

REPORT DOCUMENTATION PAGE

Form Approved
OMB No. 0704-0188

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing this collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0704-0188), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ADDRESS.

1. REPORT DATE (DD-MM-YYYY) 10-05-2023		2. REPORT TYPE FINAL		3. DATES COVERED (From - To) N/A	
4. TITLE AND SUBTITLE Human Rights as a Weapon System: A SOF Civil Affairs Perspective				5a. CONTRACT NUMBER N/A	
				5b. GRANT NUMBER N/A	
				5c. PROGRAM ELEMENT NUMBER N/A	
6. AUTHOR(S) MAJ Tanner Derflinger				5d. PROJECT NUMBER N/A	
				5e. TASK NUMBER N/A	
				5f. WORK UNIT NUMBER N/A	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Writing & Teaching Excellence Center Naval War College 686 Cushing Road Newport, RI 02841-1207				8. PERFORMING ORGANIZATION REPORT NUMBER N/A	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A				10. SPONSOR/MONITOR'S ACRONYM(S) N/A	
				11. SPONSOR/MONITOR'S REPORT NUMBER(S) N/A	
12. DISTRIBUTION / AVAILABILITY STATEMENT Distribution Statement A: Approved for public release; Distribution is unlimited.					
13. SUPPLEMENTARY NOTES A paper submitted to the faculty of the NWC in partial satisfaction of the requirements of the curriculum. The contents of this paper reflect my own personal views and are not necessarily endorsed by the NWC or the Department of the Navy.					
14. ABSTRACT This paper examines leveraging human rights (in a positive manner) to advance the US's standing in strategic competition. A section focuses on current US policy toward human rights, as well as our competitor's view of human rights. When looking at HOW the US could do this, research suggests that the primary DoD governance officers (Army Special Operations Civil Affairs) are not adequately trained or prepared to "weaponize" human rights. Additionally, this paper proposes recommended "ways" ahead for the Special Warfare Center and School, as well as the operational Civil Affairs forces following the "by, with, and through" methodology. The topic for this paper was derived from the 2022 Joint Special Operations University Research Topics Guide.					
15. SUBJECT TERMS (Key words) Civil Affairs, Special Operations, Human Rights, Training, Strategic Competition, Foreign Humanitarian Assistance					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT N/A	18. NUMBER OF PAGES	19a. NAME OF RESPONSIBLE PERSON Director, Writing Center
a. REPORT UNCLASSIFIED	b. ABSTRACT UNCLASSIFIED	c. THIS PAGE UNCLASSIFIED			19b. TELEPHONE NUMBER (include area code) 401-841-6499



Human Rights as a Weapon System: A SOF Civil Affairs Perspective

14 October 2022

Word Count 4318

The contents of this paper reflect my own personal views and do not represent the views or opinions of the Naval War College or United States Army.

Introduction

Does “good” governance, by conventional US thought, require upholding and defending human rights? Previously known as just the military occupational specialty (MOS) “Civil Affairs,” a renaming initiative now coins CA officers in Special Operations as a “Civil Affairs Special Operations Forces Governance Officer,” the only such MOS in the United States Army. Civil Affairs is globally employed across all five Geographic Combatant Commands in a range of environments from permissive to non-permissive (or “complex” in terms of the international relief community).¹ Overall, CA’s mission is to “engage and leverage the civil component of the OE (operational environment) while enhancing, enabling, or providing governance ... to find, disrupt, and defeat threats within the civil component.”² CA forces possess broad authorities that allow a full range of military operations from training and equipping foreign militaries to coordinating with civilian organizations. The word “human rights” is only mentioned two times in FM 3-57 and JP 3-57; for substantial information on human rights consideration and mitigation within ARSOF operations, one must turn to ATP 3-05.2 Foreign Internal Defense.^{3 4 5}

While Human Rights as a Weapon System sounds ill-intentioned, SOF CA should leverage the US policy on the promotion of human rights, as well as Civil Affairs’ access, placement, and capabilities, throughout the competition continuum to enhance the US’s position in strategic competition. SOF CA must first understand the definitions and views of human rights from US

¹ Casiano, Mike, ed. “From the Command Team,” *CIV-MIL Nexus APR-JUN 2021 / Volume 1, Issue 1*.

https://www.start.umd.edu/sites/default/files/publications/local_attachments/CIV-MIL%20Nexus_Volume_1.pdf.

² U.S. Army, Civil Affairs Operations, Field Manual (FM) 3-57 (Washington, DC: Headquarters Department of the Army, 28 July 2021), 1-1.

³ FM 3-57.

⁴ Chairman, U.S. Joint Chiefs of Staff, Civil-Military Operations, Joint Publication (JP) 3-57 (Washington, DC: CJCS, 9 July 2018).

⁵ U.S. Army, Foreign Internal Defense, ATP 3-05.2 (Washington, DC: Headquarters Department of the Army, August 2015).

and international community (both our competitors and international organizations) – a point that is not emphasized well during professional military education. “Governance” is poorly defined by the Department of Defense and human rights are poorly understood by civil affairs professionals, both must get a doctrinal and training re-look to increase SOF CA’s effectiveness. A human rights planning model will assist SOF CA in conducting operations by, with, and through unified action partners.

Context

The US Government directly correlates governance and human rights; good governance promotes and protects human rights, poor governance neglects rights. Throughout the years, the US passed many monumental pieces of human rights-related legislature to include the 1964 Civil Rights Act, 1990 American Disability Act, as well as additional legislature on age discrimination, pregnancy, and migrant workers. Additionally, the US has signed, and ratified, five of the nine human rights related treaties, generally referred to as the “core instruments” of human rights.⁶ Through congressional authority, the Department of State is tasked with the job of Leahy vetting, a process to ensure that foreign forces receiving assistance from the US have not committed violations of human rights.⁷ Congress continues not only to prioritize human rights but also ways to leverage them in strategic competition. Over the last several years both the House and Senate have introduced numerous bills aimed to protect and promote human rights abroad in direct competition with China. These are commonly known as the America

⁶ Human Rights Watch, “United States Ratification of International Human Rights Treaties,” *Human Rights Watch News*, 24 July 2019, <https://www.hrw.org/news/2009/07/24/united-states-ratification-international-human-rights-treaties>.

⁷ Bureau of Democracy, Human Rights, and Labor, “About the Leahy Law – Fact Sheet.” *U.S. Department of State*, 20 January 2021, <https://www.state.gov/key-topics-bureau-of-democracy-human-rights-and-labor/human-rights/leahy-law-fact-sheet>.

COMPETES Act, the Strategic Competition Act, and the United States Innovation and Competition Act.^{8 9 10} While the House and Senate go back and forth on the content of the bills, the message being sent is clear: *Weaponizing human rights gives the United States an advantage in strategic competition*. All in all, the US believes it is our purpose to spread the advancement and protection of human rights, where our competitors shy away from what can be perceived as controversial political entanglements, stating that human rights are “domestic issues” for the concerned country.

Both China and Russia believe they should not interfere in human-rights issues abroad.¹¹ Which may in large part be due to a different view of what constitutes human rights. Both countries face multiple accusations of deadly reprisals against human rights activists and lawyers, in addition to limiting freedoms of movement and expression, and oppressing dissent among their population.¹² The non-interference attitude in regard to global human rights shapes the way that China and Russia provide Foreign Humanitarian Assistance, which differs from the Joint Publication definition of FHA. China prefers to build infrastructure versus providing aid or training for humanitarian assistance.¹³ China Daily published an article claiming that the championing of human rights by the US is actually weaponizing them.¹⁴ Though denied, a

⁸ Senate, *A bill to address issues involving the People’s Republic of China – Strategic Competition Act of 2021*, S. 1179. 117th Cong., 2nd sess., 2021.

⁹ House, *Bioeconomy Research and Development Act of 2021 – America COMPETES Act of 2022*, H.R. 4521. 117th Cong., 2nd sess., 2022

¹⁰ Senate, *United States Innovation and Competition Act of 2021*, S. 1260. 117th Cong., 2nd sess., 2022.

¹¹ Mazarr, Michael J., *Understanding Competition: Great Power Rivalry in a Changing International Order – Concepts and Theories* (Santa Monica, CA: RAND Corporation, 2022), <https://www.rand.org/pubs/perspectives/PEA1404-1.html>.

¹² Human Rights Watch, “United States: Events of 2021,” *World Report 2022*, <https://www.hrw.org/world-report/2022/country-chapters/united-states>.

¹³ Thrall, Lloyd, *China’s Expanding African Relations* (Santamonica, CA: RAND Corporation, 2015), 15-16.

¹⁴ China Daily Editorial, “In championing human rights, US is really weaponizing them,” China Daily, accessed 20 September 2022, <https://global.chinadaily.com.cn/a/202112/27/WS61c9ac23a310cdd39bc7dba2.html>.

largely accepted belief is that Russia provides Wagner Group as a means of “assistance” and when they do give out actual assistance, they turn it into an information operation campaign to bolster beliefs of what they are doing, when it is not enough to sustain people in need.¹⁵ Both China and Russia frequently receive critical press from the United Nations Human Rights Council and Human Rights Watch respectively.

In addition to the UN Human Rights Council (UNHRC), other organizations focus on human rights as well, such as Human Rights Watch (HRW). Each year, HRW publishes a worldwide report and individual country reports regarding human rights. HRW both praised and criticized the US for domestic and foreign policies on human rights. Acknowledging the United States is a global power, HRW called on the United States to “show the world the US cares about human rights...join other countries’ initiatives on human rights...talk about human rights domestically and abroad...and champion human rights at all times.”¹⁶

Starting point - understand governance and human rights

To understand the implications and application of weaponizing human rights, one must first clearly define the word “governance” to establish an end point for success. FM 3-57/JP 3-24 defines governance as, “*The state’s ability to serve the citizens through the rules, processes, and behavior by which interests are articulated, resources are managed, and power is exercised in a society.*”¹⁷ This definition tells the audience little about what “good” governance is, could, or should be. The UN defines governance as, “*The exercise of economic, political and*

¹⁵ Jonathan Robinson, “HA/DR in Strategic Competition,” (lecture, Naval War College, Newport, RI, 2022).

¹⁶ Human Rights Watch, “Making sure the United States stands up for human rights in the world from now on,” World Report 2021, accessed 02 September 2022, https://www.hrw.org/sites/default/files/media_2021/01/World%20Report%202021%20ETR.pdf, 12.

¹⁷ FM 3-57, Glossary – 4.

*administrative authority to manage a country's affairs at all levels, comprising the mechanisms, processes, and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences.”*¹⁸ Even though civil vulnerabilities and human rights are intertwined, the Army/Joint definition of governance does not take this connection into account, and as a result does not articulate its importance the way the UN definition does. Revising the Army definition of governance to align with the message congressional leaders are sending, and with the UN definition, will help to highlight the relationship between human rights and governance. Doing so clarifies how to use human rights to meet policy objectives in steady-state and response operations. This also allows SOF CA forces to understand their role and articulate what “good governance” looks like in their AOR.

One of the most understated means of strategic competition within DoD is the weaponization of human rights in the permissive environment. This compelling and potentially innovative approach to strategic competition parallels the SOF CA approach with civil vulnerabilities. Our competitors’ lack of strategy pertaining to human rights creates an opportunity for the US DoD to exploit the vacancy in the realm of human rights. SOF CA already examines vulnerabilities in a community that could be leveraged or exploited by an adversary (threat actor) for their benefit, and many of these vulnerabilities are directly related to human rights. Comparing the Civil Threats from FM 3-57 to the UNHRC Universal Declaration of Rights and the definition of governance, it is impossible to say that human rights are not closely associated with civil threats and governance (reference Table 1 on page 6). With governance and human rights being so closely related, Civil Affairs *Governance* Officers must better understand human rights.

¹⁸ United Nations, *Glossary*, accessed 15 September 2022, http://unpog.org/page/sub5_3.asp.

Civil Threats (FM 3-57)	Human Right (According to UNHRC)
Persistent poverty, unemployment, lack of opportunity	Right to equal access to public service Right to work, choice, without discrimination Right to education
Hunger and Famine	Right to an adequate standard of living (food, clothing, housing, medical care)
Deadly infectious disease, unsafe food, malnutrition	Right to an adequate standard of living (food, clothing, housing, medical care)
Environmental degradation, resource depletion, and natural disasters	Right to own property Right to freely move
Physical violence, crime, terrorism, domestic violence, and child labor	Right to life, liberty and security of person No one shall be subject to torture, inhumane degrading treatment Rights regardless of sex, color, language, religion, political or other opinion, national or societal origin etc.
Political repression and "human rights abuses"	Right to freedom of peaceful assembly and association Periodic and genuine election
Criminal elements	Right to life, liberty and security of person
Destabilizing or failing infrastructure	Right to equal access to public service
Elements attempting societal collapse	Right to life, liberty and security of person Entitled to a social and international order
Propaganda, deception, misinformation, and disinformation	Everyone has the right to recognition everywhere as a person before the law Right to freedom of thought Right to freedom of opinion and expression
At risk populations	Right to a nationality Rights regardless of sex, color, language, religion, political or other opinion, national or societal origin etc.
Other elements or conditions that could lead to breakdown of society	No one shall be held in slavery or servitude Right to freely to participate in cultural life The will of the people shall be the basis of the authority of government

****Table 1: adapted from FM 3-57 and UNHRC documents^{19 20}**

SOF CA's training and understanding of human rights is insufficient to appropriately target human rights issues. Currently, little to no training exists regarding human rights other than International Humanitarian Law, also known as the Law of Armed Conflict. IHL only applies in the context of a conflict, but IHRL applies in and out of conflict. In a survey of twenty civil affairs soldiers of varying years of experience, none of the sample correctly identified the scope of IHL vs. IHRL. One question read:

*"True or False: international humanitarian law applies in and out of conflict"*²¹

¹⁹ FM 3-57, 2-2.

²⁰ United Nations, *Universal Declaration of Human Rights*, accessed 15 September 2022, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

²¹ (Author's Name Removed), "Human Rights as a Weapon System (Survey)," 2022, <https://www.surveymonkey.com/r/ZM6JPSD>.

Zero respondents selected the correct response of “false” in the survey. The author acknowledges this is an incredibly small sample size, and much research must be done to further identify knowledge gaps, but these initial numbers are quite concerning. This demonstrates a lack of knowledge retention from training and lack of understanding for civilians’ rights in a permissive environment. CA is considered the DoD’s “link” to NGOs, the UN, and other civilian agencies, but if we don’t understand the common terms and definitions that these organizations use – that is a problem that needs to be addressed.

Failure to understand the differences in IHL and IHRL can result in the loss of credibility with international relief actors, false reporting of human rights issues, poor communication with humanitarian organizations, or committing a human rights violation based on the intricacies of both IHL and IHRL. This is a DOTMLPF-P and unit training correction that must be made in order to ensure that SOF CA possess the necessary background information to intelligently interact with the UN, NGOs, and interagency organizations.²²

The initial training of our soldiers relies on the Civil Affairs Qualification Course (CAQC) to incorporate deliberate training that connects human rights, governance, civil vulnerabilities and CA missions. This will most likely be an ongoing, iterative, process as CAQC continues to evolve and include more governance training based on the MOS change. However, CAQC only trains the future force coming into SOF CA, what about those already in the operational force? To augment this knowledge gap, CA organizations need to institute valuable battalion-level LPDs, unit training, case studies, and self-study.

²² DOTMLPF-P – Doctrine, Organization, Training, Materiel, Leadership and education, Personnel, Facility, Policy.

Since the MOS focuses on the human domain, SOF CA soldiers and organizations need to deliberately and regularly engage academia, interagency, international, and non-governmental organizations. The idea would bring in individuals and organizations with relevant experience and expertise for a conversation. Ideally, since each battalion is regionally aligned, they should bring in experts that link the human-centric issues in the AO to human rights, humanitarian assistance, climate crisis, and disaster response efforts. Soldiers in SOF CA must train foreign humanitarian assistance and disaster response in dynamic and diverse environments with multiple human rights variables, while working by with and through interagency and international partners replicating the area of responsibility in which they are likely to deploy. This not only builds partnerships across the AOR, while furthering our understanding of governance-related issues, but allows our CA teams to brainstorm unique ways to attack these issues with subject matter experts.

Other ways of brainstorming these ideas includes instituting company-level book clubs or case studies to assist in developing a tactical understanding of the issue of human rights in foreign humanitarian assistance, disaster relief, governance, and targeting the vulnerabilities of each. Keeping this knowledge building at the company-level allows the company commander to determine the training needs of the company based on their country studies, predictive analysis of future disasters, known pitfalls in response efforts, political objectives for the area of operations, and current humanitarian assistance operations. Professional advancement should also include self-study. For example, COURSERA™ is a unique platform where individuals can audit collegiate level classes for free. COURSERA™ includes numerous courses on governance,

human rights, humanitarian, and UN courses, which would augment SOF CA's planned training objectives.²³

Human Rights Planning Model

Civil Affairs forces are often the first turned to in humanitarian and response efforts from the Theater Special Operations Command (TSOC) due to their skills and global employment across all Geographic Combatant Commands.^{24 25} CA must remain forward leaning in developing creative solutions to achieve military and political objectives in our AOR. It is no secret that the US uses foreign aid and assistance to advance national political objectives, but this comes with its own risk. CA leaders need to understand common human rights issues in FHA, which are generally unintended consequences of our actions.²⁶ According to Brookings-Bern, human rights violations in HA/DR sometimes occur due to insufficient resources and capacities, but often these violations are due to inappropriate policies, neglect, and oversight, but can be mitigated with a human rights approach to planning operations. Once we understand second and third order effects, we can develop a plan of action to mitigate the new vulnerability.

The Brookings-Bern Program published a guide to human rights in disaster response that will be extremely beneficial to Civil Affairs planning as we leverage the promotion, protection, and preservation of human rights to advance US policy. The manual suggests that relevant relief actors take a human rights approach to planning and provisioning aid to prevent a loss of credibility and marginalization of populations during humanitarian operations. While the focus

²³ Coursera, "Browse Courses," accessed 15 September 2022, <https://www.coursera.org/browse>.

²⁴ Casiano, *CIV-MIL Nexus*.

²⁵ Rob McQueen, Bobby Tuttle, Chuck Ritter, "Full Spectrum Special Operations (Civil Affairs)," *Pineland Underground*, episode 41, podcast audio, 8 July 2022, pinelandunderground.simplecast.com.

²⁶ Brookings-Bern Project, "Operational Guidelines and Field Manual on Human Rights Protections in Situations of Natural Disaster," *Human Rights and Natural Disasters*, (Washington: Brookings-Bern Project on Internal Displacement, 2008), 19-77.

of this planning model is on disaster response, the principles and planning considerations from Brookings-Bern can, and should, be applied to other CA missions under the scope of FHA or FID (foreign internal defense). The document provides easily identifiable indicators of human rights promotion and degradation and gives examples of how to mitigate the newly created vulnerabilities. The implied take-away from this manual is that if needs are not met for a population, they will find someone else to meet their need, a challenge in strategic competition. Additionally, meeting the need in one human rights area, probably causes the degeneration of other rights, or among a different people group. This is critical to understand how to leverage human rights to minimize vulnerabilities in a population to deny our competitors influence in the AO. This planning model can be tested through tabletop wargame exercises to help CA forces understand effects of planned operations, identify coordination requirements, and highlight additional considerations for rural, urban, and megacity environments.

Promoting Human Rights “By, With, and Through”

“By”

A better understanding of this human rights centric planning model will increase the effectiveness of civic action programs and should improve interorganizational information sharing and coordination outside the DoD enterprise. By using this planning model, SOF CA should create a Civil Information Requirement (CIR) list to answer during civil reconnaissance and civil network development and engagement. Not only does this augment the commander’s critical information requirements, but a CIR list would contain digestible information that can be shared with the international relief community for a new perspective. In practice, sharing accurate, timely, and relevant data with the other actors builds trust and relationships and increased cooperation. At times, civil threats are symptoms of deeper perceived human rights

grievances. Treating the symptoms but allowing the cause to remain, will result in short term gains and reduce credibility in the long run. It is critical to identify and forecast common human rights grievances in the area and develop a program, project, and/or messaging to mitigate this grievance in conjunction with our partner force.

LTG Smith emphasized this point at a speech at the Naval War College through one simple example. LTG Smith stated that if China wants to build infrastructure like hospitals, that is great, because then the US can train the medics and maintain influence in that area, while bolstering the right to access of medical care. He gave multiple examples similar to this of current actions across AFRICOM.²⁷ This is a perfect example where CA's partner training and CAPs are an effective competition mechanism that also meets the commander's PIRs and national policy objectives. If SOF CA targets the right need in the right community, these small-scale cost-effective programs, that are easily replicated, continue to make the US the "partner of choice." By taking this approach, SOF CA will find it hard to work themselves out of a job.

"With"

Frequently, SOF CA conducts training for our partner forces to minimize vulnerabilities and make our partners more legitimate in regional and global views. Depending on the partner, this training varies from basic medical care to distribution of humanitarian aid or conducting a needs assessment. This training is an opportune time to bolster human rights with our partner force. For example, disasters contain at least four potential human rights violations identified by Brookings-Bern and Springer: "unequal access to assistance, discrimination in aid provision,

²⁷ LTG Kirk Smith, "USAFRICOM" (lecture, Naval War College, Newport, RI 1 September 2022).

unsafe resettlement, property restitution, and displacement.”²⁸ Each of these is trainable from either the CA team or our USG partners. For the CA Team, when conducting humanitarian training with our partners, we must take a human rights-based approach. Ensuring our partners identify the areas of most need, allow access to all, coordinate with the larger international response, and train second and third order effects. Disasters bring out the worst in people, and a simple aid distribution point can become a tense standoff between citizens and the government. Training proper de-escalation techniques, ethical crowd control, and information operations requires a whole of government approach to human rights planning.

“Through”

Due to the limitations of being a four-person team, Civil Affairs does a lot of work “through” other organizations. A way to get our partners educated on human rights, humanitarian assistance, disaster response, and civil military coordination is to host a humanitarian workshop or training event. Multiple workshops and courses have been coordinated by Civil Affairs teams in the past with great results. These include coordinating USAID JHOC, hosting unique one-off workshops, and getting partners to attend UNCMCoord training. Considering recent international criticism on Saudi-led coalition’s alleged violation of human rights, as their ally, the CA team organized a workshop for USAID and UNOCHA to discuss IHL, human rights, civil-military coordination, military participation in disaster response. This humanitarian workshop brought members from ten militaries together with over seventy participants from NGOs, UNOCHA, USAID, UKAID, WFP, IOM, and Saudi relief organizations. During the workshop, most UN organizations and NGOs present provided information briefs concerning their organization and

²⁸ Henk ten Have, “Disasters, Vulnerability and Human Rights,” *Disasters: Core Concepts and Ethical Theories* (Switzerland: Advancing Global Bioethics), 169.

operations, but more importantly, all these organizations learned about one another, socialized, ate together, and built in-person relationships.²⁹ The more relationships our host nation partners build with the international relief community, the better. Leveraging US views on human rights, the CA team increased our partners' awareness of human rights in conflict and disaster, and minimized the ability for Iranian, Chinese, or Russian influence in the AO.

Anticipated, and personally observed, effects of this workshop included increased aid worker security, improved perception of humanitarian groups, decreased time for humanitarian notification and deconfliction; and allowed greater humanitarian access to Saudi controlled areas. However, the workshop exposed an unforeseen effect; a non-state actor deemed the UN organizations to lack impartiality while favoring the Saudis/Yemenis. This exacerbated problems for the UN's access, aid distribution, and worker security over the next several years; inadvertently affecting the right to food, medical care, and shelter for many Yemenis. While the intent of the workshop, to improve human rights guarantees and humanitarian access, was achieved among our partner, no US, UK, or UN organization forecasted the secondary effects during planning. We must better understand how the adversaries view our promotion of human rights, and implications of advancing human rights targeted at the wider humanitarian community. The US will continue to target the advancements in human rights, and SOF CA must be the forefront of DoD organizations, working with and through unified action partners, to identify and mitigate second order effects of these operations.

²⁹ Government of Saudi Arabia, "SDRPY Participates in Yemen Humanitarian Operations Workshop Launched by Saudi-led Coalition Command," accessed 15 September 2022, <https://reliefweb.int/report/yemen/sdrpy-participates-yemen-humanitarian-operations-workshop-launched-saudi-led-coalition>.

Speaking Truth to Power

As one of the few organizations that looks at “governance” and “human rights” CA must be able to tell the story of why this is important to the combatant commander, and civilian leadership. Civil affairs operations are a form of “soft” power that is not frequently understood by our deployed leadership. Inability to link CA’s actions to the commander’s priorities and national objectives, causes the marginalization of CA forces. The unique access, placement, and authorities allow CA to gather a lot of civil information on a deployment, but sharing the analysis, not raw data, is tough. We must write in a manner that makes it difficult for the next echelon to delete a sentence from our SITREP. SOF CA needs to truthfully link effects to bolstering of human rights, whether directly from USF actions, or indirectly through training initiatives, to the commander’s PIRs and US policy. As humanitarian assistance and response become lines of efforts for GCCs, CA must continue to plan against human rights grievances to achieve the biggest effect in the AO.

We also must get through the Army’s culture of lying. Afghanistan is the perfect example; for years, civilian and military leaders were informed that our partners were trained, well prepared, etc. then the Taliban ran them over in a matter of days. We will never strategically compete if we cannot be honest brokers with ourselves. Speaking truth to power means that just because it is an unpopular fact, you still say it. Whether that means your project did not have the intended effects, or that your partner potentially committed a human rights violation, it needs to be said. Lastly, in order to avoid accusations of hypocrisy from the international community, the United States government must do more to bring its own policies in line with international human rights norms listed earlier in this paper. Meaningful reform in criminal justice and equality would

demonstrate to the world that we care about human rights not just abroad, but domestically as well.

Additional Implications for humanitarian sector

As the United States looks to weaponize human rights, SOF CA must be aware and monitor the effects. For example, as international governments place bans on their citizens traveling to certain geographic areas, much like the UK did for portions of Syria, one can assume this will negatively affect humanitarian access and degrade the NGOs' ability to maintain neutrality and impartiality. It also violates one's right to care. A departure from humanitarian principles will cause the host nation government, non-state armed groups, and others to lose trust in humanitarian actors. Strategists and politicians that do not understand how the larger international relief effort indirectly supports the DoD mission, put our efforts at risk with such blanket-statement policies.³⁰ If the USG and DoD did not have NGOs in the area, the burden to relieve human suffering becomes theirs – a task no combatant commander would wish to have.

Technology must also become a consideration for humanitarian organizations regarding human rights. Many organizations are currently employing artificial intelligence, drones for assessments, and using biometrics for registration. AI and drones cause a unique conundrum; they are extremely valuable in conducting initial assessments but may infringe on one's right to privacy. Biometrics present an issue in safeguarding migrant/aid recipient information, as demonstrated with the Rohingya Muslims. Humanitarian organizations must continue to work with the United Nations and academia on latest updates as to the standards, rules, and expectations regarding technology.

³⁰ Jonathan Robinson, "HA/DR Overview," (lecture, Naval War College, Newport, RI, 2022).

Conclusion

Arguably, SOF CA has potentially used human rights as a weapon system, but planning models, education, and training need to be improved to fully leverage this unique capability in strategic competition. SOF CA's access, placement, influence, and authorities allow for them to take a unique approach to their operations in a permissive environment. Our current level of understanding of governance, human rights, and the international relief architecture must be improved as the world faces more climate emergencies, natural, and manmade disasters. SOF CA is in a unique position to exploit the gap in our competitors' strategies by targeting the advancement of human rights.

Bibliography

- Brookings-Bern Project. "Operational Guidelines and Field Manual on Human Rights Protections in Situations of Natural Disaster." *Human Rights and Natural Disasters*. Washington: Brookings-Bern Project on Internal Displacement. 2008. 19-77.
- Bureau of Democracy, Human Rights, and Labor. "About the Leahy Law – Fact Sheet." *U.S. Department of State*, 20 January 2021. <https://www.state.gov/key-topics-bureau-of-democracy-human-rights-and-labor/human-rights/leahy-law-fact-sheet>.
- Casiano, Mike, ed. "From the Command Team," *CIV-MIL Nexus APR-JUN 2021 / Volume 1, Issue 1*.
https://www.start.umd.edu/sites/default/files/publications/local_attachments/CIV-MIL%20Nexus_Volume_1.pdf.
- Chairman. U.S. Joint Chiefs of Staff. Civil-Military Operations. Joint Publication (JP) 3-57 Washington, DC: CJCS. 9 July 2018.
- China Daily Editorial. "In championing human rights, US is really weaponizing them." *China Daily*. Accessed 20 September 2022.
<https://global.chinadaily.com.cn/a/202112/27/WS61c9ac23a310cdd39bc7dba2.html>.
- Coursera. "Browse Courses." accessed 15 September 2022. <https://www.coursera.org/browse>.
- (name removed). "Human Rights as a Weapon System (Survey)." 2022.
<https://www.surveymonkey.com/r/ZM6JPSD>.
- Government of Saudi Arabia. "SDRPY Participates in Yemen Humanitarian Operations Workshop Launched by Saudi-led Coalition Command." Accessed 15 September 2022.
<https://reliefweb.int/report/yemen/sdrpy-participates-yemen-humanitarian-operations-workshop-launched-saudi-led-coalition>.
- Have, Henk ten. "Disasters, Vulnerability and Human Rights." *Disasters: Core Concepts and Ethical Theories* Switzerland: Advancing Global Bioethics. 169.
- Human Rights Watch. "Making sure the United States stands up for human rights in the world from now on." *World Report 2021*. Accessed 02 September 2022.
https://www.hrw.org/sites/default/files/media_2021/01/World%20Report%202021%20ETR.pdf, 12.
- . "United States: Events of 2021." *World Report 2022*. <https://www.hrw.org/world-report/2022/country-chapters/united-states>.
- . "United States Ratification of International Human Rights Treaties." *Human Rights Watch News*. 24 July 2019. <https://www.hrw.org/news/2009/07/24/united-states-ratification-international-human-rights-treaties>.

- Mazarr, Michael J. *Understanding Competition: Great Power Rivalry in a Changing International Order — Concepts and Theories*. Santa Monica, CA: RAND Corporation. 2022. <https://www.rand.org/pubs/perspectives/PEA1404-1.html>.
- McQueen, Rob, Bobby Tuttle, and Chuck Ritter. “Full Spectrum Special Operations (Civil Affairs),” *Pineland Underground*. Episode 41. Podcast audio. 8 July 2022. pinelandunderground.simplecast.com.
- Jonathan Robinson. “HA/DR Overview.” Lecture. Naval War College, Newport, RI. 2022.
- . “HA/DR in Strategic Competition.” Lecture. Naval War College. Newport, RI. 2022.
- Smith, LTG Kirk. “USAFRICOM.” Lecture, Naval War College, Newport, RI, 1 September 2022.
- Thrall, Lloyd. *China’s Expanding African Relations*. Santa Monica, CA: RAND Corporation. 2015. 15-16.
- United Nations. *Glossary*. accessed 15 September 2022. http://unpog.org/page/sub5_3.asp.
- . *Universal Declaration of Human Rights*. Accessed 15 September 2022. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.
- U.S. Army, Civil Affairs Operations, Field Manual (FM) 3-57 (Washington, DC: Headquarters Department of the Army, 28 July 2021).
- , Foreign Internal Defense, ATP 3-05.2 (Washington, DC: Headquarters Department of the Army, August 2015).
- U.S. Congress. Senate. *A bill to address issues involving the People’s Republic of China – Strategic Competition Act of 2021*. S. 1179. 117th Cong., 2nd sess., 2021.
- . House. *Bioeconomy Research and Development Act of 2021 – America COMPETES Act of 2022*. H.R. 4521. 117th Cong., 2nd sess., 2022.
- . Senate. *United States Innovation and Competition Act of 2021*. S. 1260. 117th Cong., 2nd sess., 2022.