

## Appendix 5

### **International Commission on Intervention and State Sovereignty (ICISS)—criteria for military intervention**

#### *Criteria for military intervention*

As discussed in Chapter 5, the ICISS developed six criteria to be satisfied before a military intervention takes place:

- Just cause – in order to halt or avert serious and irreparable harm of the following kind:
  - large scale loss of life, with or without genocidal intent; or
  - large scale ethnic cleansing;
- Right intention – the primary purpose must be to prevent or stop human suffering;
- Last resort – only when all non-military options have been explored, with reasonable grounds for believing lesser measures would not have succeeded;
- Proportional means – the scale, duration and intensity should be the minimum necessary to secure the defined human protection objective;
- Reasonable prospects – there must be a reasonable chance of success, with the consequences of action not likely to be worse than the consequences of inaction; and
- Right authority – The ICISS considered that there is no better or more appropriate body than the UN Security Council to authorise military intervention for human protection purposes and make the hard decisions about overriding state sovereignty. In its view, the task is not to find alternatives to the Security Council as a source of authority, but to make it work better than it has. If the Security Council fails to act, two alternative options are suggested:
  - to seek support for military action from the UN General Assembly meeting in an emergency session under the established "Uniting for Peace" procedure; or
  - the UN Security Council to authorise regional organisations under Chapter VIII of the UN Charter.<sup>1</sup>

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1 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001, pp. XII-XIII and 32–55.

***Operational principles***

Where a decision is made to carry out a military intervention based on the responsibility to protect, the ICISS identified the following broad operational principles for a successful intervention:

- Clear objectives; clear and unambiguous mandate; allocation of sufficient resources;
- Common military approach; unity of command; clear and unequivocal communications and chain of command;
- Acceptance of limitations, incremental and gradual application of force, the objective being protection of a population, not defeat of a state;
- Rules of engagement which fit the operational concept; are precise; reflect the principle of proportionality; and involve total adherence to international humanitarian law;
- Acceptance that force protection cannot become the principal objective; and
- Maximum possible coordination with humanitarian organisations.<sup>2</sup>

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2 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001, pp. XIII and 57–67.