

The extent of the legality of international humanitarian intervention in light of the rules of international humanitarian law.

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ABSTRACT--Public security, tranquility, and achieving world peace are the most important goals upon which the United Nations and the most important goals of the international community and organizations have been. Security has been and continues to be the cause of cooperation, relations, and solidarity between countries. The existence of inclusive relations between different ethnic countries only arises through feeling The public in security, which is not achieved except through the presence of jus cogent that criminalize the attack on the internal sovereignty of a country, regardless of the size of the country in which intervention is taking place and the country that interferes or the organization, and despite the protection of the international community to protect the sovereignty of the internal states, Bear on He undertakes the task of defending minorities, the displaced and the weak in the midst of wars and armed conflicts that claim the lives of countries and individuals and the failure of many refugees, displaced persons, injured and thousands of dead, which aroused the ire of some world powers from countries and international organizations for humanitarian intervention, claiming protection Human rights and freedoms from the effects of internal conflicts and civil wars have not had a great impact on our souls by examining that humanitarian international military intervention and taking note of its circumstances and circumstances. And talk about international legitimacy of human rights in general and international humanitarian law in particular raises the issue of international intervention to protect human rights, an issue that has taken a large part of attention in light of the new world order, and despite the fact that political analyzes have been used to look at the widespread interest in the principle Humanitarian intervention to protect human rights and establish democracy as a new development on the international scene in recent times, which deserves the explorers and researchers of public international law exploration of the effects and legitimacy upon which the intervening forces are based for the purpose of human intervention and through research As for us, we will be exposed to the concept of international intervention, its justifications, doctrinal objections to its existence, and the mechanisms through which the United Nations, as the mother international organization, interferes internationally through its various organs. We also look at international intervention by regional organizations and clarify what the legal basis is Which the international community relies on in international intervention, highlighting the occurrence of this interference in recent periods, especially in countries afflicted by internal conflicts, wars over power and governance, and arbitrariness against minorities and demands for secession and independence. , And what matters each researcher interested in science and legal and general public law and international humanitarian in particular.

Keywords-- The extent of the legality of international humanitarian intervention in light of the rules of international humanitarian law.

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I. FORMS OF THE STUDY:

The rules and provisions of international law and international treaties and agreements are governing rules that no country may derogate from or deviate from, especially agreements concluded or signed in violation of the sovereignty of another country or a threat to international peace and security, which raises questions about the extent of legality Humanitarian intervention by international and regional organizations and countries themselves in the affairs of another country on the pretext of a violation of human rights and freedoms and assistance to victims and refugees and the alleviation of the injured and the displaced as a result of conflicts and internal civil wars and racist displacement movements of a group of Racial or ethnic minorities within the country in which they will be interfered, and the authority entrusted with the approval and enforcement of that legitimacy and the provisions related thereto, and how to face deviation from the requirements of international law And its rules, and to maintain world security and peace without violating the sovereignty of internal states and interfering in their affairs.

II. THE HYPOTHESIS OF THE STUDY:

The study assumes that there is a legislative and political necessity according to which all states are obligated not to interfere in the affairs of another country, as they adhere to the rules of general international law and the agreements and treaties governing international humanitarian intervention in its peaceful and military forms, and those rules that work to spread security and public good in society are not set aside International, and that the departure from those rules, if it does not have a justification and legal basis, it represents a threat and a violation of international legitimacy and a departure from the provisions of agreements, covenants and general international covenants.

III. PURPOSE OF THE STUDY:

The aims of the study that we seek to achieve are the following axes:
Explanation of the international humanitarian intervention.
Learn about the mechanism of international intervention by the United Nations agencies.
Knowing the legal nature of international intervention by regional international organizations.
Invoking the rules of international humanitarian law as a basis for the legitimacy of international intervention.
Presenting jurisprudential opinions supporting and opposing international intervention.

IV. THE IMPORTANCE OF STUDYING:

Through our brief study, we seek through it to present its subject and its legal and real importance as a literary scientific and academic content that can be relied upon in the legal scientific fields, as a legal source and reference for libraries and academic institutions concerned with legal and political affairs, human rights and freedoms, to

be There is a beacon for researchers and scholars interested in legal studies, especially international public law. The study also has a practical significance that is that this research can contribute to clarifying facts related to the legal basis for international humanitarian intervention and the other side. And vested in his report in order to deter States from violating the sovereignty of the rest of the other countries under the pretext of helping the victims and the victims and take care of the needy and affected by the impact of humanitarian violations in any country of the world.

V. STUDY

APPROACH:

We base this research on the descriptive and analytical approach through which we can collect and analyze information related to the texts, concepts and interpretations of international law and its principles related to international intervention in light of the rules of public international law and international humanitarian law in particular and the extent of the legitimacy of that intervention and The foundations based on it.

VI. STUDY

PLAN:

Pre-requisite: the concept of international humanitarian intervention in international legal jurisprudence.
The first topic: The international role in the international humanitarian intervention.
The first requirement: humanitarian intervention by the United Nations agencies.

The second requirement: humanitarian intervention by regional organizations.
The second topic: Jurisprudence and legal basis for human intervention.
The first requirement: the international jurisprudence vision of humanitarian intervention.
The second requirement: The legal basis for international intervention in international humanitarian law.

VII. PRE-REQUISITE:

The international community works through governmental and non-governmental organizations and countries to provide humanitarian assistance to victims of natural disasters and international and non-international armed conflicts. It is not only welcome from some of the countries concerned, but also related to the state of the country intended to intervene without the arrival of international aid and aid to the victims of those conflicts or their exploitation or prevention.

Which constituted a violation of the basic rules of international law represented by their rights to freedom and life, and this violation threatened international security and peace, and it is one of the most important purposes of the United Nations Charter and national international treaties and covenants, and in response to this violation, states sought, headed by The United Nations to protect these humanitarian aid and pledge its arrival through military protection, and from this the features of humanitarian military intervention emerged
Humanitarian international intervention is an old, modern concept at the same time, as researchers in public international law have paid attention to defining international intervention, given their interest in protecting the rights of minorities and some other ethnic groups.

International jurisprudence did not settle for one specific definition of international humanitarian intervention, which obligated us to experience some jurisprudential and legal attempts to define international humanitarian intervention with a broad or narrow denomination. And the definition of interference in the Arabic language has been mentioned in several meanings, and it comes from the meaning of (entered) so it enters an intervention as it is an entry, and the object is an entry in it like an intervention in the matter, i.e. interject and enter himself in it. And interfering in the dictionary of political and legal meanings has been mentioned as inserting a state into itself on other matters without being one of its parties.

Hollygrove knows () international humanitarian intervention is defined as: the threat or use of force against a state by a state or group of states, with the aim of preventing or stopping the serious and widespread violation of the fundamental human rights of individuals, even if they are citizens of the state in which power is exercised or applied. And without a license from them. Intervention in the glossary of international law is also defined as every pressure exerted by the government of one state on the government of another country due to the behavior of the last state in conformity with humanitarian laws. Human intervention includes

Interference by a state or group of countries in the internal affairs of another country, and aims to impose on this state respect Fundamental Rights of the Individual.

We can define international humanitarian intervention as "one of the world powers represented in states and international organizations extending a helping hand through peaceful and non-peaceful loads in order to maintain international peace and security and protect human rights and fundamental freedoms." Several definitions of international intervention have been received by non-peaceful means in Western jurisprudence. Taylor has defined military and humanitarian intervention as: "A threat to use or use force across the borders of a state by another state or group of countries with the aim of preventing or ending widespread violence and widespread violations of human rights and individual citizens. Those who do not belong to it, without the permission of the state that used force within its borders, from using armies to help provide humanitarian aid to individuals in need."

As known by Professor "Baxter," who described the international humanitarian intervention on every use of force by one state against another state to protect the citizens of the latter from death or grave dangers, and its nationals who have targeted the act of interference can protect the nationals of the country that is implementing it. By deporting them from the country whose territory is at risk of death. International humanitarian military intervention has also been defined as: "every use of armed force or the threat by one of us, or with the knowledge of an international body, against another state for the purpose of protecting human rights." The jurists of Arab public international law have been exposed to the definition of what international intervention is and trying to put in place a holistic concept that prevents it and one of those attempts is that definition that goes to say that international intervention is "the exposure of a state to the affairs of another state in an authoritarian manner with the intent to maintain or change the current affairs of things, and such." Interference may take place with or without a right, but in all cases it affects the external independence or territorial sovereignty of the state concerned.

Some jurists know that: "Protecting the lives of nationals from the danger posed to them is a legitimate act" called the description of humanitarian intervention, and there are multiple precedents in this regard. We also knew that it was the interference directed against a state accused of cruelty and torture against its citizens and others who are present on its territory in a manner that denies their basic human rights and in a way that shocks the human conscience. ()

VIII. THE FIRST TOPIC

The internationalist role in international humanitarian intervention

At the level of international organizations, the United Nations that arose after the dissolution of the old League of Nations after its failure to stop the global war, it is considered since that time the largest and most important international organization. Rather, it is considered the mother organization of all other organizations. Highlight the great role that this organization plays alongside regional international organizations in two requirements: The first requirement: humanitarian intervention by the United Nations organs, despite the complexity of the UN mandate, carrying out many tasks and carrying many of its international duties, but the protection of nations and global peace and the protection of human rights, especially its right to life and freedom, and to live in an atmosphere of security and tranquility are goals The most important upon which the United Nations was founded, and the United Nations does not hesitate to carry out its mission of humanitarian intervention to relief the afflicted by the impact of international and foreign wars and conflicts. On this matter, two of the most important organs of the United Nations, including the United Nations General Assembly And the UN Security Council. The first branch: The UN General Assembly to intervene to protect rights and freedoms. In cooperation with the Security Council, the United Nations Charter gives the General Assembly terms of reference relating to the maintenance of international peace and security. These authorities defined Article Eleven of the Charter, which stipulated in its first paragraph that "the General Assembly shall consider the general principles of cooperation in the maintenance of international peace and security, including the principles relating to disarmament and arms regulation, and we may also submit recommendations regarding these principles to members." Or to the Security Council or to both.

This paragraph confirmed the powers of the United Nations General Assembly to consider the principles that relate to the security and safety of the international community, and identified each of us to deepen the legalization of armament and the creation of a legal system codifying the armament process. The second paragraph of the same symposium affirmed: "The General Assembly may discuss any matter related to the maintenance of international peace and security brought to it by any member of the United Nations and the Security Council or a state whose members are not reprimanded according to the provisions of the second paragraph of Article 35, - With the exception of what is provided in Article Twelve-: "To submit its recommendations regarding these issues to the state, to the countries of concern, to the Security Council, or to both, and every issue of the foregoing

It is necessary to mention it. Should he do anything from us, the General Assembly should refer it to the Security Council before or after its consideration.

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It is clear from this article that the General Assembly is the first resort for all countries of the world to resort to in all matters related to the security and stability of the international community, but its authority is limited to issuing recommendations to the Security Council on issues related to international peace and security, as well as monitoring the actions and procedures for maintaining international peace. The commentators of public international law believe that there should be a causal relationship between violations of human rights and the possibility of harm to security and peace, and this means that intervention in this aspect achieves and is consistent with the purpose and goals of humanitarian intervention, namely the maintenance of international peace and security by stopping human rights violations that harm the security of society International safety. It is worth noting that it is an advantage for the General Assembly that distinguishes it from the rest of the activities of the United Nations bodies in this regard, which is that the General Assembly represents the membership of all member states of the United Nations, and its membership is not limited to specific countries themselves, and that the activities of the major member states of the United Nations represent a reflection of the size The current developments that the international community is going through, and it represents an undeniable fact that the actions of these countries are the main engine in determining the distances that are drawn for this organization with regard to the actions of the General Assembly. The second branch: International humanitarian intervention through the United Nations Security Council. The UN Security Council possesses many powers and competences according to the security pact, along with its broad discretionary authority to carry out its international tasks that are important to the security and stability of the international community, and to achieve speed and effectiveness. The UN Security Council members authorized the UN Security Council to take appropriate measures to achieve and maintain international peace and security, as stipulated in Article Twenty Four In its first paragraph on us, it says: "The desire for the work of the United Nations to be swift and effective returns the members of that body to the Security Council with the main consequences in maintaining international peace and security, and they agree that this council works for us Repent for them in carrying out the duties imposed on them by these consequences. If the United Nations deems it necessary to interfere in internal affairs militarily in accordance with Chapter VII of the Charter, the Security Council must begin examining and studying the conflict, as well as analyzing the

Circumstances that call for interference in the basic competencies of a state of us; this is to avoid creating legal problems and therefore the Security Council cannot defend its decision.

By interfering, if we find that the conflict constitutes a threat to international peace and security, the Council decides to intervene militarily, after it exhausts the peaceful procedures mentioned in Chapters VI and VII of the Charter.

In accordance with Article 39, the Security Council has broad powers to assess the state of breach of the peace and to provide recommendations and reports to take the necessary measures to preserve peace, as well as deciding what measures to take in accordance with the provisions of the Mandate (40) (41) In the event that there is a threat to peace, the Security Council takes diplomatic and other military measures.

Diplomatic measures are as repressive measures stipulated in Article (41), which relates to severing diplomatic relations, imposing economic sanctions, and stopping economic links, maritime and air transport, and others. In the event that these initial measures fail, the Security Council may, in accordance with Article (42), take military measures to suppress the state that poses a threat to international peace and security, and that the requirements of the article psychologically give the Security Council absolute authority to use military force as an injunction and as a criminal punishment. In conclusion, we say that despite the wide powers, competencies and discretionary powers granted to the Security Council to undertake the task of maintaining international peace and security and conducting international interventions in the light of it, it succeeded in some of them and failed in many of them for various reasons.

The second requirement: humanitarian intervention by regional organizations in the presence of the United Nations, regional organizations also play a major role in protecting global peace and security and do not leave the matter to the United Nations, and those security organizations affiliated with them in international life have demonstrated their great impact on preserving the rights and freedoms of individuals. And the states are among the most important of these organizations in our Arab environment, the Arab states, and are met by many regional international organizations working in the field of international relief and humanitarian aid. First: International humanitarian intervention by the League of Arab States:

The League of Arab States is one of the most important international regional organizations that seek to strengthen links between Arab countries and coordinate their political, military and security plans for collective cooperation and to protect international peace security in the Arab world, and it is a regional political organization.

The Charter of the League of Arab States recognizes in the fifth article of it the principle of not resorting to force, as the text of the article states, "It is not permissible to resort to force to settle the conflict between two or more countries of the League, because the use of force in this field will lead to wasting Arab national stability and affecting relations. The international community based on brotherhood among the brotherly Arab states, "which makes the League always recommend peaceful solutions to conflict resolution and the provision of humanitarian aid, and the League of Arab States has emphasized not to intervene except within the limits of the requirements of collective security, stressing the rejection of any interference or any action from any extension It was; Because this would threaten the interests, security, and stability of Arab countries. The Arab League had established before the establishment of the United Nations, but its charter was concerned with cooperation with international bodies and organizations that may arise in the future as one of the main goals of the League, deciding that cooperation with them later by imposing a guarantee of security and peace in the world. Second: International humanitarian intervention by the African Union:

It is one of the most important goals that the African Union seeks to strengthen the pillars of African solidarity, and to raise the continent to the position that hinders it as an institution capable of influencing international decision-making. African countries have strived a lot to reduce fluctuations leading to safety and public tranquility and lead to fueling power struggles, leaving many behind Among the humanitarian cases that lack the presence of aid and aid and formed in that many alliances and entered into covenants and treaties and prevent the passage of

time failed to achieve what they were seeking; Tribal and ethnic internal armed conflicts erupted in many African countries that suffered from poverty, injustice and injustice, which led to the emigration of their brains and competencies to Europe. ¹Which called on those countries to establish an international organization and it was desirable for the African countries to take practical steps to establish the African Union; In order to achieve tangible practical results in light of the changes and storms that arose to spread dust on the ranks of the international community to increase its blurring and lack of visions on its future and aspirations, the goals of the Council have been determined by caring about issues related to conflicts, peace, security and stability in the continent with deeper visions than before, as the article stipulates The third of the Council's protocol on the goals for which the African Peace and Security Council was established. The Council also set specific visions of the Union's common defense policy, in accordance with Article IV paragraph (d) of the Constitutive Act of the African Union, in order to achieve the primary goal of establishing the Council and it To promote peace, security and stability to ensure, protect and preserve the life, property and welfare of African people and their environment, and to create conditions conducive to achieving sustainable development.

The Charter of the Union affirmed the right of any member state to request intervention from the Union in order to restore peace and security, in accordance with Article IV paragraph (j) of the founding project of the Union, and the Union uses a military force that was established called African Ready Force.

IX. THE SECOND TOPIC

The juristic and legal basis for human intervention, which was said regarding the necessity and feasibility of international humanitarian intervention by the international community represented in international organizations, but that matter found many jurists, commentators and researchers who support it, if they consider that it is the only way to defend the weak and help the people who are affected and affected by armed conflicts, as many have found Those who oppose interference in internal international sovereignty, and those who intervene from the international community rely on many of the legal arguments for its legitimacy. The first requirement: the international jurisprudence vision of international humanitarian intervention: International jurisprudence was divided between a supporter of international intervention and opposed to it and all the arguments on which it was based:

First: Juristic aspect in support of international humanitarian intervention: Supporters of international humanitarian intervention are based on the general obligation that all states have a duty to observe human rights, even though they know that there is nothing to support it in the Charter unless there is a special Security Council resolution.

And whoever adopts this juristic trend is the pioneers of humanism in international law, and the Institute for Human

1 Khalil Hussein, Encyclopedia of Regional and Continental Organizations, Part Two, previous reference, p. 106

Rights may be one of the most international bodies in this direction. In the first article of the decision issued during its convening in the year 1989 AD, which goes to emphasize that the protection and respect of human rights constitutes an obligation on the shoulders Each country vis-à-vis the international community, in a clear indication that the Institute for Human Rights in this decision came to bring the issues related to human rights out of the framework of the state's reserved domain.

Proponents of this trend see that humanitarian intervention is one of the contemporary manifestations of the development of international law, considering this procedure and behavior as the best and appropriate solution to the collective security system of the United Nations if this system fails to stop human rights violations, as members of the international community must maintain the collective security of the international community Through intervention; To achieve its goals aimed at achieving general stability and preventing multiple violations of human rights. ¹Some jurists pointed out that it is not permissible to judge every military intervention as unlawful unless the circumstances that caused it were considered. The international community cannot remain indifferent in the face of flagrant violations.

For human rights if they happen in a specific country, except that all actions taken in this field a actions and behaviors that are not contrary to the general principles of public international law. They also relied on adherence to the text of Article (2 Paragraph (4) conditional on the effectiveness of the United Nations in maintaining international peace and security. If the international organization is unable to achieve this goal, states will regain their right to use force in accordance with the rules of traditional international law that were in place before the adoption of the Charter of Nations The United States, which authorized states to intervene militarily against other countries to protect citizens abroad, or protect minorities, or for any other reason. Supporters of humanitarian intervention at the same time promise that humanitarian intervention and its opponents claim that it is not stipulated in the United Nations system, but they have strongly and strongly rejected this approach; Considering that the Charter of the United Nations has attached great importance to human rights and called for the principle of international cooperation aimed at respecting human rights and fundamental freedoms for all people, on the contrary, it supports this fundamental goal; Because gross violations of human rights are what lead to a threat to international peace and security, as well as the right to humanitarian intervention is an exception to the general prohibition of the principle not to use force in international relations, starting from the priority of human rights over other rights related to state sovereignty, as well as decisions that Issued by the UN Security Council; Pursuant to the provisions of Chapter VII of the Charter, they will All fall under the exception mentioned on the principle of non-interference; As it relates to measures of an exceptional nature, and because it relates to the humanitarian situation, if the purpose of issuing the resolution on issues and matters relating to human rights is to maintain international peace and security, and therefore it is not correct to claim that the issuance of this decision is unlawful interference in the internal affairs of a particular country, but rather On the contrary, this decision is considered to implement the terms of reference entrusted to the Security Council of the United Nations and it is a mandate and duty to maintain international peace and security.

1 Muhammad Khalil Al-Manousi, The Use of Force in Contemporary International Law, I, 1, Wael Mushir House, Amman, Jordan, 2004 AD, p. 1

Some scholars consider that international law prohibits interference in the affairs of other countries, as a general rule, but in some cases violating this rule becomes a legal duty; According to humanitarian considerations that allow intervention to stop violations committed in a country. Second: Juristic opinion subject to international humanitarian intervention: Many jurists go to non-approval of international humanitarian intervention, based in their opinion on that in the text of Article Two, paragraph seven of the Charter of the United Nations, which states that "nothing in this law allows the United Nations to interfere." In matters that are at the core of the internal authority of a state, and it is not what requires members to present such matters to be resolved by virtue of this Charter, provided that this principle does not prejudice the application of the repressive measures contained

In Chapter Seven, "They also rely simultaneously on the fourth paragraph of the same Article of the Charter of the United Nations, which provides for the prohibition of the use or use of force against another country. They also rely on the text of Article Fifteenth paragraph of the era of the League of Nations, which came Textly, "If one of the parties to the dispute claims, and it is proven to the Council that the dispute relates to a matter of interference in accordance with international law in the purely internal jurisdiction of one of the parties to the dispute, the Council cannot make any recommendations regarding the settlement of that dispute." () This opposing juristic trend holds that humanitarian intervention is nothing but a cause of conflicts and wars, and they consider it illegal and out of the rules of legitimacy and prejudice the independence and sovereignty of states, They also think that this would also harm the entire system of collective security that was put in place Based on the Charter of the United Nations; Human rights violations may lead to the pretext of interfering for other purposes and purposes, and it can also be misused and used on a large scale to achieve strategic goals for the state or the intervening countries, far from the humanitarian goals extracted from it and used as pretexts for the intervention, and on our part we support The interlocutor in the middle saying that all methods should be exhausted and based on a reason for legitimacy before international intervention (.) The second requirement: the legal humanitarian of international intervention in international humanitarian law. International humanitarian law is defined as a set of principles and rules that limit the use of violence during armed conflict or the effects of war on humanity in general, and it is a branch of general international law whose purpose is to protect affected persons in the event of armed conflict and to protect property and funds not related to military operations At the same time, it seeks to protect the population not directly or indirectly involved in the war. () Humanitarian law included a number of agreements, most notably: Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in the Armed Forces in the Field / August 2, 1949. Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked in the Sea, August 2, 1949 The Geneva Convention relative to the Treatment of Prisoners of War / August 4, 2004.

Geneva Convention relative to the Protection of Civilian Persons in Time of War / August 2, 1949 These agreements are called the four Geneva Conventions and they are the most important conventions formed for international humanitarian law as well as the two additional protocols of 1977 attached to these agreements, as well as some declarations that came with basic rules of international humanitarian law that were adopted as a basis

for interventions that must be observed and adhered to in cases of intervention, and the most important of these Announcements:

Saint Petersburg Declaration of 1898 CE banning explosive missiles.
The Hague Declaration of 1899 on "blood-blood" shells, suffocating gases and other Hague Conventions.
Hague Conventions of 1907

The Geneva Protocol of 1920 on toxic gases and bacteriological weapons.

The 1980 United Nations Security Convention on the Prohibition or Restriction of Certain Conventional Weapons.
The commitment stipulated in the joint article in the four Geneva Conventions, the first article, which states: (The High Contracting Parties pledged to respect this agreement and ensure its respect in all cases, as well as the obligation stipulated in Article 89) of the first additional protocol to the agreements The four Geneva states: (The High Contracting Parties undertake to work together or separately in cases of grave breaches of the agreements and this annex in cooperation with the United Nations and in a manner consistent with the United Nations Charter), and considered humanitarian intervention as one of the means permitted by international law To ensure respect for the principles and rules contained in this law, based on the first common article among the four Geneva Conventions of 1949 ().

This article obliges states to ensure respect for the rules of international humanitarian law, and grants them the right to monitor what is going on in other countries to ensure the implementation of this commitment, and Article 89 of Additional Protocol I to the Geneva Conventions is considered one of the articles that permits humanitarian intervention, as it imposes on states parties to Geneva Conventions Cooperation with the United Nations in cases of grave breaches of the rules of international humanitarian law. Intervention by the United Nations, or by states intervening with a United Nations security mandate, is considered humanitarian intervention, especially when it comes to the use of coercive measures by the Security Council in the event that violations of international humanitarian law are considered a threat to international peace and security.

In view of the four Geneva Conventions of 1949 and the Protocol, any act of aggression, or any other use of force inconsistent with the Charter of the United Nations, cannot be the appropriate way to monitor and ensure respect for human rights.

Even if the use of force is resorted to by the Security Council, with a view to ensuring respect for international humanitarian law, this is done in accordance with the Charter of the United Nations, and it is to achieve the main permitted goal in accordance with Chapter VII of the Charter of the United Nations, which is to establish or maintain international peace and security A picture of humanitarian intervention can be found under international humanitarian law, outside the use of force, which is hereIt can be determined in light of the two main objectives of this law, which are to protect and assist victims of war crimes, as well as the measures provided by this law to enforce respect for the rules and principles it contains. International law seeks to provide legal protection for

victims of humanitarian crimes, and limit the freedom of the first to use the means and methods of warfare, and this protection is extended to every individual, or group of individuals who are unable to participate in military operations, while humanitarian assistance, which is a prominent form of humanitarian intervention, The Geneva Conventions are the only international source for this topic at the international level.

X. CONCLUSION

We concluded from this study a set of overall results, which we can summarize as follows:

- The principle of non-international interference is considered one of the basic principles in public international law, and every country has to defend itself and its people against any external interference, just as international humanitarian intervention did not settle jurists on a specific definition, even if it falls in the concept of departing on the principle of respect The internal sovereignty of states to defend the victims and the displaced and provide assistance to the needy.

International intervention must be based on a clear legal basis, such as international agreements, international law and the charters of international organizations. Among the most important of these are international humanitarian laws.

We also recommend at the end of our research:

That international intervention be in the narrowest of borders and that the international community exhausts all means before the decision to intervene internationally, and that it presents peaceful means over military means, and that international intervention not be used as a pretext to steal peoples 'strength, shake systems, and create chaos.

- States should also solve their internal problems through mutual dialogue and non-conflicts that call for international intervention. We also recommend the international community to work to help the most needy people for international aid from the displaced and refugees.

REFERENCES

1. Muhammad Yaqoub Abdel-Rahman, Humanitarian Intervention in International Relations, Without Place to Print, 2004 AD.
2. Sameh Abd Al-Qawi Al-Sayed, International Intervention between Humanitarian and Environmental Perspectives, New Al-Jamana Publishing House, Alexandria, 2012.
3. Muammar Faisal Khouly, the United Nations and International Humanitarian Intervention, Arab Publishing and Distribution, Cairo, 2011
4. Omar Saadallah, a Dictionary of Contemporary International Law, Publications Office, Algeria, 2005 AD.

5. Muhammad Mustafa Yunus, The General Theory of Non-Interference in State Affairs, Jurisprudential and Applied Study in the Light of the Principles of Contemporary International Law, PhD Thesis, Faculty of Law, Cairo University, 1985 AD.
6. Muhammad Talaat Al-Ghunaimi, mediator in peace law, general international law, or law: nations in peace Knowledge Foundation, Alexandria, 1993.
7. Hossam Ahmed Muhammad Hindawi, International Humanitarian Intervention in Contemporary Law, Dar Al-Nahdah Al-Arabiya, Cairo, 2004 AD.
8. Yassin Al-Shaibani, Confronting Aggression in International Law and State Behavior, PhD Thesis, Cairo University, Faculty of Law, 1997.
Siell Hussein Al-Fatlawi, Devices: The United Nations, Part Two, Dar Al-Thaqafa for Publishing and Distribution, Amman, 2011.
9. Mustafa Salama Hussein Lectures on International Relations, Al-Radhaa Printing House, Cairo, 1986.
11 Mohamed Sami Abdel Hamid, Origins of Public International Law, Part One, the International Community, I, 6 from Al Maaref Establishment, Alexandria, Egypt, 2000.
10. Ahmed Mahdi Salih Muhammad al-Rawi, The Role of the Security Council in Maintaining International Peace and Security, PhD thesis in Public Law, Iraq, College of Law, University of Mosul, 2004.
11. Hassan Chalabi, Principles: The United Nations and its Organizational Characteristics, Egypt, Cairo, 1970.
12. Khalil Hussein, Encyclopedia of Regional and Continental Organizations, Al-Halabi Human Rights Publications, Lebanon, 2013.
13. Muhammad Khudair Ali Al-Anbari, the principle of non-interference and its exceptions and in contemporary international law, I, 1, Al-Halabi human rights publications, Lebanon, 2016 m.
14. Muhammad Khalil Al-Mousa, The Use of Force in Contemporary International Law, I, 1 Wael Publishing House, Amman, Jordan, 2004 AD, p. 124
15. Ahmed Abdullah Ali Abul-Ela, The Role of the Security Council in the Preservation of International Peace and Peace, Development of Books Legal, Egypt, 2005 AD, p. 333
16. Emad Al-Din Atallah Al-Muhammad, International Intervention in the Light of the Principles and Provisions of Public International Law, Arab Renaissance House, Cairo, 2007 AD.
19 d. Munif Shehab, Public International Law, Arab Renaissance House, Cairo, 1985.
Sieel Hussein Al-Fatlawi, Emad Muhammad Rabee, International Humanitarian Law, I, 1 Dar Al-Thaqafa for Publishing and Distribution, Jordan, 207 AD, p. 66.
17. Abdel-Rahman Abdel-Al Khalifa, The Principle of Humanitarian Intervention in the Light of the Change in the Structure of the International System, PhD Thesis, Cairo University, The Quantity of Economics and Political Science, 2008 AD, pp. 38-34
Taylor B. Sey Bolt. Humanitarian Military Intervention: The Conditions For (1) Success of Failure (Oxford University Press. New York 2007) p. 5-6
B. Lillich, Humanitarian and the United Nations Virginia University Press, 1973, (2) - p. 530