitarian situation at hand was classified as an internal problem of Iraq. But after Saddam invaded Kuwait on August 2, 1990, the U.S. President George H. W. Bush turned his attention to the Middle East. On August 18, 1990, in accordance with the CIA, Bush signed an agreement that authorized a secret intelligence to overthrow Saddam Hussein from the Iraqi government. This was designated to overthrow the Iraqi regime and through this agreement he took about 15 million USD to finance this coup d'etat agreement on Iraqi soil (Bandeira, p.14).

Since then, the international community became obsessed with Saddam Hussein's human rights violations. The Security Council passed Resolution 678 (S/RES/678) on November 29, 1990, to expel the Iraqi forces from Kuwait. Following that, the U.S led a military operation, Desert Shield (Desert Storm), with the main objective of removing Iraqi forces from Kuwait. The allied forces started an intensive air war against Iraq's military and civil infrastructure, and a U.S. airbase was established deep in Iraq (Greenwood, 1993, P.p. 35-36).

On February 28, 1991, U.S. President George Bush declared a cease-fire but the ban on Iraqi oil sales would continue until Iraq destroyed its weapons of mass destruction. On the contrary, Kurds, like the Shias in the South, were lured into

uprising against the government due to frequent statements of the American leadership urging people to rise and topple the unpopular government.

All persons associated with the government during this revolt were killed in various state agencies across the region by the Kurds. On March 20, 1991, they declared complete control of the Iraqi-Kurdistan region and an interim government would be formed to administer the region. But the withdrawal of the Iraqi army from Kuwait enabled the government to put an end to the Kurdish insurgency in the north and take back the control of Shia region in the south of Iraq (Abdulrahamn, 2004, p. 202). This situation led to a wave of people fleeing to northern Iraq towards the Turkish and Iranian borders in fear that the Iraqi regime might use chemical weapons against them once again.

In light of these events, Turkey submitted letter No: S/22435 to the Security Council on April 2, 1991, requesting an emergency meeting with the Security Council in order to discuss the practices of the Iraqi army against the population in northern Iraq that led to the displacement of 220,000 Iraqi citizens to the Iraqi-Turkish border. (UNSC letter, 2 April 1991).

Turkey also mentioned in the letter that the mortar shells fired by Iraqi artillery landed inside the Turkish territory, which in reference is a violation of Turkish sovereignty. This would be considered excessive use of force and a threat to peace and security in the region.

On April 2, 1991, the U.N. Security Council passed Resolution 687, which specified conditions for a formal end to the conflict. A similar declaration for ceasefire was made by the U.S President Bush on February 28, 1991. However the ban on oil sales in Iraq would continue until Iraq destroyed its weapons of mass destruction under U.N. supervision.

On April 4, 1991, Iran, in letter No: S/22436 sent to the United Nations Secretary-General, expressed concern about the displacement of 500,000 Iraqis to Iran as well as the killing of some Iranian border guards, which as repercussions could threaten international peace and security in the region (UNSC Letter, April 3, 1991).

Furthermore, based on these letters submitted by Turkey and Iran about their concerns on the current crisis in Iraq and its threat to international peace and

security, the Security Council announced resolution 688 on April 5, 1991, which condemned the repression of the Iraqi civilian population in many parts of Iraq, including the Kurdish populated areas. The consequences of these repressions could lead to a threat against international peace and security in the region, which led to the demand that Iraq immediately put an end to this situation. The resolution also demanded that Iraq allow immediate access to all in need of assistance in all parts of Iraq by means of international humanitarian organizations and to also make available all the necessary facilities for their operations.

The resolution recalled the Article 2, paragraph 7, of the Charter of the United Nations stated: "Reaffirming the commitment of all Member States to the sovereignty, territorial integrity and political independence of Iraq and of all states in the area" (Abdulrahman, 2004, p. 204).

### **3. What Was The Main Objective of The Humanitarian Intervention in Iraq?**

According to Bandeira (Bandeira, 2017), the problem of the United States with the Iraqi regime was not of democracy or human rights, the problem was of invading Saddam Hussein in Kuwait, and signing contracts to sell oil to the largest Russian company (Lukoil), which will give him control of one-fifth of global oil reserves and threaten the Western interest in energy supplies. And with that, the case is no longer the implementation of international resolutions, as much as it came to protect American and Western interests (Bandeira, 2017, p.15).

This was made evident through the speech made on of March 26, 1997 by U.S. Secretary of State, Madeleine Albright:

*"Clearly, a change in Iraq's government could lead to a change in U.S. policy. Should that occur, we would stand ready, in coordination with our allies and friends, to enter rapidly into a dialogue with the successor regime. That dialogue would have two principal goals. First, because we are firmly committed to Iraq's territorial integrity, we would want to verify that the new Iraq would be independent, unified and free from undue external influence, for example, from Iran. Second, we would require improvements in behavior. Is there cooperation with UNSCOM and compliance with UN resolutions? Is there respect for human rights, including the rights of minorities? Is there a convincing repudiation of terrorism? Are its military ambitions limited to those of reasonable defense? If our concerns were addressed*

*satisfactorily, Iraq would no longer threaten regional Security. Its isolation could end.*”(Policy Speech on Iraq - March, 1997).

Albright's remarks present the essence of US policy, which is to change the regime in Iraq rather than defending human rights. What she mentioned is not relevant to the essence of the Security Council's resolutions, but rather to the American administration's estimates. Conditions are neither subject to objective measurement, nor followed by a specific set of rules that need to be followed. The responsibility of determining the outcome of the estimates, though it belongs to a party, belongs to the international organization in its own discretion.

Moreover, the economic blockade against the Iraqi people had led to the violation of the basic human rights of life, health, and food. UNICEF estimated the average mortality rate among children at about 4,500 kids monthly. Additionally, the spread of diseases and malnutrition among them increased and the 1996 World Health Organization (WHO) report declared that since the Gulf crisis, Iraqi citizens have only two-thirds of the minimum daily calorie intake requirement due to sanctions. It has also been noted that there was a lack of a minimum number of health-care facilities along with a lack of medical equipment, and high prices for their basic needs, which violates the basic life rights of the majority of Iraqi people (World Health Organization, 1996, March).

At the time of the economic blockade that imposed itself on Iraq as a political tool to restrict the Iraqi government, the oil-for-food decision was an inadequate way to mitigate the effects of sanctions onto the citizens. The resolution allowed for the sale of \$1 billion worth of oil over the span of six months until 2000 to provide food and medicine to the entire population of Iraq, while 35% of that money was designated for reparations from both the Gulf War and UN expenditures in Iraq. The resolution was also renewed many times every six months. By December 2000, revenues from the sale of Iraqi oil amounted to \$22.7 billion in humanitarian assistance. The amount set by the Security Council to buy such materials was \$16.2 billion. The outcome given for Iraqis living in these areas under direct government administration in Baghdad during those four years, with the exception of Iraqi Kurds, was \$8.8 billion. This totals to about \$2.2 billion per year, which, when distributed, totals to 20 million people living in the 15 governorates receiving about \$110 per year (Christof von Sponec, n.d.).

On the one hand, the U.S. was able to achieve creating its full vision they had of Iraq by exploiting the phase of transformation that the country was going through the involvement of the international organizations and through the exploitation of the indefinite use of the Charter of the United Nations on international sanctions. On the other hand, the US was creating a precedent that allowed it to intervene with internal affairs by adapting and interpreting international resolutions in a manner that aligned with achieving their vision. The political decision to topple the Iraqi government allied to the Soviet Union was the priority of the US policies without considering the damage that will be endured by the different Iraqi people as a result of the economic blockade. (Taras, 2006, p. 41).

Therefore, we could say that the international humanitarian intervention in Iraq is inseparable from the consequences of the Gulf War. Political considerations dominated the humanitarian programs. If the international intervention in Iraq was to protect human rights, then how could it protect 15% of the Iraqi citizens and let the other 85% suffer?

#### **4. What Was The Main Impact of The Humanitarian Intervention in Iraq?**

In December 1997, Paul Wolfowitz, the future Deputy Secretary of Defense under President Bush administration, recommended in his article, "Overthrow Him", that the substantial use of military power to destroy and "delegitimize Saddam and his regime" would be necessary in order to prosecute him as "a war criminal on the basis of his crimes against Iraq's Kurds and Shi'as" as well as against the people of Kuwait. It was also important to make clear that the contracts signed by the Saddam regime to sell oil to companies in France and elsewhere were denied by the U.S. government. The article concluded by warning that companies who wished to exploit their enormous oil riches should take side with the "government of free Iraq". In other words, a government that the United States would initiate after the fall of Saddam Hussein (Wolfowitz & Khalilzad, 1997, December).

Paul Wolfowitz became the American Secretary of Defense years later and his article started to become a reality when President George W. Bush threatened the UN General Assembly in his speech made on September 12, 2002:

*"My nation will work with the U.N. Security Council to meet our common challenge. If Iraq's regime defies us again, the world must move deliberately,*



*decisively to hold Iraq to account. We will work with the U.N. Security Council for the necessary resolutions. But the purposes of the United States should not be doubted. The Security Council resolutions will be enforced -- the just demands of peace and security will be met -- or action will be unavoidable.... We must choose between a world of fear and a world of progress. We cannot stand by and do nothing while dangers gather. We must stand up for our security, and for the permanent rights and the hopes of mankind. By heritage and by choice, the United States of America will make that stand. And, delegates to the United Nations, you have the power to make that stand, as well.”*(President’s Remarks at the United Nations General Assembly, 2002, September).

This pressure exerted by the U.S. President along with his implication of intervening in Iraq generated a fear of canceling the role of the United Nations in protecting collective security, which led the Security Council to unanimously approve Resolution 1441 made on August 11, 2002. This resolution laid a new foundation for the use of force against Iraq in order to disarm them without changing the political system. This means that the United States did not obtain the right to use unilateral force. Despite the relative success of the inspection system, the International Atomic Energy Agency (IAEA) announced in its report:

*“There is no indication of resumed nuclear activities in those buildings that were identified through the use of satellite imagery as being reconstructed or newly erected since 1998, nor any indication of nuclear-related prohibited activities at any inspected sites. There is no indication that Iraq has attempted to import uranium since 1990. There is no indication that Iraq has attempted to import aluminium tubes for use in centrifuge enrichment. Moreover, even had Iraq pursued such a plan, it would have encountered practical difficulties in manufacturing centrifuges out of the aluminium tubes in question. Although we are still reviewing issues related to magnets and magnet production, there is no indication to date that Iraq imported magnets for use in a centrifuge enrichment programme. As I stated above, the IAEA will continue further to scrutinize and investigate all of the above issues.”* (IAEA, 2003, March).

Nevertheless, the United States and its British ally insisted that the Iraqi regime did not fully implement its international obligations under Resolution 1441 and Iraq still keeps their chemicals in order to develop nuclear weapons. As a result,

U.S. and British forces launched a war on Iraq on March 20, 2003 in order to achieve its objectives without the prior authorization of the Security Council.

Furthermore, it can be analyzed that the American invasion of Iraq undertaken in the name of democracy, peace and international security were not separate from the consequences and objectives of the humanitarian intervention in 1991, which were not the original humanitarian objectives. This will be explained in the next chapter.

## **B. The International Humanitarian Intervention in Libya**

Most of the previous studies of the Libyan case that dealt with the topic of international humanitarian intervention in 2011 considered the intervention as a response to Qaddafi's use of force against civilians in Arab Spring in Libya. Martin Binder's book (Binder, 2016) focused on understanding the mechanism of the United Nations that drives or impedes UN resolutions, which was in consideration of his understanding that the Libyan crisis began in 2011. While other studies, like the one conducted by Alan J. Kuperman in his article (Kuperman, 2013) and Patrick CR Terry in his study (Terry, 2015), which looked into the intervention in the Libyan case from a legal perspective and its needs pertaining to its Responsibility to Protect (R2P or RtoP).<sup>1</sup>

In regard to this, most of the previous studies did not explore the historical background of the Libyan crisis at an international level. There was also a lack that looked into the threats that Qaddafi made based on the balance of Western powers in general and, in particular, in Europe's impact on the decisions of international organizations in the humanitarian intervention, which is what will be explained in this chapter in order to gain the full picture of the differences between both the objectives and the impacts on international humanitarian intervention from the Libyan case.

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<sup>1</sup> The Responsibility to Protect (R2P or RtoP) is a global political commitment which was endorsed by all member states of the United Nations at the 2005 World Summit in order to address its four key concerns to prevent genocide, war crimes, ethnic cleansing and crimes against humanity.

## **1. Overview of the Libya Crisis**

Similar to Iraq, Libya tried to have chemical and nuclear weapons, which was a major concern for the United States, Europe, Africa and the international community in general. Even though Libya had signed and ratified the Nuclear Nonproliferation Treaty (NPT). In his first year in power, Qaddafi was seeking nuclear capability by acquiring nuclear weapons directly from China but was rebuffed (Jentleson & Christopher, 2005, p. 56).

Qaddafi then approached Pakistan in 1977 and India in 1979 but was given the same reply. Libyan efforts then turned to develop an indigenous nuclear weapons program with key equipment and technology coming from the Soviet Union. This included a 10-megawatt research reactor built in Tajura along with imports of more than 2,000 tons of uranium ore concentrate for uranium enrichment. They also worked on the development of weapons having biological capability as well (Geleskul, 2009, p. 142).

As a response to that, President Nixon's administration had placed restrictions on arms sales to Libya in 1973. This was followed by economic sanctions on Libya after designating it as a state sponsor of terrorism during the President Jimmy Carter's administration. Following in 1982, the Reagan administration imposed an embargo on crude oil imports from Libya. Additionally, in 1985 the ban was extended to refined petroleum products. The U.S. policy also included numerous show-of-force skirmishes in the Gulf of Sidra, culminating in the extensive bombings against military facilities. Then, Qaddafi's family was compounded on April 15, 1986 as a retaliation for Libya's role in the bombing of the La Belle discotheque in Berlin on April 5, 1986, which killed three people (including two U.S. soldiers) and injured more than two hundred others (including more than seventy Americans) (Jentleson & Christopher, 2005, pp. 57 - 58).

Qaddafi was reportedly wounded in the April 1986 bombings, and for a time thereafter appeared extremely disoriented. Qaddafi's daughter was said to have been killed. Although the declared objective of the U.S. was to change the policy in Tripoli by pressuring Libya through economic sanctions, the situation was extended further when the American airstrikes targeted Qaddafi's house in the April 1986 bombings (Erlanger, 2001, November).

On December 21, 1988 Pan Am flight 103 exploded over Lockerbie, Scotland and on September 19, 1989 French airline UTA flight 772 exploded midair over Niger. In both incidents Libya was charged. In 1991, a legal process had been undertaken in the USA and in the UK against two Libyans for their alleged involvement in the bombing of Pan Am flight 103. The USA grand jury indicted Lamin Khalifa Fhimah, former manager of the Libyan Arab Airlines in Malta and Abdel Basset Ali al-Maghrahi, a high-level intelligence officer. Both the USA and the UK, along with the support from France, sought for the extradition of six Libyans, who were suspected of the UTA plane bombing (the French DC-10 passenger jet destroyed over Niger). They acted through the UN Security Council in order to impose sanctions on Libya (Zoubir, 2002, p. 35).

On January and March 1992, the United Nations Security Council passed Resolutions 731 and 748, respectively. The resolutions demanded a number of conditions to be fulfilled including; asking Libyan government to hand over the two suspects, cooperating with the investigation teams of Pan Am 103 and UTA 772, giving compensation to the victims' families and ceasing all support for terrorism (Resolution 748, 1992).

Additionally, as early as March 1993, the USA sought to impose a worldwide oil embargo on Libya. On November 11, 1993, the UNSC adopted Resolution 883, which imposed further sanctions against Libya for its failure to extradite its two accused citizens to the UK or to the USA, where they faced criminal charges. The sanctions banned air travel to the country, restricted the sale of spare parts for the country's oil industry, imposed an arms embargo, froze funds and financial resources controlled by the Libyan government and reduced diplomatic representation (S/RES/883, 1993).

The USA failed to convince its European allies and others to extend the embargo to include the purchase of Libyan oil. Europeans argued that their dependency on Libyan oil prevented them from expanding sanctions to the oil sector. If anything, both French and Italian oil companies planned making major investments in Libya's oil industry. Obviously European realism prevented the sanctions from being more effective in toppling the regime and placed Qaddafi in his preferred position of a 'beleaguered revolutionary,' standing firm against the forces of imperialism and neo-colonialism' (Zoubir, 2002, p. 35).

United Nations sanctions, combined with low oil prices, certainly had a negative impact on the Libyan economy, substantially reducing investments in the oil industry. They also harmed Libya's impressive advances in health care, education and economic equality (ibid).

General economic discontent accompanied by growing Islamist opposition and military intervention attempts against Qaddafi, forced the government to quell the protests and put the rebels to jail. But the Abu Salim prison massacre of 1996 reignited protests when more than 1,200 prisoners were killed because of protesting against their living conditions. The families of those who were killed or suddenly disappeared formed a loose association that held numerous protests in Benghazi. They were represented and assisted by Fathi Terbil, a human rights lawyer who represented the families of the disappeared prisoners of 1996 (Human Rights Watch, 2003).

This was followed by internal unrest and rebellion in Arab countries, including Tunisia and Egypt, and was referred to as the 'Arab Spring'. A specific incident happened on the February 15, 2011, when human rights lawyer, Fathi Terbil was detained during a case against the government. Upon this event, popular protests started outside the police headquarters in Benghazi. Eventually, the protestors clashed with the security forces and the violence spread into various locations all over the country (Terry, 2015, pp. 164).

The protest quickly escalated and within days thousands of protesters were in the streets of Benghazi calling for the overthrow of the regime. Yet even before Terbil's arrest, many Libyan opposition websites said that the opponent organizations laid the groundwork for protests on February 17, by calling for a 'Day of Rage' (Sham FM. n.d).

According to Amnesty International in its report MDE 19/025/2011, this day was the anniversary of the clashes that took place in Benghazi on the February 17, 2006 and 2007 between the Libyan security forces and the protesters who were attacking the Italian consulate as a protest on the Danish cartoons of the Prophet Muhammad printed in Europe (Amnesty International, 2011, p.14).

On February 20 protesters initiated the violence by kicking out the Qaddafi supporters in the Square, burning the internal security center and attacking and

seizing weapons from police and army bases, which triggered a spiral of violence (Kuperman, 2013, p.109).

On February 22, 2011, Libyan President Muammar Qaddafi, in his first speech after the uprising, considered that some of the demonstrators between the ages of 16-18 are trying to imitate the revolution in Tunisia and Egypt and considered it normal. But there were some protesters, who were described as ‘rats’ and ‘terrorists’, who were using drugs and getting funding from foreign authorities that attacked the courts and the police stations in Benghazi in order to drive the country into an internal armed conflict. Qaddafi also called on his loyal citizens to join the regime in assisting them to “secure and cleanse” their areas from “these rats”. He warned, “We will issue a call to the millions, from desert to desert. And I and the millions will march in order to cleanse Libya, inch by inch, house by house, room by room, alley by alley, individual by individual so that the country is purified from the unclean.” (RT Arabic, 2011, February).

## **2. How Did International Organizations Take The Decision of Humanitarian Intervention?**

On the day that Qaddafi delivered his speech, the Libyan situation attracted unprecedented attention on both regional and international levels. The Security Council held its first consultations on the situation in Libya in order to protect Libyan civilians from the Qaddafi regime. The members of the Security Council were expressing such grave concerns about the situation in Libya that as a result they condemned the violence as well as the use of force against civilians. The Security Council also underlined the need to hold the Government of Libya responsible for attacks, emphasizing the need for the Government to respect the freedom of peaceful assembly and of expression, including freedom of the press (Security Council, 2011, February).

Moreover, the members of the Security Council called for international humanitarian assistance for the people of Libya and expressed concern due to the reports of shortages in the medical supplies used to treat the wounded. They strongly urged the Libyan authorities to ensure the safe passage of medical supplies and humanitarian workers into the country (ibid).

Additionally, the regional response to the violence in Libya didn't differ much

from the international response. On the same day, the Arab League at an emergency meeting at the level of delegates in Cairo decided to ask the regime to stop committing crimes against the Libyan people. The Arab League also ordered to suspend the participation of the delegate from the Government of Libya in the meetings of the Council of the League of Arab States. Along with the Libyan Arab Jamahiriya's suspension, they also suspended all affiliated organizations until the Libyan authorities respond to the Council's demands on the stopping of violence and to ensure the security and stability of the Libyan society (Albawaba, 2011, February).

The following day, the African Union Peace and Security Council condemned the "indiscriminate and excessive use of force by Libyan authorities" against peaceful protesters as a violation of international human rights and international humanitarian law. Then in early March, both the Gulf Cooperation Council and the Organization of Islamic Cooperation condemned the crimes perpetrated by Libyan authorities against civilians, so the UNSC was called upon to take the necessary measures to protect civilians, which included the enforcement of a no-fly zone over Libyan territory (Walling, 2013, p.218).

At the time when the international and regional organizations were condemning the excessive use of force against protesters, the defections from the Qaddafi regime started with the Libyan former justice minister Mustafa Abdel Jalil when he disclosed that he has evidence implicating Qaddafi personally in the Lockerbie bombing on February 21, 2011. This was followed by the defection of Abdel Fattah Younis on February 22, 2011, who was Qaddafi's fellow in the founding of the Libyan Jamahiriya. But the defection of Abdul Rahman Shalgam, Libya's representative to the United Nations, on February 26, 2011 was a fatal blow to the Qaddafi regime when he called on the Security Council in his speech to pass a resolution to protect Libya from Qaddafi's crimes through international strikes (218tv, 2017, February).

Both internationally and internally, the Libyan crisis did not show signs of abating. On the contrary, it increased dramatically on the same day of the defection of Abdul Rahman Shalgam. Resolution S/RES/1970 (2011) was passed in order to impose an arms embargo on Libya, to exert targeted sanctions including travel bans and asset freezes on high-level persons in the Libyan regime and to bring the

situation in Libya to the International Criminal Court (S/RES/1970, 2011).

After the issuance of the S/RES/1970 decision, NATO held a meeting in Brussels with participation from the NATO defense ministers to discuss the situation in Libya. NATO Secretary-General Anders Fogh Rasmussen emphasized the importance of NATO as a "defense and security organization" that should work in close coordination with other international and regional organizations in order to stop the humanitarian crisis in Libya. The summit also reached a decision that would increase the number of naval forces in the region and accelerate the response to the need for humanitarian aid by providing assistance that was meant to protect civilians and to strengthen the arms embargo imposed on Libya, which was imposed under resolution S/RES/1970. (NATO, 2011b, March).

The demonstrators then formed a National Transitional Council (NTC) to be the sole legitimate representative of Libya. This initiative was quickly recognized by France on March 10, 2011. On March 12, the Arab League met at the ministerial level for an irregular session at the headquarters of the General Secretariat in Cairo. In this meeting, the ministers reaffirmed their previous statement demanding that the regime should stop committing crimes against the Libyan people, stop the fighting and withdraw its forces from cities and regions that they entered forcibly. Furthermore, Arab League Resolution 7360 requested that the UNSC should insist on a no-fly zone in order to restrict the movement of Libyan warplanes immediately and to establish safe areas for the protection of civilians (Walling, 2013, p.220).

In accordance with that, on March 17, 2011 the UN Security Council, with majority votes and only five abstentions (Russia, China, Brazil, South Africa, and Germany), adopted Resolution S/RES/1973 under the Chapter VII of the UN

Charter,<sup>2</sup> which declared to impose a no-fly zone over Libya while making

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<sup>2</sup> Chapter VII of the United Nations Charter sets out the UN Security Council's powers to maintain peace. It allows the Council to "determine the existence of any threat to the peace, breach of the peace, or act of aggression" and to take military and nonmilitary action to "restore international peace and security". for more information you can visit: <https://www.un.org/en/sections/un-charter/chapter-vii/>



sure to take all necessary measures in order to protect the civilians under threat of attack in Libya. The resolution excluded any foreign occupation force of any form on any part of Libyan territory and reconfirmed embargo on arms, which was already put in place by Resolution 1970 (S/RES/1973, 2011).

### **3. What Was The Main Objective of The Humanitarian Intervention in Libya?**

Some scholars considered that the Security Council's authorization of military intervention in Libya was driven by humanitarian motives. According to the UNHCR Global report of 2011, the number of internally displaced persons was more than 550,000. The population of both Libyan and third-country nationals was over 900,000 people, they fled the country for their own safety (*UNHCR Global Report 2011*). A report of the Human Rights Council on June 2011 expressed concern over the rise of numbers in forced disappearances in Libya and noted that these actions can be regarded as crimes against humanity. Respectively, creating a no-fly zone would involve taking out Libya's air defenses, which included air bases, runways and helicopter gunships. It would also entail that Qaddafi's ground forces would be vulnerable to strikes if they were to attack towns and that Libyan naval vessels would be subject to ground attacks and strikes if used for bombardment (Binder, 2016, p. 210).

The observers of the conflict noted that overall number of victims of deadly violence varied throughout Libya. The United Nations estimated that 1,000 Libyans had been killed. The World Health Organization put their estimate at about 2,000, while the International Criminal Court put the number closer to 10,000. Since early March however, estimates have become scarce and even less definite (Downie, 2011, April).

As a further matter, the argument that the Qaddafi regime itself, as long as it was in power, constituted such a threat of attack against the civilian population of Libya, conveniently overlooks the fact that, in terms of the resolution, Libya's civilian population was to be protected whether under the threat of attack by government or by rebel forces (Terry, 2015, pp. 167).

But the bias of NATO countries became evident in a UK declaration that was made on March 4, 2011 which stated that they would deploy military experts in order to advise on both military and secret intelligence to the rebels in eastern Libya. The

press characterized this as ‘a clear intervention on the ground to bolster the anti-Gaddafi uprising’ (Wintour, 2017, November).

#### **4. What Was The Main impact of The Humanitarian Intervention in Libya?**

Shortly after Resolution S/RES/1973 had been adopted by the UN Security Council, France along with other states started arming the rebels fighting against Qaddafi's troops in Western Libya. From a legal point of view, the states justified their action by referring to Resolution S/RES/1973. Because the Security Council had given authorization and all necessary means to protect civilians and civilian populated areas. So, it was legal to arm the rebels with light rifle type infantry weapons so that civilians would not be massacred (BBC News, 2011a, June).

Regarding the arms support, there was a report in the French newspaper, *Le Figaro*, which stated that the weaponry were not light infantry weapons but included rocket launchers and anti-tank missiles. *Le Figaro* also reported that it had seen a confidential defense map showing two makeshift airstrips in rebel-held towns, built specifically to land small aircrafts from the Arab Gulf countries that can transfer firearms closer to the rebels' location (BBC News, 2011b, June).

On the other hand, during the execution of military operations, NATO declared that it had a humanitarian impact by reducing direct and indirect collateral damage to infrastructure, by facilitating a humanitarian response to prevent a large-scale humanitarian crisis, and to care for those wounded from war through maintaining connections with organizations such as United Nations Office for the Coordination of Humanitarian Affairs (OCHA), International Committee of the Red Cross (ICRC), and Médecins sans Frontières (MSF), who are working in this field (NATO, 2013).

To achieve this communication at the highest level, the Secretary-General of NATO has ordered to establish a Civil-Military Interaction (CMI) team with personnel specifically trained in interacting with humanitarian organizations. The idea is to have this team as the only point of contact that will receive and resolve all requests that come from humanitarian organizations (Ibid).

Furthermore, Kristalina Georgieva, the European Commissioner for International Cooperation, stated on August 24, 2011 that "we have prepositioned humanitarian stocks in the accessible zones of Libya and have coordinated all efforts

with our humanitarian partners. We are ready. Europe will continue to help in an efficient and non-discriminatory way all Libyans who need humanitarian assistance." She also added that "The European Commission funded almost 60 million euro for humanitarian aid in Libya and from March to May 2011 facilitated and coordinated the repatriation of more than 31,700 people from neighboring countries of Libya." (European Commission, 2011, August).

Unfortunately the way NATO and other states implemented the Resolution dated 1973, it was clearly contrary to paragraph 4, which after informing the Secretary General gives Member States authority to do all they can to protect civilians in populated areas, as illustrated by the following sample of NATO's actions:

On March 19 - 20, 2011, a military operation led by the USA, the UK, and France started in Libya. This early military action was targeted at implementing the no-fly zone but was later amplified by attacks on Qaddafi forces throughout the country in order to put an end to Muammar al-Qaddafi's rule in Libya. By the end of March, more than fourteen NATO states were contributing to the mission by means of military. NATO states were joined by a few non-members, including Sweden, Qatar and the UAE. As of March 31, NATO assumed control of all military actions intended to implement Resolution 1973 (Terry, 2015, pp. 165 - 166).

In late March 2011, the Qaddafi stronghold of Sirte was bombed. By April 6, 2011 British military and intelligence officials in Benghazi were assisting the rebels in establishing a command structure and defense ministry (BBC News, 2012, January). Alongside that, in mid-April Qatar was shipping French anti-tank missiles to rebels in eastern Libya (Black, 2011, April).

All these targets had extremely tenuous links to any actual threat of attack against civilians or civilian populated areas. This was even more the case when a Libyan TV station was bombed on June 7 and three TV transmitters on July 30 (Al Arabiya, (2011, January). On July 22, NATO bombed the Brega pipe factory, which supplied the pipes necessary for the water supply originating from the 'Great Man-Made River' (Human rights investigations, 2011, July). Furthermore, British, French and other special forces trained rebels and provided them with intelligence (Starr, 2011, August). These measures were, in truth, unrelated to the protection of civilians

or civilian-populated areas but were undertaken in order to overthrow the regime.

On April 21, 2011, NATO bombed a recognized command and control center of Qaddafi's in Tripoli. Following that, on April 25, a military facility that was used by Qaddafi was destroyed. On April 30, NATO bombed a building in Tripoli, killing one of Qaddafi's sons and three of his grandchildren (Denyer & Fadel, 2011, May).

Early the next month, France started air-dropping weapons to opposition forces in western Libya (Nakhoul, 2011, September), who were being trained by the experts from the UK, Italy, and France – as these countries later admitted in a UN panel (BBC News, 2012, January).

After seven months of NATO's intervention, Libyan rebel forces conquered the country and killed the former authoritarian ruler, Muammar Qaddafi, on October 2011. Immediately following this, Western media and politicians portrayed praise towards the intervention and named it as a humanitarian success for having averted a bloodbath in Libya's second-largest city, Benghazi, while also helping to replace the dictatorial Qaddafi regime with a transitional council pledged to democracy (Hehir, & Murray, 2013, p.191).

All these differences between the declared goals of humanitarian intervention and the measures taken by NATO countries with the allied forces to deliver strikes to Qaddafi and secure an air cover for opposition areas show that the humanitarian intervention in Libya was not originally humanitarian. If we link the aforementioned differences with the historical background of the Libyan crisis and its impact on the international system since Qaddafi came to power, we can conclude that the humanitarian intervention in Libya was because of Libyan politics at the international level, which will be explained in the next chapter.

### **C. The International Humanitarian Intervention in Syria**

Similar to studies that dealt with the international humanitarian intervention in Libya, most studies deals with the Syrian case referred the Syrian crisis starting in 2011 such as, Nicholas Idris Erameh study (Erameh, 2017) and Andres Henriksen article (Henriksen & Schack, 2014), regard it as a brutal response of the Syrian government to the peoples' demands for reform after the wave of so-called the Arab Spring.

These studies focused on the responsibility of the Syrian government for the violations that occurred and the necessity of criminalizing Damascus by the Security Council for the reason of threatening international security and violating human rights. But these studies ignored the International Committee of the Red Cross' description of the Syrian crisis, which views the issue as an internal armed conflict and the question of where these rebels obtained arms and support.

On the other hand, there were studies achieved by the scholars like Abubaker Alamailes and Serdar Yurtsever (Alamailes, & Yurtsever, 2018). In these studies and also in that of Luiz Alberto Moniz Bandeira (Bandeira, 2017), Syrian Crisis is evaluated in the context of the US-Russian Competition in Middle East regarding the geography, politics, arms race, and energy issues. And by considering that both the United States and Russia are the states using frequently their veto power, complete resolution of the matter through the United Nations or the Security Council is not expected.

These differences are still a matter of controversy between researchers of the Syrian crisis and the Syrian citizens themselves. For a better understanding of the Syrian situation, it is necessary to return to the history of the independence of Syria to clarify the background of the Syrian crisis and then to move to the study on the way the Security Council deals with it and explain the objectives of humanitarian intervention and the results reached so far.

## **1. Overview of The Syria Crisis**

Like Iraq and Libya, Syria has a complex history of coups and regional conflicts. After the First World War, the UK and the France, with the assent of Russia, were secretly negotiating to dismember the Ottoman Empire. On November 1915, Sir Mark Sykes of Britain and Francois George-Picot of France sat across at a table in a tent and divided Syria among themselves (Sykes-Picot Agreement, 1916).

The negotiations led to the Sykes-Picot Agreement on May 1916. Pursuant to this agreement, Britain was promised Iraq and Palestine (including Palestine and Jordan) while France was promised Syria and Lebanon. Subsequently, the Treaty of Versailles in 1919 provided a formal validation for this secret arrangement by creating the League of Nations and its Mandate System. The Mandate was an authorization granted to member states of the League of Nations to govern a former

German or Turkish colony. The typical imperial justification was that these people were not yet ready for self-government. As a result, France acquired the mandate over Syria and Lebanon (Encyclopaedia Britannica, n.d.).

David Fromkin, in his book 'A Peace to End All Peace,' discusses the notion that the present-day Middle East cannot be understood without an appreciation of its formation in the aftermath of the First World War. He states that by 1922 European powers had divided the former Ottoman Empire into states and puppet regimes, drawing boundaries and imposing rulers, while ignoring the wishes of those who actually lived there. It was the nature of the division process that led to the creation of states-without-nations in the Middle East. The newly drawn boundaries cut across religious, social and ethnic groups. The presence of such antagonistic and conflicting groups in these drawn-up states posed a huge threat to the subsequent process of nation-building. Such divergent groups are fighting each other in Syria today. Thus, Syria remained under French rule until its independence on October 24, 1945 (Khan & Khan, 2017, pp.589).

In the post-independence period, the fundamental problem faced by the new state was its ethnically, religiously and socially heterogeneous nature. It consisted of a majority of Sunni Muslims along with a minority of Alawites, Druze, Turkmen, Assyrian and Christians. On top of that, the Syrian society had been starkly divided into the rich townsmen on the one hand and the poor peasants and nomads on the other side. The country faced a series of coups that ultimately led to a Baathist Coup in March of 1963. Later in 1970, General Hafez al-Assad seized power.

Afterwards, Hafez al-Assad was sworn in as the president on March 14, 1971 and shaped the nature of the Syrian polity. Throughout his regime, he was popular because he pursued policies of economic development, promotion of education, the strengthening of the military and vehement opposition to Israel. However, a nexus emerged between the Baath Party, the military and the bureaucracy, who repressed all opposition through a vast intelligence apparatus.

After the death of Hafez al-Assad in 2000, his son, Bashar al-Assad, assumed power and pursued his father's policies with hopes for democratic change during the Damascus spring. However, according to Human Rights Watch report issued just before the 2011 uprising, he had failed to substantially improve the state of human

rights since taking power (Human Rights Watch, 2015).

Besides many internal causes, there are many external causes behind the present Syrian conflict. At an international level, Syria's attitude has always been pro-Palestine on the Israel-Palestine conflict, which is the biggest West Asian issue currently. The other factors are its closeness to Russia and Iran, socialist policies and support for Hezbollah in Lebanon. Nevertheless, Syria's relations with Saudi Arabia and other GCC (Gulf Cooperation Council) countries are poor because of their closeness to the U.S., which has made it vulnerable to the American economic sanctions and international isolation since President Hafez al-Assad came to power.

Due to the combinations of internal, economic and external factors as well as following the protests of what is described as the 'Arab Spring' in various Arab countries from March 15, 2011, popular protests demanding reform in Syria commenced in the Daraa and Homs provinces and spread to all Syrian governorates.

A response from the government took approximately 15 days. In a speech made on March 31, 2011, Syrian President Bashar al-Assad mentioned that he intended to delay the response to the protests until he has a full understanding of the situation. Al-Assad acknowledged in his speech the legitimacy of peaceful protests and expressed his intention to carry out reforms and form a new government after the resignation of the then-Prime Minister Mohammed Naji Otri's government. But simultaneously, the speech contained a certain vision for protests in Syria that differed from what happened in Tunisia, which in brief was the 'Arab Spring'. Also as he expressed in his speech, these Syrian protests could be exploited for an external plot that was aimed at undermining Syria, especially in light of the spread of the so-called 'Arab Spring'. As he blatantly stated it, in the protests, three concepts (sedition, reform, and daily needs) were confused with one another and attract those who went out of good faith (AL Jadeed News, 2014).

The protests quickly turned into an armed conflict between the protesters and the police. These protests killed hundreds of people from both sides and displaced millions of Syrians from their homes. While the Syrian government said that the Syrian crisis has been aggravated, because armed movements was made among citizens that aimed to sabotage and spread chaos among the people, the activists and political opponents at home and abroad considered that the aforementioned

movement is a popular revolution in which it could transfer from peaceful protest to an armed one as a result of the Syrian government's lack of response to the protestors' demands (Kayali, 2013).

In September 2011 after the recurrence of human rights violations, which included excessive use of force, arbitrary detention, enforced disappearances, torture, violations of children's rights and of economic and social rights, the Human Rights Council called for Independent International Commission to inquire about the human rights violations in Syria. The Commission reached the conclusion that "the levels of excessive force used against civilians, the scale of the attacks, their repetitive nature and their coordination lead the Commission to conclude that these crimes have apparently been committed pursuant to State policy." (Chairperson, 2011).

Unfortunately, the acts of violence increased greatly and compelled the International Committee of the Red Cross (ICRC), as a guardian of the Geneva Conventions, to take action in order to regulate the conduct of armed conflict and limit its effects. The ICRC concluded on July 15, 2012 that "the crisis in Syria is a non-international (internal) armed conflict." (ICRC, July, 2012)

According to the Article 3 of the Geneva Conventions of 1949 and Article 1 of Additional Protocol II, a non-international armed conflict refers to "a situation of violence involving protracted armed confrontations between government forces and one or more organized armed groups, or between such groups themselves, arising on the territory of a state." As well as the International humanitarian law requires that two criteria should be met to be able speak about a non-international (Internal) armed conflict: (1) The armed groups involved must show a minimum degree of organization, and (2) The armed confrontations must reach a minimum level of intensity. The fulfillment of these criteria is determined on a case-by-case basis, by weighing up a number of factual indicators (ICRC, July, 2012).

Moreover, the level of intensity of the violence is determined from a variety of indicators such as the duration, gravity of the armed clashes, the type of government forces involved, the number of fighters and troops involved, the types of weapons used, the number of casualties and the extent of the damage caused from fighting. The level of organization of the armed group is assessed by checking the factors such as the existence of a chain of command, the capacity to transmit and



enforced orders, the ability to plan and launch coordinated military operations and the capacity to recruit, train and equip new fighters (ICRC, December, 2012).

## **2. How Did International Organizations Take The Decision Of Humanitarian Intervention?**

Contrary to the Security Council's action in Libya, to this date, the Council has not agreed to take a definitive action in Syria. In addition to a few presidential statements and a couple drafts of resolutions, the first draft was proposed on October 4, 2011, (S/2011/612). It condemned the systematic human rights violations, demanded the Syrian government to stop the use of force against civilians and called for an inclusive peace process. The draft also expressed the Council's intention to impose sanctions under the Article 41 of the Charter of the United Nations against the Syrian government in case of non-compliance. The draft received nine positive votes. Brazil, India, South Africa, and Lebanon abstained, while China and Russia voted against the draft and thus blocked the resolution (S/2011/612, 2011).

The second draft was introduced on February 4, 2012, (S/2012/77). Its main purpose was to support the Arab League's Plan of Action and withdraw all Syrian military and armed forces from cities and towns. It was also made to ensure the return of the military forces to their original home barracks. However, it stipulated the Council's review of compliance and considered to take further measures in case of non-compliance. As a result, 13 members of the Council voted in favor of the draft. China and Russia, by voting against the draft, blocked its adoption (S/2012/77, 2012).

On March 16, 2012, Kofi Annan submitted to the UN Security Council a six-point peace plan for Syria that included, “ (1) commit Syrian government to work with the Envoy in an inclusive Syrian-led political process to address the legitimate aspirations and concerns of the Syrian people, and, (2) commit to stop the fighting and achieve urgently an effective United Nations supervised cessation of armed violence in all its forms by all parties to protect civilians and stabilize the country and immediately cease troop movements towards, and end the use of heavy weapons in, population centers, and begin pullback of military concentrations in and around population centers, (3) ensure timely provision of humanitarian assistance to all areas affected by the fighting, and to this end, as immediate steps, to accept and implement

a daily two-hour humanitarian pause and to coordinate exact time and modalities of the daily pause through an efficient mechanism, including at local level, (4) intensify the pace and scale of release of arbitrarily detained persons, including especially vulnerable categories of persons, (5) ensure freedom of movement throughout the country for journalists and non-discriminatory visa policy for them, and (6) respect freedom of association and the right to demonstrate peacefully as legally guaranteed.” (AL Jazeera, March, 2012). The Security Council’s action deployed a small, short-lived observer mission to Syria in April of 2012, in order to monitor the six-point peace plan that had been implemented by Kofi Annan, the joint UN-LAS Special Envoy (Binder, 2016, p. 218).

Upon the increasing violence in the country and a general non-compliance with Annan’s peace plan, a third draft of a resolution was put up for a vote on July 19, 2012 (S/2012/538). This draft welcomed the Syrian Opposition held under the approval of the League of Arab States in Cairo on July 3, 2012, as part of the efforts of the League of Arab States to engage with Syrian opposition on a wider spectrum and encourage greater cohesion among the opposition. In addition, the Syrian government was asked to withdraw troops and heavy weapons from population centers in a verifiable way or to face the imposition of sanctions by the Council. Once again, Russia and China voted against the resolution, even though it secured 11 affirmative votes (South Africa and Pakistan abstained) and thus again blocked the proposed resolution from being adopted (S/2012/538, 2012).

As both sides did not respect the ceasefire, the mission of the Security Council was terminated on August 19, 2012 (UNSMIS Background). For more than a year, the Council could not agree on taking any further measures due to the repeated vetoes from both Russia and China.

In August 2013, the Syrian government faced allegations of having used chemical weapons in six separate attacks, killing almost 1,500 Syrian citizens (Kupferschmidt, 2019). The August incidents resulted in threats of the USA to carry out limited military strikes against Syria without receiving any authorization from the Security Council. Russia responded to these pressures by suggesting that Syria should join the Chemical Weapons Convention, which implied the Syrian government to destroy its chemical arsenal under the international supervision (Borger, 2018). The Syrian government acceded to the Chemical Weapons

Convention. Upon a joint initiative of the USA and Russia, the Security Council adopted Resolution 2118 on September 14, 2013 which condemned the use of chemical weapons in Syria and stipulated the details of the procedures to destroy Syria's chemical weapons program and specified the details of the procedures in order to destroy Syria's chemical weapons program and the verification thereof (Resolution 2118, 2013).

### **3. What Was The Main Objective of The Humanitarian Intervention in Syria?**

Similar to the case of the Security Council's resolutions in Libya, the draft resolutions submitted to the Security Council concerning Syria included stopping the use of violence against civilians and returning all Syrian forces to their barracks. The policies of Western countries, on the contrary, were calling for a regime change in Syria and pushing for Assad's removal.

Moreover, some parties in Syria have been supplied with weapons including night vision materials, communication systems, and information about the movements and whereabouts of government forces. The commandos and operatives from the British MI6, Special Forces Support Group (SFSG), Special Air Service (SAS) and Special Boat Service trained opposition combatants in Syria since 2011. This was a step further from supplying armaments and signals intelligence (SIGINT). Similar to that of Libya, the British SAS were on the ground prior to the launching of NATO's military intervention (Chossudovsky, 2012).

On November 2011, the newspaper *Le Canard Enchaîné* revealed that agents of the Service Action de la Direction Générale de la Sécurité Extérieure (DGSE) and of the Commandement des Opérations Spéciales (COS) had been in Syria training defectors from the Syrian army in urban guerrilla warfare and organizing the so-called Free Syrian Army. The training camps were located in southern Turkey and northeastern Lebanon. The Gulf countries were paying the Free Syrian Army, which included many deserters, trying to encourage more defections from Bashar al-Assad's regular army. According to sources in the Pentagon, the CIA was operating many unarmed drones over Syrian airspace in order to monitor the Syrian army's troops movements and the attacks against the insurgents (Bandeira, 2017, p.246).

Therefore, research made by Alamailes and Yurtsever (Alamailes & Yurtsever, 2018), see that the militarization of the protests in Syria might reflect that

the object of the intervention is neither for humanitarian reasons nor democratization of Bashar al-Assad's regime, but to change the balance of forces and redraw the geopolitics of the Middle East in accordance to the interests of the United States and its partners in the European Union.

The Syrian crisis was based on the US - Russian competition in Syria, in three main fields. First, geopolitical field; aimed to prevent the expansion of the Russian influence and replace it with the US. Second; in the energy field by protecting the US economy from any shocks it may suffer as a result of the interruption of the flow of oil or even unexpected rise in oil prices and the third is; finding a new market to increase the weapon exports (Alamailes, & Yurtsever, 2018, p. 40).

#### **4. What Was The Main Impact of the Humanitarian Intervention in Syria?**

After the numerous failed attempts of the Security Council to intervene, the U.S. President, Barack Obama, authorized the CIA to run a covert program, known as "Timber Sycamore," to train and arm thousands of insurgents in order to fight the Syrian forces and topple al-Assad in early 2013. The program aimed to arm some of the rebels and train them in Jordan due to the country's proximity to the Syrian battlefields (Itani, 2017, July). This support included a number of supplies such as small arms, which included rifles, rocket-propelled grenades and valuable anti-tank guided missiles. This program also included monetary support to pay salaries, without which commanders could not recruit or retain fighters who would protect civilians from extremist groups. (Mazzetti, 2016).

The United States and Saudi Arabia were the biggest contributors to this initiative, with Saudi Arabia contributing both weapons and large sums of money and with the C.I.A. providing paramilitary operations that took the lead in training the rebels in the use of Kalashnikovs, mortars, antitank guided missiles and other weapons. Although, they were providing these services, the Jordanian security services would take the responsibility in transporting the weapons (Dreyfuss, 2015).

These acts provided other states the chance to support the armed parties in Syria, in order to gain some benefits and design the new regime of Syria. As a result, this program worsened the Syrian conflict by turning it into a proxy war for regional hegemony especially since the rise of jihadist organizations like Jabhat al-Nusra,

ISIS (Alkaff, Yussof, 2016, pp. 8-11).

As mentioned before, the absence of a comprehensive strategy from the West and its regional allies in Syria contributed to the emergence of an extremist and jihadist group such as ISIS, which controlled half of Syria and 80% of its oil and gas resources.

All that led to the aggravation of the conflict and human suffering in Syria. In the mid-2014, the High Commissioner for Human Rights (OHCHR) announced the death of more than 191,000 people since the beginning of the crisis in mid-March 2011 until mid-April 2014. That is 98,000 more death comparing with what OHCHR was recorded in its previous report in 2013 (Russia Today, 2014).

In July 2014, United Nations humanitarian Emergency Relief Coordinator, Valerie Amos, states in front of the UNSC that more than 7 million Syrians are in need of humanitarian assistance, noting that 4.25 million have been displaced within the country and 1.3 million of refugees fled to neighboring countries. Amos reiterated that because of insecurity, restrictions and insufficient funding, UN agencies may soon be forced to suspend some of their basic humanitarian operations (Al-Riyadh Newspaper, 2013).

On the basis of Amos's statements and the data indicating the extent of the human suffering in Syria, the Security Council at its 7216th meeting, on July 14, 2014 adopted its resolution S/RES/2165 which states in its second article that " The United Nations humanitarian agencies and their implementing partners are authorized to use routes across conflict lines and the border crossings of Bab al-Salam, Bab al-Hawa, Al Yarubiyah and Al-Ramtha, in addition to those already in use, in order to ensure that humanitarian assistance, including medical and surgical supplies reaches people in need throughout Syria through the most direct routes, with notification to the Syrian authorities" and confirms achieving this very need for the use of all border crossings efficiently for the purposes of humanitarian operations of the United Nations (Resolution 2165, 2014).

Article 3 of the same resolution decides also "to establish a monitoring mechanism, under the authority of the United Nations Secretary-General, to monitor, with the consent of the relevant neighbouring countries of Syria, the loading of all humanitarian relief consignments of the United Nations humanitarian agencies and

their implementing partners at the relevant United Nations facilities and any subsequent opening of the consignments by the customs authorities of the relevant neighbouring countries for passage into Syria across the border crossings of Bab al-Salam, Bab al-Hawa, Al Yarubiyah and Al-Ramtha and with notification by the United Nations to the Syrian authorities, in order to confirm the humanitarian nature of these relief consignments;” (S/RES/2165, 2014).

Shortly after providing humanitarian aid, specifically on September 10, 2014, U.S. President Obama ordered airstrikes in various locations in Syria to destroy many places in which ISIS was located. Soon after, 80 countries joined and formed a Global Coalition Against DAESH. All coalition countries agreed not to send armed ground forces and limited their operations to airstrikes and training the "moderate Syrian opposition" and Kurdish forces (Aljazeera, 2015, January 6).

Following this operation, the Security Council unanimously adopted its Resolution 2249 on November 20, 2015. The Council notably called upon all member states to double their efforts against both ISIS and the al-Nusra Front as well as other al-Qaeda affiliates (Aljazeera, 2015, November 22).

A previous speech given by Amos that presented the Syrian developments to the Security Council on October 25, 2013, indicated that the situation on the ground in Syria is increasingly complex and dangerous. Some estimate that there are up to 2,000-armed opposition groups in Syria and that incidents are increasing between these groups, which results in the removal of access to the main humanitarian (UN Office, 2013). However, the Western powers insist on supporting some Kurdish and opposition factions.

The support for both the Kurds and the moderate Syrian opposition boosted the progress of both of these groups, which led the Syrian government on September 2015 to request military aid from Russia against Syrian oppositional militant groups, including the Syrian National Coalition, the Islamic State of Iraq and the Levant, al-Nusra Front and the Army of Conquest (McDonnell, 2015).

Shortly after the beginning of the operation, Russian officials were cited as saying that Russia's goal will not be limited to fighting terrorist organizations such as ISIS, but includes helping the Syrian government regain control of their territory

from different anti-government groups that are labeled by the United States and the Global Coalition as the "moderate opposition". This was also a move to curb the U.S.'s influence (Arkhipov, Kravchenko, and Meyer 2015).

The countries with close ties to Russia, including China, Egypt, Iraq and Belarus have generally supported this contribution. While many other governments close to the US and Human Rights Watch denounced Russia for its role in the war and accused it of complicity in the war crimes in Syria (Human Rights Watch, 2018).

Conclusively, it can be argued that it was difficult for the Security Council to make a decision on the humanitarian intervention under the Russian and Chinese vetoes, especially after the world witnessed many interventions that were based on humanitarian goals. This was meant to protect civilians from crimes against humanity. They instead achieved military incursions as they happened in both Iraq and Libya.

Additionally, arming and training the rebels in Syria along with the militarization of the protests in Libya, clearly identified that any decision made to intervene would not be for humanitarian purposes but for various other reasons that will be identified in the following chapter.

### **III. CONCLUSION**

In the light of the humanitarian interventions that have been conducted after the cold war, and after looking into the various situations, which took place in each of the cases of Iraq, Libya, and Syria, it became a necessity to compare the three cases. This is done by overviewing the backgrounds of the cases since they received independence up until the crisis started, as well as exploring the differences in the main objectives along with the impacts of these humanitarian interventions on the role of international organizations. There have been multiple factors that have been identified to have affected the behavior of the three aforementioned states in the international stage and are reflected through the use of international intervention for humanitarian reasons. Thus, it was necessary to make a comparison between the differences and similarities among the three cases in regard to decisions made, objectives and the results of international humanitarian interventions.

#### **A. International Organizations ' Approach to Humanitarian Intervention in Iraq, Libya and Syria**

In the previous chapter, it was reviewed how international organizations represented mainly by the UN and NATO made decisions for the humanitarian interventions based on the three cases. It was also reviewed how the intervening countries resorted to the UN Security Council in order to pass decisions with the intention to legitimize their intervention in the three cases with humanitarian justifications. It has been shown that the decisions made in an attempt to intervene had already been successfully issued in the Iraqi and Libyan cases, while contrarily, no decision was made so far by the Security Council to intervene in the Syrian case.

In addition, some differences have been noted in the decision-making processes of the international humanitarian organizations among the three cases. In the Iraqi case, for example, after the invasion of Kuwait by Iraq, the Security Council passed its resolution S/Res/678 on November 29, 1990 in order to expel Iraqi forces from Kuwait. Until that point in time, the Security Council took no serious action



neither for the Kurds nor against Iraqi forces because of using weapons of mass destruction. But after the defeat of Iraq in Kuwait leading to the weakening of the Iraqi army, the United Nations resolutions began to emerge as portrayed in resolution S/Res/687 on April 3, 1991, which was put into place in regard to the weapons of mass destruction, and in resolution S/Res/688 of April 5, 1991, which was put into place in regard to the humanitarian intervention and the establishment of a US led no-fly zone without any involvement of NATO forces. The decisions made by the US and British forces continued to control Iraq's oil exports up until the Iraqi invasion of Kuwait that occurred on March 20, 2003, without any permission from the UNSC.

The United States was trying to legitimize this intervention in the public opinion by providing arguments and evidence that Saddam Hussein has chemical weapons. This also implied the possibility of him using these weapons in several attacks not only inside Iraq but also in terrorist attacks outside of Iraq. The USA government also claimed that although the US sanctions on Iraq were imposed, Iraq still sought to enrich uranium in its attempt to obtain nuclear weapons, which may threaten international peace and security (Mueller, 2009, April).

In comparison to the Libyan case, NATO's remarks were considerably different. On February 24, 2011, Anders Fogh Rasmussen, NATO General Secretary, stated as a response to a question asked by Reuters at a press conference in Kiev during the Secretary General's visit to Ukraine:

*"I do not consider the situation in Libya a direct threat to NATO or NATO allies, but, of course, there may be negative repercussions. Such an upheaval may have a negative impact on migration, refugees, etc., and that also goes for neighboring countries. But I would like to stress that NATO as such has no plans to intervene."* (NATO, 2011a, February).

At the same time, the most prominent NATO countries (Germany, the USA, Britain, and France) were working to pass their proposal to the Security Council. This proposal was used for classifying attacks made by Libyan authorities in Libya as crimes against humanity, imposing sanctions on Qaddafi, his family and individuals close to him, banning the sale of weapons to Libya and most importantly, submitting the Libyan file to the International Criminal Court Prosecutor in La Hague.

The aforementioned proposal passed as UNSC resolution S/Res/1970. As a second major step, the Security Council adopted resolution 1973 on March 17, 2011. This provided for the imposition of an air embargo over Libya except humanitarian supplies. In addition, this resolution also provided a decree that "authorizes Member States, that have notified the Secretary-General acting nationally or through regional organizations or arrangements and acting in cooperation with the Secretary-General, to take all necessary measures needed to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi".

On the basis of the same resolution, a military operation led by the United States, the United Kingdom and France was formulated and the NATO North Atlantic Council (NAC) agreement was followed ten days later in order to take over the different military missions set out by the U.S., France, Canada, Great Britain and many others.

As was previously stated, NATO did not want to intervene in Libya. NATO Secretary-General Anders Fogh Rasmussen reported, "The Western alliance had no intention of intervening in Syria". To obtain confirmation about the attitudes of NATO and NATO countries toward the Syrian crisis, a journalist asked NATO Secretary-General if NATO's stance would change if the UN provided a mandate for Syria, Rasmussen's response was doubtful. He declared, "No, I don't think so because Syria is also a different society, it is much more complicated ethnically, politically, religiously. That's why I do believe that a regional solution should be found (Cameron-Moore & Karadeniz,2012, February).

NATO statements were different from the orientations of the NATO countries. The final decisions of NATO, whether in the Libyan case or the Syrian case, are the result of steps taken by the foreign policy of NATO countries, not NATO itself. This was clarified in the Libyan case in which the NATO Secretary-General declared his intention of not interfering in Libya, all the while NATO countries were seeking to pass the decision to intervene in the UNSC. As a result, NATO intervened in Libya.

On the UN platform, the United States, Britain, France, Germany and Portugal were working to pass draft resolutions in the Security Council including S/2011/612 and S/2012/770. These resolutions allow for the necessity to withdraw all Syrian military and armed forces from cities and towns, to return to their original

home barracks and to hold those responsible from all these violence and human rights violations. They were also intended to stop the use of violence against civilians. But no resolution could be passed because of the vetoes of the Russia and China.

Thus, it can be said that international organizations were not a major factor in the decision-making process for the humanitarian intervention in the three cases, but rather it was the states that acted in the framework of intervention and issuance of decisions. The Western countries had their previous preconceptions, which influenced the international organization's decisions in the Iraqi and Libyan cases, in order to obtain international legitimacy for humanitarian intervention that later turned into military intervention. Whereas the on the face of the inability to obtain a resolution that would allow for intervention in the Syrian case, Western countries waged a proxy war and intervened under the pretext of defeating ISIS.

### **B. Comparison of the Main Objectives of the Humanitarian Interventions in Three Cases**

After studying the main objectives of the humanitarian interventions separately in the three cases, this research helped in identifying whether the primary objective of international humanitarian intervention was indeed altruistic or not. This was made clear through the Western power's attempts to change the regimes in these countries and protect the borders and interests of Western countries.

From the realist theory point of view, power and interests are the most important factors in the world of international relations where humanitarian rules have no effect. Therefore, it could be reported that the most common factor of these points found it not to protect the humans in the three cases but to destroy the chemical weapons which could be threatening the western power counties and its interests in the region.

In the Iraqi case for instance, when Saddam Hussein led the ruling party, the Arab Socialist Baath Party, Iraq started a secret nuclear weapons program in the 1970s after France agreed to sell Iraq a research reactor (called Osirak or Tammuz-1) in 1976. However, Iraq's program faced a setback when an Israeli aircraft bombed the Osirak reactor on June 7, 1981, which destroyed the reactor's core (Cochran &

Norris, 2019, December).

Additionally, Iraq was interested in both developing and purchasing of chemical weapons. According to the reports of the American Secretary of Defense, Iraq first developed the capability of chemical weapons in the early 1960s and was able to produce tons of mustard gas by 1983 (Nuclear Threat Initiative, 2015, July).

There is a great difficulty in finding which countries were in possession of chemical weapons because any country with a petrochemical, pesticide, fertilizer, or pharmaceutical industry has the potential to produce chemical weapons. This can also be determined by a number of factors whether it be in terms of equipment, raw materials and technical expertise, which can produce some chemical warfare agents. Without direct access to such facilities, it is nearly impossible to know whether activities being undertaken are of a commercial or military nature (Lesser, 2004, p. 253).

Based on this information, the use of chemical weapons in Kuwait, the Iran-Iraq war, and against the Kurds in Halabja identified as being used for military purposes. Additionally, this led to being able to identify that Iraq has had some experience in the production of chemical weaponry in the past. Iraqi Government also admitted to producing anthrax, botulinum toxins and aflatoxins as well as admitting to preparing biological agent filled munitions and deploying them to airfields. These also included missile warheads and aerial bombs, which helped in proving its military capacity (Office of the Secretary of Defense, 2001).

All these supported an important component of the debate on the security in the Middle East along with its implications for Western interests since the 1970s, especially with Iraq's attempts to be a regional and international actor in order to be both participating and in control of international politics. This was made clear by the invasion of Kuwait. This invasion, however, crossed the boundaries of the international order as it was classified as an attack by a UN member state against another UN member. It also threatened more than a fifth of global oil production flowing to the West, which could potentially repeat the 1973 international oil crisis.

As a result, the United States has repeatedly tried to impose sanctions on the Iraqi government in an attempt to rein Saddam Hussein, but has not succeeded. This prompted the U.S. to consider replacing the Iraqi regime itself especially after the

9/11 attack, This was accompanied by great uncertainty about the motivations and strategies of regional actors of pan-Arabism such as Iraq, Libya and Syria. Moreover, the uncertainty about whether Iraq has destroyed weapons of mass destruction or not, deteriorated the situation.

The situation in Libya is not very different from Iraq. Libya had also resorted to socialist based principles in terms of ruling the country. After Qaddafi came to power, the Libyan Revolution Command Council (RCC) abolished the kingship system and the old constitution. Instead, Qaddafi established Libyan Arab Jamahiriya through a socialist based system, which as a result changed the official name to the *Socialist People's Libyan Arab Jamahiriya*. He later added 'Great' to the name after the American raid occurred on April 14, 1986. This was in consideration of the fact that Libya had defied the Great Powers in order to become the *Great Socialist People's Libyan Arab Jamahiriya* and took the slogan of "freedom, unity and socialism", which was fairly similar to the slogan of the Arab Socialist Baath Party in Iraq and Syria.

Libya also had a persisting effort in acquiring and/or developing a nuclear weapon but has apparently made little progress. Instead, Gaddafi decided to buy chemical weapons instead of developing a nuclear weapon. This decision left the Western powers with an ongoing question about the existence of Libyan chemical weapons, including long-range missiles. (Lesser, 2004, p. 260).

Since the early 1990s, Libya has explored the capabilities of their purchase of the Scud-C and intermediate-range systems from North Korea, which have the capacity of reaching 1,000 km or more. They also purchased the No Dong, that had up to a 1,300-km-range, and the Taepo-Dong, a missile that had up to a 2,000-km (Lesser, 2004, pp. 260). Libya fired Scud missiles at a US Long Range Aid to Navigation System (LORAN) station on the Italian island of Lampedusa in 1986 and has repeatedly threatened to strike various targets in southern Europe (Office of the Secretary of Defense, 2001).

Therefore, Libya's missile programs including Frog, Scud and Dong missiles were arguably the concerns for both American and European governments. This was especially true since they retain the capability of a trans-Mediterranean range, which sharply increased the exposure to risk among the NATO allies, encouraged the NATO intervention in Libya and destroyed Qaddafi's strongholds to secure its border

under the guise of humanitarian reasons. Qaddafi has a history of strikes against the West such as the bombing of La Belle Discotheque in 1986, attacking the US LORAN station in the Italian island by Scud missiles in the same year, the detonation of two planes PAN AN flight 103 in 1988 and the UTA flight 772 in 1989, all as reprisals for decisions made against him. Therefore, it was necessary for western powers to triumph over the Qaddafi regime, especially after the 1973 UN Resolution that imposed an air embargo in fear of any reaction that could potentially threaten the security of Europe or the United States of America.

As for the Syrian case, Syria is also ruled by the Arab Socialist Baath Party. Similar to the Iraqi and Libyan administrations, Syria also had an interest in weapons of mass destruction, but Syria has not been accused of pursuing a nuclear capability in general. There was however suspicion that they had a nuclear reactor, which was bombed by the 2007 airstrike from Israel as well as the small Chinese-supplied research reactor, which is under International Atomic Energy Agency (IAEA) safeguards. On the other hand, Syria obtained chemical artillery shells for the first time from Egypt in 1973 right before the Arab-Israeli war. This purchase was made to create a deterrent in case of a chemical attack by Israel or Syria's defenses completely collapsed. Syria, however, did not use them (Diab, 1997, p.109).

Following this, Syria has acquired an indigenous chemical weapon (CW) capability and decided to build a substantial missile force to deter an Israeli strategic bombing campaign in the region and in Lebanon in 1982-1983. Most of these programs depended on the precursor materials that were imported from the Soviet Union (Nuclear Threat Initiative, 2012, August).

During the beginning of the 2000s, Syria has reinforced its interest in other Weapons of Mass Destruction (WMD) and the means for their delivery, specifically in a tactical setting. Syria received an arsenal full of several hundred mobile Scud-B, Scud-C and (Russian) SS-21 missiles. North Korea, China, Iran and Russia are all suppliers of ballistic missiles as well as missile technology to Syria. The country also has a capacity for domestic production. Syria has also tested a longer-range Scud-D.17. These systems have the capability of reaching Israel as well as most of Iraq, Jordan and Turkey (Office of the Secretary of Defense, 2001, p.45).

Unlike Libya or Iraq, the political leadership in Syria, whether it be President Assad's father or son, was not a direct threat to the West, except for some indirect

policies that were placed such as building alliances with Russia, China and Iran. There was also the support of Hezbollah, which is classified by the US as a terrorist organization. Additionally, one of the indirect policies placed allowed the political leaders access to making orders pertaining to the war between Syria and Israel, which could flare up at any moment.

Despite the fact that Syria has built substantial stockpiles of a nerve agent (Sarin) and missiles capable of being transported by aircraft as a cost-effective measure in order to maintain its regional weight in the face of a growing conventional weapons gap with Israel, Syria has no history of deploying chemical weapons against Western powers.

When Damascus faced allegations of using chemical weapons against civilians in August 2013, the Syrian government hastily joined the Chemical Weapons Convention, which obligated the Syrian government to destroy its chemical arsenal under the international supervision of a joint initiative taken by the USA and Russia. Following that, no international proposal for humanitarian intervention in Syria or any American statement about the overthrow of Assad was brought up on any agenda.

From that very fact, it is shown that there is a lack of certainty on the side of the Western Powers regarding the three aforementioned countries' intentions for using and developing WMD. This could potentially reinforce Western Powers' fears about protecting their interests in the region along with protecting their own countries.

The spread of WMD, whether through technology or reinforced by long-range missiles in the Middle East, has been connected to international terrorism conducted from the Middle East, which will affect security on a global basis. Based on Western studies, this was especially true after the events of September 11th.

Based on these studies, Asia, the Middle East, Europe, Eurasia and the Western Hemisphere became far more interdependent in terms of security, especially if WMD could switch from an operational "world of defenses" standpoint to a strategic "world of attack" perspective. Due to the proliferation of weapons in the region or increasing security threats, the WMD could possibly make this shift from a "world of defenses" operation to a strategic "world of attack" operation. Perhaps the

2003 war against Iraq was the unequivocal evidence that the issue of WMD possession/potential use can be used to justify the war and their actions as having the right to intervene or replace the regimes under humanitarian covers, especially if there are doubts about the leadership and policies of the decision-makers in the concerned countries.



**Figure 2:** Estimated Ranges for Potential Ballistic Missiles in Iraq According to the American Office of the Secretary of Defense in 2001

(Source: Report to Office of the Secretary of Defense, Proliferation: Threat and Response, January 2001, available at: <https://fas.org/irp/threat/prolif00.pdf>)

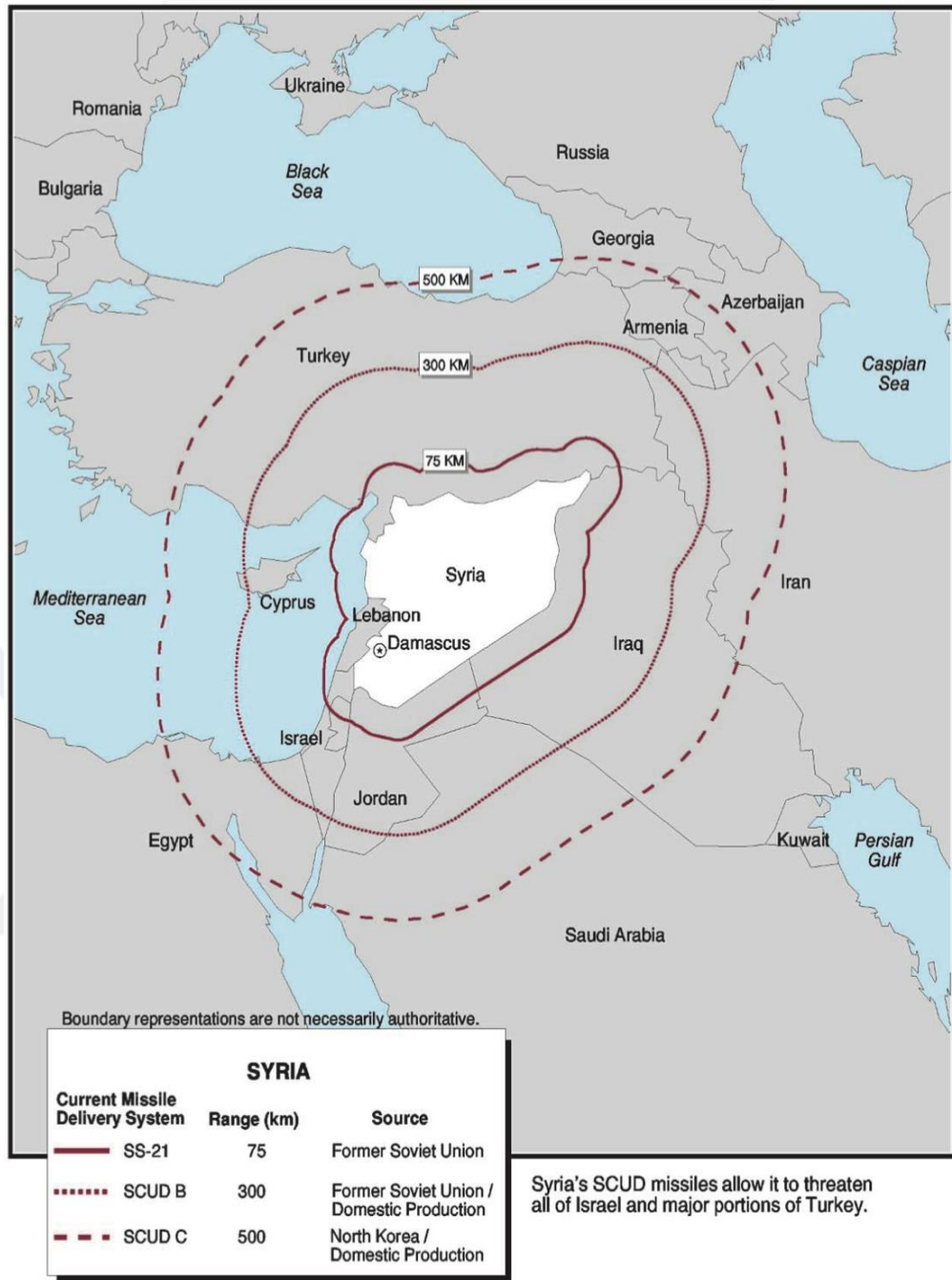




Since the suspension of UN sanctions in April 1999, Libya has expanded its missile technology procurement effort.

**Figure 3:** Estimated Ranges of Potential Ballistic Missiles in Libya According to the American Office of the Secretary of Defense in 2001

(Source: Report to Office of the Secretary of Defense, Proliferation: Threat and Response, January 2001, available at: <https://fas.org/irp/threat/prolif00.pdf>)



**Figure 4:** Estimated Ranges of Potential Ballistic Missiles in Syria According to the American Office of the Secretary of Defense in 2001

(Source: Report to Office of the Secretary of Defense, Proliferation: Threat and Response, January 2001, available at: <https://fas.org/irp/threat/prolif00.pdf>)

### **C. Impacts of Humanitarian Interventions in the Three Cases**

By comparing the impacts of the so-called humanitarian interventions based on the three cases with the decisions of the international organization, it is clear that its completely distinctive from the overall goals of the United Nations resolutions and draft resolutions in Iraq, Libya, and Syria. But if it is compared to the impacts of the humanitarian interventions with the objectives of the great powers from a realistic perspective, it is possible to obtain common links.

The United Nations Resolution 668, for instance, implicated the removal of Iraqi forces from Kuwait but did not initiate the establishment of an American base in Iraq. This resolution neither provided support to the Kurds nor the Shiites against the Saddam Hussein regime nor did it suggest the overthrow of the regime for humanitarian or democratic reasons.

Similarly in Libya, Security Council Resolution S/RES/1973 created a no-fly zone that would involve removing Libya's air defenses, which included air bases, runways and helicopter gunships. It also entailed that Qaddafi's ground forces would be vulnerable to strikes if they were to attack towns. Along with that, Libyan naval vessels would be subjected to ground attacks and strikes if used for bombardment.

By this resolution, the Security Council was trying to protect Libyan civilians from Qaddafi's airstrikes. NATO, however, went even further with the decision made by destroying Qaddafi's strongholds and assisting the rebellions with overthrowing him. This was done by providing training to the rebels and providing them intelligence support.. NATO also bombed the Brega pipe factory, which supplied the pipes that were necessary for providing the water supply that originated from the 'Great Man-Made River'.

Concerning the Syrian case, it was evident how difficult it was to make an international decision for the humanitarian intervention, especially considering the repeated vetoes from Russia and China. Therefore, the methodology applied in Iraq and Libya was also applied in Syria through supporting the rebels by providing them with weapons and funding them without confirming if any Security Council resolutions were in place.

If this indicates anything it would be the formalities between both the Security Council and United Nations resolutions to the intervening countries.

Moreover, it signifies that what cannot be implemented from a global government will be implemented by the great powers individually in order to protect their interests and goals. But the question remains, why the Security Council is unable to issue a resolution for humanitarian intervention in Syria even though it was able to pass the resolution in both Iraq and Libya?

There are two important studies that respond to this question. The first study was conducted by Stefan Hasler (Hasler, 2012) where he explained the humanitarian intervention in Libya and the non-intervention in Syria. This study attributed to the response due to the comparison conducted of the army power's military hardware and their reserves between the Syrian and Libyan army as shown in Table-1 below. Apart from the military hardware, the study also covered the difficulties that came from a geographical topography perspective. It also explored the differences between the Syrian and Libyan society's social differences from either a population or national affiliation matter.

The second study was conducted by Martin Binder in his book (Binder, 2016). He focused on the issue of the selectivity of UN decisions in order to intervene in Libya and non-intervene in Syria. Binder's study also found that the Syrian army's military strength also had a role in the selectivity of the Security Council's decision pertaining to the Syrian case and non-interference. Both studies dealt with the issue of the selectivity of the UN's decisions to intervene in Libya and non-intervene in Syria.

**Table 1:** Comparison between the capability of Libyan and Syria forces

Forces / Country	Libya	Syria
Active Personnel	80,000	292,400 Other estimates range from 300,000 to 400,000.
Reserves	45,000 (Militia)	352,500
Tanks	530	4950
Infantry fighting vehicle	2840	6610
Artillery	650	2160
Anti-air weapons	580	3310

**Table 1:(con)** Comparison between the capability of Libyan and Syria forces

Aircraft	480	830
Navy Ships	21 (2 Frigates) (2 Submarines)	19 (2 Frigates) - - -
Long range strike systems	- - -	Existing, number unknown
Force Readiness	Low	Low media
Sustainment	Poor	Poor
Population	6,400,000	22,500,000
Geography	Mainly desert	Stony desert Mountains

(Source: Stefan Hasler, Explaining Humanitarian Intervention in Libya and Non-Intervention in Syria, master thesis, Naval Postgraduate School, Monterey, California. June 2012. p. 94)

Based on this research, the researcher perceives that despite the military's importance and strength of the Syrian army, it was not the main nor was it the most important factor in the failure of passing the Security Council's resolution on humanitarian military intervention in Syria.

This idea is justified through the fact that after Iraq's invasion of Kuwait, an international coalition led by the United States was formed based on a request made by the League of Arabs asking for the removal of Iraq from Kuwait. This was carried out due to the Arab countries' inability to solve this matter neither collectively nor individually. This was according to what was presented in the discussions between the League of Arabs following the Iraqi invasion (MBC production, 2014, February).

Thus, despite the difficulty of having precise information and exact numbers about the greatness of the capabilities and strengths of the Iraqi army in 1991 compared to the current Syrian army. However, it can be assumed that even though the Iraqi army was stronger, they were, nevertheless, defeated.

This indicated that if either an Arab coalition (Saudi, Qatari, etc.) led by the United States of America or a coalition of Western armies led by the United States is formed, it will be able to defeat the Syrian army easily even with the presence of some Iranian or Hezbollah parties.

The main factor that distinguished the Syrian case from the Libyan and Iraqi cases and also prevented the Security Council from issuing any agreement to intervene in Syria were a number of factors. Firstly, it was the alliances that Damascus had built based on a realistic policy that was put into place with two of the five countries that have the power to veto in the Security Council, which is according to a strategic policy the only and last outlet for Russia and China to the Mediterranean Sea.

Secondly, when the political and military parties conspired against the Syrian government they didn't face the same hardship as the one that the Libyan government faced when Abdul Rahman Shalgam, the Libyan government delegate and United Nation representative, and Abdel Fattah Younis, one of the most prominent officers/founders of the Libyan Jamahiriya, conspired against the government. This was due to the fact that the Syrian political system was designed by President Assad's father in 1970. Due to these matters, it made for a more concrete system that would be harder when it came to conspiracies for them to have any sort of effect on the political regime.

Upon these discussions, it is possible to reach the conclusion that international organizations are not a major factor in international relations and international humanitarian intervention, but are still governed by the great power's motivations and orientations.

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