



North Atlantic Treaty Organization

Topic B: Strengthening of strategies and protocols to avoid the violation of human rights by NATO forces.

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Introduction to the Committee

In 1949, the North Atlantic Treaty was created; it is a security alliance of 30 countries in North America and Europe. The fundamental objective of NATO is to safeguard the freedom and security of the Allies by political and military means. NATO remains the primary security instrument of the transatlantic community and an expression of their common democratic values. It is the practical means by which the security of North America and Europe are permanently linked. NATO enlargement has furthered the American goal of a whole Europe, free and at peace.

NATO comprises two main parts, the political and military components (NATO, 2021). NATO Headquarters is where representatives of all Member States meet to make decisions by consensus. It also offers a venue for dialogue and cooperation between partner countries and NATO Member countries, allowing them to work together in their efforts to achieve peace and stability. The key elements of NATO's military organization are the Military Committee, composed of the Chiefs of Defense of NATO member countries, its executive body, the International Military Staff, and the military Command Structure, which comprises the Allies' Operations Command and Allied Command Transformation.

Introduction

Human Rights are the prerogatives based on human dignity, whose practical realization is essential for the person's integral development. This prerogative is established within the national legal system, the Political Constitution, international treaties, and laws. Human rights are inherent to all human beings,

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regardless of nationality, residence, sex, national or ethnic origin, color, religion, language, or other conditions. All people have the same human rights without discrimination; they are interrelated, interdependent, and indivisible.

According to the United Nations, universal human rights are enshrined and guaranteed by law through treaties, general principles, and other sources of international law. In addition, international law establishes the obligations that governments must take measures in certain situations or refrain from acting in specific ways in others to promote and protect the human rights and fundamental freedoms of individuals or groups. Respect for the human rights of each person is a duty of all. Therefore, every authority should promote, respect, protect and guarantee the human rights consigned in favor of the individual. Human rights include the rights and obligations of all people, without any race, nationality, gender, or age.

Individual guarantees refer to the protection of the rights of people established in each country's constitution; they are rights that every individual possesses by being born, regardless of nationality, race, sex, age, religious or political beliefs. The primary function of individual guarantees is to establish the minimum rights that the person must enjoy and the conditions and measures to ensure their respect and peaceful enjoyment. Furthermore, it is an instrument that limits the authorities to guarantee the principles of social coexistence.

The main difference between individual and human rights is that personal guarantees are concrete expressions that will allow adequate respect for human rights, appealing to the legal framework of each country. *Personal guarantees* are rights that every individual possesses by the simple fact of being born, regardless of nationality, race, sex, age, religion, or political beliefs.

In 1948, the Universal Declaration of Human Rights emerged (United Nations,

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2022). Of the 56 Members of the United Nations at that time, eight did not vote in favor of equal human rights. Since then, international human rights have made tremendous progress. However, this does not mean that some do not violate these rights daily.

The development of the defense of human rights is not a linear process. The last two decades have shown that human rights progress has stalled or slowed in some parts of the world. Moreover, socially disadvantaged groups in society are especially susceptible to discrimination. These include women, children, ethnic minorities, people with disabilities, refugees, indigenous peoples, and people living in poverty.

A violation of human rights denies the freedom of thought and movement to which all human beings are legally entitled. While individuals may violate these rights, the leadership or government of civilization often looks down on marginalized people. The ramifications of human rights violations disproportionately affect those living in developing countries due to aggravating factors and hardships. There are blatant examples of human rights violations that continue to this day. The use of torture or other inhuman treatment is a typical example. So, it is the imprisonment of political opponents simply for peacefully protesting their government or even the persecution of religious or ethnic minorities.

According to the United Nations, human rights violations are increasingly common and occur in fields created by our society. For example, privacy rights are systematically violated online through data collection during election cycles or the daily use of political advertising. People's right to privacy and our right to access information may be the most frequently violated human rights in Western democracies. Governments have economic interests at stake in cases where human rights violations are not considered severe enough to compel action.

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Eventually, one of the purposes of the Charter (1945) of the United Nations is to maintain international peace and security. Violence and conflicts undermine sustainable development. Human rights violations are a root cause of conflict and insecurity, resulting in more human rights violations. Therefore, actions to protect and promote human rights have inherent preventive powers, while rights-based approaches to peace and security bring this power to efforts to achieve sustainable peace. The human rights normative framework also provides a solid foundation for addressing issues of great concern within or between countries that, if not addressed, may lead to conflict. (United Nations, 2022)

Failure to comply with international norms and the lack of protection of human rights weaken actions to establish, maintain and consolidate peace. These shortcomings affect global efforts to combat terrorism and prevent the spread of violent extremism. For this reason, the United Nations has established a protocol to renew the focus on prevention and peacekeeping to avoid the violation of rights and peace in the world. In recent decades, conflicts and aggression toward people have changed drastically. Attacks by armed groups, intra-state conflict, cyber threats, climate change, and human rights violations pose real risks. They often directly affect individuals and communities in ways that have brought about a change in thinking about approaches to security.

NATO (2022) and its allies contribute to protecting civilians by integrating related measures into the planning and execution of NATO-led operations and missions. The safety of civilians includes all efforts to avoid, minimize and mitigate the adverse effects that may arise from NATO-led military operations. This organization integrates the protection of civilians from the beginning of a process, mission, and other entrusted activity. Drawing on the experience of Kosovo and Afghanistan, NATO and its partners have developed specific guidelines and policies for protecting civilians in the planning and conduct of NATO-led operations and missions.

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The North Atlantic Treaty recognizes the protection of cultural property as an essential consideration in the military environment and a fundamental indicator of community security, cohesion, and identity. Moreover, the destruction of cultural symbols can have critical political dimensions and become a tactic to weaken affected communities. Therefore, recognizing the link to the broader protection plan and protecting cultural property is an essential aspect of NATO's human security approach to operations and missions and a valuable component of NATO's efforts to build peace and security.

The Declaration of the Rights of Man and the Citizen, adopted in 1789 by the French National Assembly, represents one of the fundamental charters of human freedoms, containing the principles that inspired the French Revolution. The actual value introduced by the Declaration was that "all men are born and remain free and equal in rights," which embodied in the rights to liberty, private property, inviolability of the person, and resistance to oppression according to the constitution of 1795. All citizens are equal before the law and should have the right to participate in legislation directly or indirectly; no one was to be arrested without a warrant.

However, what was previously established has not been fully respected over the years. As a result, human rights violations have become a severe and relevant problem today. It represents organizations, governments, and authorities who do not always respect a problem for people because of their rights.

In Afghanistan, parties to the conflict continued to commit significant violations of international humanitarian law, including conflict crimes and other serious human rights violations and abuses with impunity. Homicides, both indiscriminate and selective, reached unprecedented figures. The targets of the Taliban and non-State actors included human rights

defenders, women activists, journalists, humanitarian and health workers, and

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ethnic and religious minorities (Security Council, 2022).

A variety of violations of the Geneva Conventions (1949) and the Convention on the Crime of Genocide (1948) are reported in numerous reports of the Human Rights Commission on the former Yugoslavia. The attacks on the civilian population consisted of the indiscriminate attack on villages, the restriction of humanitarian aid, and the use of toxic weapons or others violating the laws on the use of this in the war; the arbitrary destruction of cities, pillage, the taking of civilians as hostages, torture, or inhuman treatment. Furthermore, according to the reports mentioned above, it can be seen that "ethnic cleansing" has been used to occupy territory in the conflict in Bosnia and Herzegovina.

The Belgrade Center for Human Rights (BCHR), a Serbian non-governmental organization (NGO) established in 1995 by activists and humanitarian experts, has heard a scathing report. The document refers to the situation faced by ethnic Albanians, including the consequences of the North Atlantic Treaty Organization (NATO) airstrikes against the breakaway Serb province of Kosovo in March last year. It also reports growing repression by the authorities in the rest of the country under the pretext of a state of conflict established during those attacks. The Belgrade Center for Human Rights (BCHR), a Serbian non-governmental organization (NGO) established in 1995 by activists and experts on humanitarian issues, released a scathing report. NATO later claimed its attacks were necessary to protect Kosovar Albanians from Serbian repression.

The US government (2021) has stated its purpose to restore the country's human rights record, but the results in policy and practice have been uneven. The authorities collaborated again with the international human rights institutions of the United Nations and multilateral initiatives to combat climate change. Still, they did not adopt asylum and immigration policies respectful of human rights concerning the border between the United States and Mexico,

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nor materialize their human rights program at the national level.

Lawson's "global security" and "reinforcement of republican values" in France raised concerns about mass surveillance and the right to freedom of expression. Authorities used vague and overly broad criminal provisions to arrest and prosecute peaceful protesters and used dangerous arms to maintain order at public gatherings.

In the wake of the July 2016 coup attempt, routine extensions in Turkey have led to severe human rights violations against hundreds of thousands of people, from arbitrary detention to torture and other fundamental rights abuses. As a result, the Office of the High Commissioner for Human Rights (OHCHR) published a report denouncing violations of rights by Turkey. To exemplify, the arbitrary deprivation of the liberty to work and freedom of movement, torture, and other ill-treatment, arbitrary detentions, and violations of the right to freedom of association and expression.

Meanwhile, the human rights situation in China continues to worsen (Amnesty International, 2022), with human rights activists and lawyers reporting harassment and intimidation, unfair trials, long-term arbitrary solitary confinement, detention, and torture. Other ill-treatment simply for exercising their right to freedom of expression and other human rights.

Historical Background

The first concrete manifestations of declarations of individual rights, with legal force, are based on the recognition of rights inherent to the human being imposed on the state as an object of recognition, respect, and protection arising from the American Revolution. On June 12, 1776, it was declared that:

All men are by nature equally free and independent and have certain innate rights, of which, when they enter into a state of society, they cannot deprive or dispossess their posterity of knowledge by any

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agreement. The enjoyment of life and liberty, with the means to acquire and possess property, and seek and attain happiness and security.

These declarations recognize the individual rights of the human being, inherent to their very condition, for which the norms contained therein are above all the ordinary legislative power; and this is not because of a matter of simple formal rank among the sources of law, but because they are the work and creation of a Superior Legislator. The Declaration of Independence of the United States has been mentioned in previous decades. In what would be a lasting milestone in the French Revolution, on August 26, 1789, the National Assembly modified the Declaration of the Rights of Man and of the Citizen, which acknowledges and declares "that men are born and remain free" (Marquis De Lafayette, 1789).

In the 1990s, NATO and its partner countries were committed to strengthening strategies and protocols to prevent human rights violations. It has been supported by developing a diverse set of policies and guidelines in areas such as children and armed conflicts. Women, harmony, guarantee, security, and violence gender associated with disputes, NATO and its operating partners have learned essential lessons from the effort to mitigate civilian casualties during the ISAF operation. Allies and partner nations recognized the need to bring such policies, guidelines, and studies into an overall approach that more consistently addresses the protection of civilians in relevant NATO operations, missions, and activities. Regarding the evolution of the conflict, we will address the case of the intervention of Nato in Yugoslavia (NATO, n.d.).

Intervention in Yugoslavia. On March 23, 1999, NATO began a bombing campaign for three months in opposition to the Federal Republic of Yugoslavia (FRY), whose purpose was to prevent the ethnic cleansing of Kosovar Albanians in the semi-autonomous region. Serbia, by the authoritarian Slobodan regime, the audacity to launch a "humanitarian intervention" and how the campaign was carried out was a source of disagreement and much

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controversy. It unsurprisingly violated such a "fragmented concept" of the International Standards of non-intervention (Holst, 1994, p.138).

While NATO offers self-justifications that liberate and solidarity just conflict scholars use to argue that the intervention had degrees of moral legitimacy, opponents from various theoretical schools reject NATO's moral right to launch what can be described as a "humanitarian conflict" (Roberts, 1999, p.102). Due to the continuous attacks against the Albanian population that caused a massive displacement of refugees, NATO decided to implement Operation Allied Force to put an end to the actions of the Serbs. "However, NATO airstrikes, far from stopping the humanitarian crisis, 'added a new dimension to it, thus contributing to the largest refugee exodus since World War II" (Roberts, 1999).

On June 10, 1999, the United Nations Security Council (UNSC) adopted Resolution 1244 to provide for the deployment of international civilian and security presences in Kosovo under the auspices of the United Nations. Nations, under a peace pact agreed to by the Federal Republic of Yugoslavia called The Military Technical Agreement. Acting under Chapter VII of the Charter of the United Nations (...), the Security Council authorized the Secretary-General to establish an international civilian presence to provide an interim administration in Kosovo (UNMIK)(S/RES/1244 (1999) And further, authorized the UN Member States and relevant international organizations to establish a global security presence, with substantial NATO participation and operating under "unified command and control." These actions develop a secure environment for all people in the world. However, during the intervention, some questions about how NATO carried out the attacks began to arise.

Accusation of Belic conflicts crimes. NATO argued that it was not violating the rules of conflict and that, contrary to indications, it was following Additional Protocol I. However, the incidents that occurred demonstrated the opposite in

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the eyes of some academics. This section aims to briefly and concisely describe the reported facts that will later be useful for analysis in the light of International Humanitarian Law (OHCHR, n.d.).

According to the United Nations security council, humanitarian intervention is understood as an option that the international community has to act, sometimes with the use of force, in cases where there is a violation of people's human rights within their States. Humanitarian intervention means, for many, the internationalization of the human conscience and the need to worry about each person's affairs and those of others. At the same time, a contrast between the protection of human rights and sovereignty, state self-determination, and the prohibition of the use of force (Rashid, 2012).

Meanwhile, sovereignty is understood in the classic and absolute sense that States have self-determination and manage their internal affairs as they see fit. It is enshrined in Article 2 of the Charter of the United Nations, and the ban on the use of force, understood as non-interference, is enshrined in the same Charter. Therefore, humanitarian intervention represents a transgression of established international regulations for many (NATO, 2001).

NATO policy "Zero tolerance." Following the prevention of violating human rights, a policy was created on November 20th, 2019. It was implemented towards all personnel, specifying NATO's zero-tolerance approach. This policy means that certain types of behavior are intolerable. It also tells us how to avoid it and how the Allies will work as a team to ensure the delivery of results. The policy is mainly based on warning, which is crucial so that people can defend women and girls and all those in a situation of danger (NATO, 2019).

As a result of this policy, NATO has ensured that reporting mechanisms are in situ to enable whistleblowers to duly and adequately submit suspected sexual exploitation and abuse cases to the proper authorities, to be handled in paragraphs 16 and 17. Nations are answerable for conducting investigations

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and conducting appropriate administrative, disciplinary, or criminal proceedings about allegations of sexual exploitation and abuse against their personnel. Discipline over military and civilian personnel provided by the Nations may be a national responsibility.

For personnel not included in paragraph 16 above, the relevant NATO authorities are chargeable for conducting preliminary investigations and completing appropriate administrative and disciplinary procedures associated with sexual exploitation and abuse allegations. Following NATO practice, if preliminary studies indicate that further criminal investigation is warranted, the preliminary results will be turned over to the proper national authorities.

Trafficking policies. By creating responsibility and awareness, demanding training, and taking other measures to establish a favorable environment for preventing sexual exploitation and abuse. The policy sends a clear message that there is greater protection and support and the confidence of citizens of NATO and those countries that are part of the Alliance (UNODC, 2004).

According to NATO Secretary-General Jens Stoltenberg, politics is "another practical way in which we show our commitment to our fundamental principles and values, including respect for human rights." Accordingly, NATO is exposed to the development of gender equality and Women, Peace, and Security principles in any of its responsibilities and functions, whether military or citizen (Federal Department of Foreign Affairs).

The Fourth Geneva Convention was approved on August 12, 1949, by the Diplomatic Conference to Prepare International Conventions for the Protection of War Victims, held in Geneva from April 12 to August 12, 1949. Entry into force: October 21, 1950. In brief, this agreement prohibits attempts against life, mutilations, hostage-taking, torture, humiliating, cruel, and degrading

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treatment, and all judicial guarantees must be offered. Furthermore, it establishes that all persons who do not participate in hostilities or fall into the adversary's power must be treated humanely, without any adverse distinction.

Fourth Geneva Convention. In response to these developments, two Additional Protocols to the four Geneva Conventions of 1949 were approved in 1977. These instruments strengthen the protection afforded to victims of international conflicts (Protocol I) and non-international conflicts (Protocol II) and set limits on how wars are fought. Protocol II is the first international treaty dedicated exclusively to situations of non-international armed conflict. This agreement defines the obligations of the occupying power towards the civilian population. It contains specific provisions regarding the humanitarian aid the civilian population of occupied territories is entitled to receive. In addition, it includes a particular regime for treating civilian inmates. It has three annexes containing a model agreement on health and safety zones, a draft regulation on humanitarian relief, and model cards (ICRC, 2010).

Current Relevance

International Amnesty reports. The violation of human rights is the leading cause of conflicts and insecurity, which simultaneously generate new breaches of these rights. Protecting these rights has a vital role because they seek to achieve sustainable peace; in the same way, human rights address issues of concern between countries to avoid conflicts. The failure to meet or protect international human rights standards undermines efforts to establish and maintain peace and counter-attacks by armed people and prevent the spread of violence. Upholding international human rights standards helps reduce inequality and threats (OHCHR, n.d.).

The United Nations, besides protecting and safeguarding human rights, collects information, data, and analysis of human rights that are integrated into the analysis and warning systems. These systems influence the development

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of international policies, strategies, and operations to prevent, mitigate or respond to emerging crises, including humanitarian crises and conflicts (OHCHR, n.d.). In 1961, the Amnesty International non-governmental organization was founded to ensure that human rights are recognized and respected. This organization seeks to publicize violations by governments in the Universal Declaration of Human Rights (1948), mainly focusing on freedom of expression and the right against torture. At the same time, it works with intergovernmental human rights organizations to comply with human rights protections (Britannica, 2022). It involves more than 10 million people who look for a world where everyone enjoys human rights. It is independent of political ideology, economic interest, or religion. International Amnesty involves the release of political prisoners to defend every human right and protects people with sexual and reproductive rights, including refugees and migrants (Amnesty International, n.d.).

Amnesty International's 2017/18 report documents the state of human rights in 159 countries and territories during 2017. Conflicts, natural disasters, and economic problems led the population to develop less and greater insecurity. As a result, many people had to flee and

seek refuge elsewhere. Discrimination sometimes became deadly for the victims, and many governments took measures against freedom of expression (Amnesty International, 2018). Recently, the Amnesty International report 2021/22 shows that countries' promises to rebuild after the covid-19 pandemic were not fulfilled, governments used the pandemic as a pretext, and new conflicts arose (Amnesty International, 2022). According to the Amnesty International report 2021/22: "Our monitoring of 154 countries during 2021 reveals alarming repression worldwide of the rights to freedom of expression, association, and peaceful assembly" (Amnesty International, 2022). This is partly illustrated by the analysis of the number of countries in which 43% have new laws restricting freedom of expression in their citizens, as well as

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associations between them and peaceful meetings. In addition, 55% of countries use state forces excessively and unnecessarily against anyone demonstrating or protesting. Finally, 54% of countries detain human rights defenders unjustly and without following the rules (Amnesty International, 2022).

The reports highlight the parties to the conflict in Afghanistan that continued to commit serious violations of international humanitarian law, such as conflict crimes, assassinations, and other violations. The Taliban targeted human rights defenders, women, activists, and journalists. As a result, thousands of people were forcibly evicted (Amnesty International, 2022).

International Commission on Intervention and State Sovereignty. The primary responsibility for protecting its people rests with the state itself. When a population suffers severe damage due to an internal Belic conflict, an insurgency, state repression, or failure, the state in question is unwilling or unable to stop or avoid it. The principle of non-intervention yields international responsibility. Military intervention for human protection purposes is a measure used in extraordinary cases. For it to be justified, severe and irreparable harm must have occurred to human beings, including large-scale loss of life and the inability of the state to act (ICISS, 2001).

External military intervention for human protection has been controversial in many cases, such as in Somalia, Bosnia, and Kosovo. While for some, it is an expected internalization, for others, it is an alarming violation of state order. For some, the only problem is ensuring that the interventions are effective. For example, the NATO intervention in 1999 was a case of controversy because of the way NATO allies carried out the operation (ICISS, 2001).

However, the International Commission on Intervention and State Sovereignty seeks to answer the question of Kofi Annan (former secretary of the United Nations), who says: "[...] if humanitarian intervention is, indeed, an

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unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica – to gross and systematic violations of human rights that affect every precept of our common humanity?" (ICISS, 2001). There is a debate between those who value humanitarian intervention above state sovereignty or vice versa.

Status of Forces Agreements. In order to have military interventions in a foreign country, the United States recognizes some agreements called Status of Forces Agreements (SOFA). These agreements address the status of the military while the US is present in a foreign country and the way military personnel operates in a foreign country. In addition, the SOFAs establish which country can exercise criminal judgment on US personnel. A SOFA is not a mutual defense agreement or a security agreement and does not authorize specific exercises or missions; instead, they are peacetime documents and do not address rules of armed conflict (Chuck, 2012).

NATO's SOFA is the only SOFA that concluded as part of a treaty. The US Senate approved the confirmation of the validity of NATO's SOFA on March 19, 1970. The resolution included a statement that nothing in the agreement could lessen or alter the right of the United States to safeguard its security by excluding people (Chuck, 2012). However, the NATO Status of Forces Agreement is the treaty that establishes the terms under which the armed forces of one NATO member state may operate and live within another NATO member state. Therefore, while assigned to a NATO member state, the United Kingdom Ministry of Defense personnel have the rights and are subject to the obligations of the NATO Status of Forces Agreement to which all nato member states are parties (Ministry of Defense, 2021).

The NATO Status of Forces Agreement originally signed in 1951 provided the basis for the legal status of US military and civilian employees. This agreement affects the "status of entry and exit of the host nation, military training within the territory of the host nation, law

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enforcement, taxes, import and export laws, driving privileges, employment, mail, education, housing, etc. (Dillehay, 2019)

The NATO SOFA is a multilateral agreement applicable to all NATO member countries. In June 2007, 26 countries, including the United States, ratified the agreement or adhered to it through its addition. In addition, 24 countries participate in the Peace Partnership for Peace program in which NATO participates to increase stability and decrease threats to peace (Chuck, 2012).

NATO international interventions. For almost 20 years, NATO allies and partner countries had military forces in Afghanistan under a UN Security Council mandate. NATO allies entered Afghanistan after the 9/11 attacks by shooters in the United States United to ensure that the country does not become a haven again for armed people and that they do not attack NATO member countries. As a result, in the last two decades, armed people have not been attacked (NATO, 2022).

Article 5 . Use of Facilities and Agreed Areas says that Afghanistan will leave all Facilities and Agreed Areas free of charge to NATO Forces. Also, it will authorize the NATO Forces to control the entrance to the same Facilities for their exclusive use. Ultimately, NATO Forces will be responsible for the construction, development, operations, and maintenance costs of the Facilities and agreed areas (NATO, 2022).

NATO has had many international interventions, one of the most important and controversial was the one on Libya. Within the context of this intervention, it is understood that an internationally recognized humanitarian disaster was unfolding in which former Libyan President Muammar Gaddafi was launching an attack against Libyan protesters. This disaster was taking place in a unique political context represented by the public riots that they were sweeping across the Arab region against what had long been perceived as unyielding dictatorships. Then the Arab League called the international community to

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intervene to protect the Libyan people. Third, the UN Security Council resolution 1973 authorized member states to act at the national level and take measures to protect Libyan civilians threatened. (Khalifa, 2012)

This happened during an operation, and NATO seemed interested in working on its image crisis and polishing its reputation in the Arab region, so its actions caused no casualties (Khalifa, 2012). On March 17, 2011, the United Nations authorized military intervention in Libya to protect civilians. On March 19 of the same year, NATO initiated intervention, including establishing a no-fly zone and launching airstrikes against government forces. After seven months of NATO intervention, Libyan rebel forces conquered the country and murdered former authoritarian ruler Muammar Gaddafi in October 2011 (Khalifa, 2012).

Another important intervention by NATO was when it assumed the leadership of the International Security Assistance Force (ISAF) in Afghanistan on August 11, 2003. This happened under the mandate of the United Nations. The main objective of the ISAF was to allow the Afghan government to provide adequate security throughout the country and develop new Afghan security forces to ensure that Afghanistan never again becomes a haven for armed groups of people. From 2011, the responsibility for security gradually shifted to the Afghan people, who assumed leadership of security operations throughout the country. In 2013, the process was completed, and the Afghan forces assumed responsibility for security (NATO, 2021).

Letters to NATO. On May 22, 2017, civilian protection in Afghanistan wrote a letter to NATO members who said that civilians are increasingly the most affected by the armed conflict in Afghanistan since 2014. Since the NATO forces left the country, the Afghan forces have requested the Resolute Support Mission of NATO as they function to train, advise and assist the Afghan National Security Forces (ANSF) and pressure the government to institute effective Civil Protection measures. It also says that since the withdrawal of most international forces at the end of 2014, the clashes between the Afghan

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government and insurgents have intensified. This event has tested the capabilities of the ANSF and claimed a greater number of victims among civilians. Civilian protection in Afghanistan recognizes that they are concerned about increased civilian casualties in the Afghan conflict and specific abuses by government forces. The United Nations has documented a consistent record of civilian casualties since 2009. Each year, a new high for civilian loss of life was reached in 2016, learning that the civilian casualties were children (HRW, 2017).

In 2016, the United Nations Assistance Mission in Afghanistan (UNAMA) documented a:

46% increase in civilian casualties caused by pro-government forces compared to 2015, with a total of 903 casualties and 1,825 injured, the majority from the use of explosive weapons (mortars, rockets, etc.) during ground engagements in civilian-populated areas and air operations. In the first three months of 2017, UNAMA documented 148 civilian casualties in Afghan government air operations alone, more than five times ...the same period in 2016. (HRW, 2017)

However, "a key area where NATO can make a significant difference is concerning the ANSF's use of schools for military purposes and abuses against students and academic staff. As security across Afghanistan has deteriorated, schools ... have come under threat, not only from the Taliban but also from Afghan security forces. For example, in its 2016 final report, UNAMA documented the military use of 26 schools by the ANSF (the Taliban or other insurgents used nine schools). The most affected provinces were Helmand, Kunduz, Logar, Maidan Wardak, Takhar, Farah, Badakhshan, Ghor, Jawzjan, and Paktya" (HRW, 2017).

The armed conflict in Afghanistan destroys lives due to the direct consequences of violence and the introduction of military conflicts, collapsing

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public health, security, and infrastructure. In addition, civilians have had casualties by crossfire, improvised explosive devices (IEDs), assassinations, bombings, and night raids on the homes of suspected insurgents. "Some 241,000 people have had casualties in the Afghanistan-Pakistan military conflict zone since 2001. More than 71,000 dead have been civilians" (Watson Institute, n.d.).

International Actions

One of the purposes of the Charter of the United Nations is to maintain peace and security worldwide. Human rights violations are an obstacle to sustainable development as they generate conflict and insecurity, leading to more rights violations. The normative framework of human rights gives us a basis for dealing with disputes within or between countries to avoid larger conflicts. Focusing on rights-based peace and security enhances efforts to achieve sustainable peace. Information and human rights analysis are critical pieces for early warning and action, so their full potential should be exploited.

Failure to adhere to international human rights standards and protect human rights weakens peacemaking, peacekeeping, and peacebuilding efforts. Global efforts to counter terrorism and prevent the spread of violent extremism suffer from this failure. The UN's renewed focus on prevention and sustaining peace is key to this and the last pillar of advancing sustainable development. We can help sustain peace and development by showing how applying human rights norms can address grievances, reduce inequality and build resilience. This pillar also addresses threats posed by new technologies in a security context. (OCHR, 2018)

Geneva Conventions.

The Geneva Conventions and their Additional Protocols are international

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treaties containing the main rules that limit the barbarity of war. They protect people who are not taking part in the hostilities (civilians, medical personnel, members of humanitarian organizations) and those who can no longer take part in the fighting (wounded, sick, shipwrecked, prisoners of war).(CICR, 2014)

The First Geneva Convention protects the wounded and sick of armed forces in the field during the conflict.

International Humanitarian Law (IHL) is the branch of international law constituted by the principles of humanitarian and international treaties that seek to save lives and alleviate suffering for combatants and non-combatants during an armed conflict. The main legal instruments that constitute the IHL are the Geneva Conventions of 1949, four international treaties that, until August 2006, have been universally adopted by the 194 countries of the world. These Agreements include specific rules designed to protect combatants (members of

armed forces), wounded, sick, or shipwrecked, prisoners of war, civilians, personal physicians, military chaplains, and civilian support personnel from The armed forces. The Additional Protocols, which complement the Geneva Conventions, extend these humanitarian standards. International humanitarian law is based on humanity, impartiality, and neutrality. Their roots go back to historical concepts of justice established in instruments such as the Code of Hammurabi of Babylon, the Justinian Code of

Byzantine Empire and the Lieber Code were applied during the American civil conflict.

International Committee of the Red Cross. The International Committee of the Red Cross (ICRC), an impartial, neutral, and independent organization, has the exclusively humanitarian mission of protecting the life and dignity of the

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victims of internal violence, as well as providing them with assistance. In conflict situations, directs and coordinates international relief activities of the International Movement of the Cross Red and Red Crescent. It also tries to prevent suffering by promoting and strengthening the rights and principles of universal humanitarians. From the ICRC, founded in 1863, the movement was born (ICRC, 2022).

The ICRC is the institution that gave rise to the International Movement of Red Cross and Red Crescent (also known as Red Cross), whose components are: the International Committee of the Cross Red; the International Federation of the Red Cross and Red Crescent (Federation of National Societies founded in 1919) and Societies Red Cross and Red Crescent nationals duly recognized by the ICRC; These societies have more than 250 million members. These three components meet, in principle, every four years with the representatives of the States Parties to the Geneva Conventions in an International Conference of the Red Cross and Red Crescent. The paper of this Conference, which is the highest deliberative authority of the movement, consists essentially in examining problems of a general order, approving resolutions, and assigning tasks. (IFRC, 2022)

Council of Europe. The Council of Europe Convention on Action against Trafficking in Human Beings was adopted by the Committee of Ministers of the Council of Europe on May 3, 2005, due to the initiative taken by the Council of Europe to fight against trafficking in human beings. The agreement entered into force on February 1, 2008 (COE, n.d.). This Convention is a comprehensive treaty that focuses on protecting all people who are victims of trafficking and safeguarding their rights. Its objective is to prevent or avoid trafficking and prosecute traffickers and anyone who transports people resorting to the threat or use of force. This Convention applies to all forms of trafficking, whether national or transnational, and to

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whatever the victim, women, men, or children. It also applies to any form of exploitation, such as sexual exploitation, forced labor, or services. (COE, n.d.)

The Convention establishes a series of rights for victims, such as to be identified as one, protected, and assisted; they are also granted 30 days in a renewable residence. Finally, the victim receives compensation for the damages suffered. Furthermore, to supervise compliance with the obligations of the Convention, there is a monitoring system consisting of two pillars: the Group of Experts in Action against Trafficking in Human Beings (GRETA) and the Committee of the Parties (COE, n.d.).

Human Rights Watch. One of the most active and important international organizations is Human Rights Watch, founded in 1978 as "Helsinki Watch" because it investigated human rights abuses in the countries that signed the Helsinki Accords. Since then, his work has expanded to five continents (HRW, n.d.). They investigate all kinds of casualties, government takeovers of media outlets, and activist arrests. At the same time, they work to reduce discrimination against any type of person. In addition, this organization is responsible for investigating and reporting on the abuses that occur throughout the world (HRW, n.d.).

Human Rights Watch comprises around 450 people from more than 70 nationalities, country experts, lawyers, journalists, and others who work to protect those most at risk. Human Rights Watch's advocacy targets governments, armed groups, and businesses, pressing them to enforce their laws and policies. This organization is independent, so it is not funded by the government, and they review all their donations for consistency with their policies. In addition, they partner with organizations large and small to bring justice to people who are victims of abuse (HRW, n.d.).

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The investigators of this organization work within 100 countries, discovering facts that create an undeniable record of human rights abuses; from here, they meet with governments, the United Nations, and corporations so that policies are changed, laws are enforced, and justice is made (HRW, n.d.). Currently, some cases of its impact have been: progress protecting rights while combating Covid-19 and how some governments have protected people during the pandemic, Tulsa Race Massacre Recognized, Indonesia upholds rights of people with mental health conditions and creating an agreement signed to monitor social care and mental health institutions, among others. (HRW, n.d.)

International Amnesty. As mentioned before, a non-governmental organization founded in 1961 to ensure that human rights are recognized and respected is called Amnesty International. This organization seeks to publicize violations by governments in the Universal Declaration of Human Rights (1948), mainly focusing on freedom of expression and the right against torture. At the same time, it works with intergovernmental human rights organizations to comply with human rights protections (Britannica, 2022). It involves more than 10 million people who look for a world where everyone enjoys human rights. It is independent of political ideology, economic interest, or religion. International Amnesty involves the release of political prisoners to defend every human right and protects people with sexual and reproductive rights, including refugees and migrants (Amnesty International, n.d.).

Amnesty has opened offices in cities in Africa, Asia-Pacific, Central, and Eastern Europe, Latin America, and the Middle East. In these offices, the work in more than 70 countries is strengthened, and now they can respond quickly to events anywhere, acting as a force for freedom and justice. A tool is also being developed, a mobile phone application that acts as a personal "panic button" for activists at risk of arrest or detention (Amnesty

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International, n.d.). Through lengthy investigations and campaigns, they help fight human rights abuses worldwide. They deliver justice by changing oppressive laws and freeing people locked up just to express their opinion. Recently, some of their operations have been: El Salvador, President Bukele engulfs the country in a human rights crisis after three years in government; Covid-19, Pandemic restrictions magnified discrimination against most marginalized groups, and Amnesty welcomes new proposals for cracking down on the torture trade. (Amnesty International, n.d.).

UN Actions

The Office of the High Commissioner for Human Rights (OHCHR) has primary responsibility at the UN for promoting and protecting human rights. For them to be fulfilled, they have many regional offices, the headquarters are in Geneva, and they have several human rights centers and advisers around the world. In addition, the OHCHR has the authority to investigate situations and publish reports about them (UN, n.d.).

The OHCHR works actively with UN entities, regional organizations, and the Member States to prevent armed conflicts and attacks on the peace. This body monitors the implementation of relevant strategies and provides advice so that what is necessary to guarantee the protection of human rights is known. In addition, the document, map and report all human rights violations and abuses. The information they collect and the analyzes they carry out on human rights are integrated into analysis and early warning systems in order to develop national and international policies, strategies, and operations to prevent, mitigate or respond to emerging crises, including humanitarian crises and conflicts (OHCHR, n.d.).

Women Peace and Security Policy and Action Plan. The integration and inclusion of gender and women's voices in all aspects of NATO's work are

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essential for world peace and security. Accordingly, NATO sought to promote a greater representation of women in national forces to improve the effectiveness of operations. NATO is aware of the disproportionate impact that conflicts have on women and girls, which is why Resolution 1325 of the UN Security Council on Women, Peace, and Security (WPS) adopted in October 2000 was created, recognizing the fundamental participation of women in the prevention and resolution of conflicts. It also recognizes the importance of women's active participation in decision-making to maintain world peace. (NATO, 2018)

The NATO/EAPC Policy on Women, Peace and Security¹ (WPS) was agreed upon in 2018 and endorsed by NATO leaders at the 2018 Brussels Summit. The policy affirms that NATO and its Partners aim to contribute to the implementation of the United Nations Security Council Resolutions on WPS by making the policy an integral part of their everyday business in civilian and military structures. (NATO, 2021)

To achieve gender equality, the recognition of a political house, program, and project that affects women and men differently is required. For this reason, gender equality must be considered an integral part of NATO policies, programs, and projects. To promote effective gender mainstreaming, gender will be applied to NATO tasks (NATO, 2018). For example, including WPS gender perspectives in cooperative security frameworks and programs. In addition, implement research and capacity-building efforts supporting women on issues such as countering violent extremism and cyber defense. MPS Action Plan Progress is regularly monitored, and data support assessments. NATO has the people and resources to support and advise efforts to mainstream gender (NATO, 2018).

Policy on Preventing and Responding to Sexual Exploitation and

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Abuse.

Sexual exploitation and abuse is a gross violation of the World Health Organization's (WHO) commitment to serve and protect the vulnerable. However, it is becoming more operational and acts faster to save lives and minimize illness and suffering. The World Health Organization works in countries of fragility, conflict, and vulnerability to reduce the risk of exploitation. In addition, they work with the UN to address risks and comply with requirements so as not to violate WHO's ethical policies. (WHO, n.d.)

Sexual exploitation and abuse (SEA) of the communities is a serious revelation of WHO's commitment to serve and protect the vulnerable. Sexual Harassment (SH) in our workforce is a serious breach of our duty of care. This is the sentiment of WHO leaders, staff, and member states. However, we all know and recognize that more could and should be done. And done quickly. SEA risks have increased significantly in recent years. (WHO, 2022)

WHO is becoming more operational and is being asked to act to save lives and minimize death, illness, and suffering in our health programs and emergency response operations. However, our work in countries of fragility, conflict, and vulnerability increases the risk of exploitation. The World Health Organization works with UN agencies and NGOs to jointly address these risks. It aims to meet the standards set by WHO's policies and Code of Ethics and Professional Conduct and meet the requirements and expectations set by WHO., the UN system, and IASC partners. WHO is stepping up its efforts to do everything possible to prevent and protect from SEAH. Everyone, staff, consultants, suppliers, and partners, must report any suspicious event that may constitute SEAH.

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Security Council Resolutions. The Security Council adopted 66 resolutions in 2011, 44 of which refer to the African continent, compared to 59 in 2010 when relating to that. There were 30. Among all these resolutions, it is worth highlighting Resolution 1973, which authorized "The Member States to take the necessary measures to protect the civilian population," making the concept of responsibility effective for the first time. This resolution, promoted by France, the United Kingdom, and Lebanon, had ten favorable votes and five abstentions: those of Germany, Brazil, India, Russia, and China. The resolution made by the Security Council in 1973 formed the legal basis for military intervention in the Libyan Civil War, authorizing the international community to establish a no-fly zone and use all necessary means to protect civilians (UN, 2011).

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Points to Discuss

1. Context

- a. Accountability for crimes committed and violation of human rights
- b. Use of mass destruction weapons in urban areas
- c. Inefficient precautions for civilians' well-being
- d. Human Rights Watch letter to NATO to recognize and be concerned about civilian casualties.
- e. International Action plans to prevent abuse of power

2. Development

- a. International cooperation to protect human rights
- b. International agreements
 - i. Measures to improve these agreements
 - ii. Effectiveness and promotion
- c. Case follow-ups
 - i. How did NATO follow up on the cases?
 - ii. Repair of damages
- d. NATO actions
 - i. Did NATO apologize?
- e. Promote prevention and solutions
- f. Civilian's well-being
 - i. Psychological attendance

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