



<https://doi.org/10.62585/ilhr.v2i1.81>

<p>Journal of International Law & Human Rights</p> 	<p>Volume and Issues Obtainable at Centeriir.org Journal of International Law & Human Rights ISSN (Print): 3007-0120 ISSN (Online): 3007-0139 Volume 2, No.1, 2023 Journal Homepage: http://journals.centeriir.org/index.php/jilhr</p>	 <p>Center of Innovation in Interdisciplinary Research</p>
--------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------

The Shadow Side of Aid: When Assistance Veers into Indirect Force

Meika Atkins¹

Melanie O'Brien²

Hobashia Saleem³

¹Research Fellow, Griffith University, Australia. E-Mail: melanie.obriene@griffith.edu.au

²State Administrative Tribunal of Western Australia, Perth, Australia. E-Mail: melanieobrien654@gmail.com

³Advocate High Court, Islamabad, Pakistan. E-Mail: hobashiasaleem@gmail.com

Article History

Received: 11-06-2023

Accepted: 21-07-2023

Published: 29-09-2023

Keywords:

Force
International law
Law of war
UN charter
Commission

Funding

This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.

Abstract

This research article explores the concept of indirect application of force in international law, focusing on situations where one state aids or supports another state in using force against a third state. The analysis is grounded in Article 2(4) of the United Nations Charter and principles of state responsibility, particularly examining the threshold at which supporting another state's use of force constitutes an indirect application of force by the aiding state. The study reviews legal frameworks, including the International Law Commission's Principles on the Responsibility of States, United Nations General Assembly resolutions, and relevant international jurisprudence.

The article discusses various perspectives on the distinction between complicity and joint responsibility in the context of aiding aggression, highlighting factors such as the nature of assistance, direct nexus to the use of force, intent, and the quality of the contribution. It also presents case studies, including military aid to Ukraine amid the Russia-Ukraine conflict, to illustrate the complexities and implications of the indirect application of force.

Key findings suggest that while providing support or assistance alone may not constitute an indirect use of force, significant contributions that directly impact the supported state's use of force could lead to joint responsibility under international law. The article concludes by emphasizing the importance of clarifying legal standards and thresholds for determining the indirect application of force to uphold international peace and security effectively.



© 2023 The Authors. Published by [Center of Innovation in Interdisciplinary Research \(CIIR\)](#).
This is an Open Access Article under the [Creative Commons Attribution Non-Commercial 4.0](#)

Corresponding Author's Email: hobashiasaleem@gmail.com



<https://doi.org/10.62585/ilhr.v2i1.81>

1. Introduction

A country that supports a different state in the illegal application of force, as defined in Article 2(4) of the UN Charter and conventional international law, may be held accountable in the meaning of 'help or aid', frequently referred to as 'complicity' (International Law Commission, 2001). This principle is expressed in the 16th article of the International Law Commission's Principles on the Responsibility of States (ASR) (McQuigg, 2015), which encompasses a wide range of support that leads to cooperation in criminal acts. Section 3(f) of the 1974 United Nations General Assembly Concept of wrath deals with complicity, especially when a state authorizes another state to use its territory to commit aggression against a third state (Babin, 2020). While interpretations differ, some academics believe Article 3(f) defines a sort of culpability in aggression.

Furthermore, support for unlawful use of force may increase to the point where it is deemed an 'application of force' as written in the second paragraph of Article 2 of the United Nations (UN) Charter (Schmitt & Biggerstaff, 2023). The concept of indirect use of force is recognized in General Assembly resolutions (Schaller, 2023) and elaborated upon by the International Court of Justice (Leigh, 1987). It frequently refers to situations in which a state deliberately engages in disruptive measures against another state, such as establishing irregular forces, arming rebels, or helping armed groups that commit acts of violence against another state.

According to Michael Schmitt and William Casey Biggerstaff, even authorized assistance for another state can pose major hazards to international peace and security, particularly when all parties are nations (Heller & Trabucco, 2022; Schmitt & Biggerstaff, 2023). Therefore, maintaining the purpose of Article 2(4) of the UN Charter, which is to maintain international peace and security, relies on broadening the concept of indirect application of force to include scenarios in which one state supports another nation in employing force towards a third state. When a country encourages another state's application of force which is classified as an indirect application of force under Article 2 Paragraph 4 of the United Nations Charter, it risks violating a basic international law principle known as *jus cogens* (Corten, 2021). This infringement has a variety of repercussions according to the concepts of responsibility for the state, possibly triggering the remedies indicated in Article 41 ASR for serious violations of commitments stemming from peremptory norms of general international legal principles.

A country that employs force under Article 2 paragraph 4 of the United Nations Charter must justify its conduct based on the principles of *jus contra bellum*, whether as a valid means of protecting oneself or as officially sanctioned by the United Nations Security Council by Chapter VII of the United Nations Charter. However, a country that aids or assists another country's application of force without engaging in conduct that qualifies as an application of force does not have to justify its conduct if the other state's force is justified (Green, 2023; Kreß, 2022). The supporting country is only accountable if the benefiting state uses force in contravention of Article 2(4) of the United Nations Charter.

The aiding state may claim that its action was justified as a valid countermeasure or raise the plea of necessity, although these choices may be unavailable if the aiding state's behavior constitutes a direct or indirect application of force under Article 2 paragraph 4 (Corten, 2021). Guns, instruction, and intelligence provided to Ukraine by other countries are not considered a force. They argue that such assistance is within the realm of individual self-defense rights and not collective self-defense (Schaller, 2023). This distinction is critical in establishing the legal

basis for military assistance to Ukraine.

The critical question is when support for another state's application of force becomes the application of force by the assisting country. The switch has gotten relatively little attention in the literature (Nußberger, 2023; Verlinden, 2019). The next sections provide principles of Global Strategy on country-to-country support in the application of force, outline the criteria for determining when support constitutes an indirect use of force, and assess military assistance toward Ukraine.

2. Support from the United Nations General Assembly and Individual Nations for the Application of Force

The United Nations General Assembly concluded in 1951, through the Unity for Harmony Resolution, that the governing body of China had committed aggression in Korea by assisting aggressors and engaged in hostilities against UN forces (Schaller, 2023). This broadened the definition of violence to include direct assistance in violent acts. During the drafting of the 1974 Definition of Violence, it was agreed that authorizing the use of land for violence was an act of aggression (Bruha, 2015). In the opinion of Erin Kimberley Pobjie, Article 3(f) of the Definition dealt with a specific form of indirect force, as opposed to direct physical techniques or results (Pobjie, 2019).

In 1958, Germany responded to accusations of supporting US aggression against Lebanon by emphasizing its resolve to not allow territory to be used for aggression (Quigley, 1986). However, doubts developed about other sorts of assistance, such as military help. Rosalyn Higgins questioned whether offering military aid to an enemy was considered indirect aggression (Higgins, 1963). The International Law Commission cautioned against generalizing Article 3(f) and stated that supplying arms did not always constitute aggression (Schaller, 2023). Despite discussions regarding the prohibition of force, the participation of one state in another's application of force was largely ignored throughout the 1970 Friendly Relations Declaration negotiations (Neuhold, 1977). The United Nations General Assembly underlined states' commitment not to advocate or aid others in breaking the UN Charter in the 1987 Proclamation on Improving the Implementation of the Concept of Refraining from Threatening or Using Force in the Field of International Relations (Schaller, 2023).

The Soviet Union's proposition for a world agreement on the Non-application of Force encouraged the inclusion of a paragraph in the 1987 Declaration emphasizing the prohibition of supporting or assisting governments in illegal behavior (United Nations. Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations, 1985). Although the proposed pact did not materialize, the paragraph expressed worry about assisting aggressor governments or those planning for aggression. Interestingly, Western European countries that had earlier opposed the treaty pressed for adopting this provision in the 1987 Declaration.

Since then, country-to-country aid in the application of force has not obtained much consideration in resolutions from the United Nations. The topic remains vital, as seen by arguments about military aid and support for combat zones. While the concept of indirect aggression has been debated, agreement on its definition and effects is challenging. Continued discourse and scrutiny of country-to-country aid in the application of force are critical for

defining legal boundaries and upholding international law standards.

3. State Practice Regarding Interstate Assistance in the Application of Force

As stated in the UN Charter, states have the right to self-defense, which means they have political, security, and business interests in the arms trade (Öhrling, 2021). International arms control treaties and UN penalties make it possible for these kinds of deals to happen. However, states that sell weapons often don't say anything about the legality or effects of individual deals, even when the recipient is involved in a war.

States usually use the idea of "qualified neutrality" or "non-belligerency" to get out of their strict neutrality duties during wartime (Heintschel & Heinegg, 2007). However, there are no known examples of states giving weapons to fighting groups because of joint self-defense (Heintschel & Heinegg, 2007). For examples of what states do in this area, look at the following examples:

1. Many states actively supported the US-led attack on Iraq in 2003 in different ways. Some countries sent troops to help with the invasion, while others helped with logistics or let the military fly over their countries and do operations there (Schaller, 2023). The US and Australia officially told the UN Security Council about their military involvement and explained how the actions they took were acceptable. However, some coalition members and allies were more quiet about what they thought about whether or not the invasion was legal. For example, Germany let the coalition forces fly over its land and use its military bases and airspace, but it didn't follow the legal position of the US or UK to explain its actions under the *jus contra bellum* (Nolte & Aust, 2009). Instead, Germany kept its promises as a host country under the NATO Treaty and other deals, even though it didn't agree with the invasion of Iraq. The Netherlands took a different method. They focused on political support while looking for legal reasons for possible military action (van onderzoek besluitvorming Irak & Davids Commission, 2010). After Iraq invaded Kuwait and didn't follow through on its promises to disarm and assist with inspections, the Dutch government pointed to UN Security Council resolutions. But it's still not clear if the Netherlands thought they needed official legal justification to support the coalition.
2. Iran said that the US helped Iraq in the war socially, politically, economically, and militarily, as shown in the oil Platforms dispute before the Global Court of Justice (Taft IV, 2004). Iran said that these actions not only broke the law of neutrality but also broke the law against using force by helping an aggressor, which is illegal. This sentence can be taken in different ways. Iran made a clear reference to Article 16 of the Articles on State Responsibility in its answer to the Court (Taft IV, 2004). As an argument, this could be seen as saying that the US was to blame for "help or assistance" to Iraq's act of aggression and illegal application of force. In contrast, the statement could mean that helping an attacker is the same thing as breaking the law against using force. According to this second reading, Iran may have said that the US used force illegally by supporting Iraq's aggression.
3. It's interesting to see how Germany feels about sending military aid to Ukraine during the war with Russia. The Federal Government claims that the assistance, which includes

shipping firearms, is part of Ukraine's liberty of individual self-defense and not an act by the government as a whole. Giving weaponry to Ukraine does not appear to constitute the use of force under Article 2(4) of the United Nations Charter. If the limit was exceeded, Germany and the other governments that dispatched soldiers would have to justify their actions as joint self-defense under Article 51 of the UN Charter and notify the Security Council. There hasn't been a study like that, though, which suggests that most NATO partners and other supporting states agree with this position. In any case, the choice not to use collective self-defense does not always represent *opinio juris*. Many governments in the West are afraid that doing so could make the war worse by making Russia see NATO and Western countries as involved. This worry shows how difficult it is to help Ukraine's defense without doing anything that could make things worse. In the last part of this piece, we'll talk more about what it means to talk about military aid For Ukraine as a matter of collective defense and how that might change the way the conflict is going (Schaller, 2023).

4. Using Another State's Military Indirectly: A Threshold Suggestion

The debate assumes that helping or enabling another country to Implement force against another country may result in the use of force under Article 2(4) of the United Nations Charter. A contribution at this level could be considered an indirect application of force.

1.1.1 4.1. Initial Observations

The literature acknowledges a distinction between involvement in the illegal application of force and joint culpability. Ian Brownlie stated that providing weapons and military equipment may constitute "aid and assistance" in an act of aggression, whilst sending combat units and soldiers for the express intention of helping an aggressor would amount to shared responsibility (Brownlie, 1983). John Quigley stressed that shared accountability would apply when a state heavily participated in the aggression, sending troops and equipment (Quigley, 1986). However, permitting land to be exploited as a base for attack was equated with complicity rather than full participation in aggression. Christian Dominicé contended that supplying military support may render a state a co-author in internationally illegal conduct if the help constituted "true participation" (Dominicé, 2010). Helmut Aust proposed that if a state made a significant contribution to another state's illegal behavior, it could be held jointly liable (Aust, 2011). Harriet Moynihan also contended that if the help were "sufficiently significant," the donating state's participation may expand beyond mere assistance, resulting in joint accountability (Moynihan, 2016).

These perspectives, developed from conversations about state accountability, seek to define the move from complicity to the use of force. However, defining standards for the indirect use of force is based on *jus contra bellum* principles, and while it is tentative due to a lack of solid evidence, it seeks to extract possible threshold criteria from well-established notions.

1.1.2 4.2. Avoiding Low Thresholds

The Friendly Relations Declaration establishes a relatively low threshold for invoking the prohibition of force, including activities such as incitement, help, or complicity in civil strife or terrorism (Schaller, 2023). The ICJ's Nicaragua decision defines assisting rebels as

providing weapons or logistical support (Leigh, 1987). Christian Henderson proposes that intentional and material contributions to violence are required (Henderson, 2023). However, state-to-state support is likely to necessitate a higher barrier. Despite purposeful and material contributions to weapon availability, states have not used collective self-defense. This discrepancy emphasizes the importance of clearly distinguishing between helping force and indirect application of force. The "deliberate and material participation" condition may be sufficient for the ASR but insufficient for state-specific circumstances. The bar for country-to-country support in the application of force is likely to be higher. According to Section 3, governments do not perceive the regulation of arms from one country to another employing force against a third country as a subset of Article 2(4) of the UN Charter. The assistance provided in the instances under investigation can be regarded as a "material and intentional contribution." The states that supplied firearms did not regard the right to collective self-defense as a legitimate rationale. Except for the Islamic Republic of Iran's admission in the Oil Stations case, there is no proof that other countries considered these acts of support as a use of force. It is critical to understand the difference between offering help or assistance in the application of force and utilizing force indirectly. Criteria for 'deliberate and material contributions' under Article 16 ASR may be acceptable, but it is insufficient for the indirect use of force in a country-to-country context.

5. The Physical Aspect of the Indirect Use of Power

The initial factor to address is the relationship between the contribution and the other state's use of violence. Next, I will evaluate the contribution's quality.

i. The Nebula Element.

The nexus criteria are important to the idea of indirect application of force. In its decision on the United States' backing for the contras in Nicaragua, the Global Court of Justice emphasized that sending finances alone did not constitute a use of force, implying a distant relationship. As a result of the remote nexus, substantial financial backing for one country's application of force against another may not be considered an indirect use of force (Leigh, 1987).

Furthermore, in evaluating assistance to acts of war, Sir Christopher Greenwood underlined the necessity of a direct linkage, in which support is strongly related to destructive measures against the opponent in geography and time (Fleck, 2021). Thus, in a state-to-state environment, a direct link should be required to avoid lowering the bar for indirect use of force (Schmitt & Biggerstaff, 2023). This indicates that the contribution must be directly incorporated and manifested through the use of force. For an action to be classified as an indirect use of force according to Article 2(4) of the United Nations Charter, it must assist the supported state in its direct application of force. Merely assisting another country in its indirect application of force may not be enough to establish legal responsibility for the assisting state. It is also important to take into account the seriousness of the backed country's application of force. Indirectly use of force may not apply to minimal applications of force, such as small-scale incursions or focused counter-terrorism operations, if they do not fit the criteria (Corten, 2021). However, contributing to acts of violence or armed attacks may constitute an indirect application of force (Nussberger & Fisher, 2019). The direct nebula criteria are especially

important when transferring armaments, military services, or intelligence to another state. The level of accountability is determined by the proximity of the arms transfer to the actual use of force. A remote nexus may relieve the provider's state of culpability, but a direct linkage, in which weapons are immediately deployed, may suggest the indirect use of force.

ii. Quality: A Crucial Factor in the Application of Force.

Article 16 ASR's explanation of 'help or assistance' can illuminate the quality required for involvement in another country's application of force to be indirect. Vladyslav Lanovoy recommended distinguishing between essential and facilitating elements of the wrongdoing (Lanovoy, 2016). The impact and operational engagement of the conduct could distinguish joint responsibility from complicity.

The country's law accountability cannot lower indirect force levels. "Essentiality" might represent a significant idea to characterize the quality required for aid to another country's indirect application of force (Lanovoy, 2016). "Essential" could refer to the other country's use of force towards the third. Schmitt and Biggerstaff proposed determining whether aid 'meaningfully helps to, and occasionally enables' the supported country's direct application of power. However, 'meaningful contribution' is more akin to aid or help under Article 16 ASR. To operationalize this criterion, determine if the contribution affects the supported country's direct application of force against the third country (Moynihan, 2016; Quigley, 1986). The quantity or quality of modern weapons, military infrastructure, or intelligence sharing could affect the impact. However, two requirements apply. Firstly, consider the turning point where involvement considerably enhances intensity or character must be established individually (Schmitt & Biggerstaff, 2023). Second, it's important to distinguish between critical contribution and 'direction and control,' where a state plans, organizes, and coordinates another state's use of force. 'Direction and control' refers to attribution, while 'indirect use of force' means forceful behavior.

iii. The Individual's Perspective

According to Schmitt and Biggerstaff, the level of a supporting state's objective intention to support another's use of force is critical in determining indirect force (Schmitt & Biggerstaff, 2023). They argue that even if a state does not aim to escalate force, it may be considered the indirect application of force if it knew the aid would result in force. They even argue that if a state disregards the risk of using force, it may be considered indirect force. However, I don't think that nations will see a contribution as an indirect power if the supporting country just tries to aid another's force, especially if it acts mistakenly or with indirect intention (Schaller, 2023). Marko Milanovic's analysis highlights the complications of purpose in complicity under Article 16 ASR. The mental part of indirect force is framed as the purpose to assist another's force, which blurs the distinction between indirect force and aid (Milanovic, 2021). Finally, for an act to be considered indirect force under Article 2(4) of the UN Charter, it must be performed with the specific intent to employ force.

iv. The Application of Force and the Component of Intention

In the Definition of Aggression talks, intention and purpose were debated (Stone, 1977). Although Article 3 activities are usually hostile, the final text doesn't address intent or purpose.

Article 2 only says the Security Council can declare hostilities based on "other relevant circumstances," so interpretations vary. Japan and the US believed this word showed intent (Bruha, 2015). The USSR underlined the need to assess governments' intentions to identify aggressors. It's questionable if Article 2 paragraph 4 of the United Nations Charter requires hostile intent for force (Pobjie, 2019). Corten and Henderson contend that coercion, not hostility, triggers Article 2(4) (Corten, 2021; Henderson, 2023), whereas Ruys suggests that hostile purpose may constitute a small-scale incursion as force, but it's not essential (Ruys, 2014). The Independent International Fact-Finding Mission on the Conflict in Georgia stressed that only hostile acts demonstrate force (HENDERSON & GREEN, n.d.).

Motivation is different from intent. Force may be used for economic or humanitarian objectives (Corten, 2021; Henderson, 2023). Corten and Henderson say intent to coerce another state matters. This emphasizes force as coercion (Henderson, 2023; Milanovic, 2023). This analysis uses "coercive intent" instead of "hostile intent" for clarity.

v. **Test Case: Military Aid to Ukraine.**

Russia's incursion of Ukraine in February 2022 prompted a response from around thirty governments, who supplied Ukraine with weaponry and military equipment, including advanced weapon systems including infantry combat vehicles and battle tanks and aircraft (Schaller, 2023). NATO member states serve as transport hubs for these weapons, ensuring they are combat-ready when they arrive in Ukraine. Ukrainian soldiers undergo training in Western countries, and a remote maintenance system allows for direct communication between Ukrainian technicians and Western professionals.

During the early months of the conflict, the United States and others provided intelligence to Ukraine for specific military actions, with reports indicating close coordination between the Ukrainian army and US military personnel (Barnes et al., 2022; Dilanian et al., 2022). The question arises as to whether such aid is required for Ukraine to employ force against Russia, with experts and governments emphasizing the importance of sophisticated military systems in Ukrainian defense. However, the exact impact of this help on the battlefield is unknown.

The coercive objective underlying the support supplied to Ukraine is clear, with Western leaders publicly expressing their desire to force Russia to stop its aggression. Many see Ukraine's defense as critical to avoiding additional Russian aggression in the region. The backing for Ukraine is viewed as part of a larger effort to restrain the invaders and protect neighboring states' territorial integrity (Marsh, 2023). Overall, the regulations of arms and information to Ukraine are motivated by the express aim to pressure Russia to stop its aggression, thereby fitting the subjective condition of an indirect application of force. While the conditions for collective self-defense are generally met, formal reporting requirements under Article 51 of the UN Charter may not be met.

6. Conclusion

Article 2 paragraph 4 of the United Nations Charter says that a country that helps another country apply force against a third country can be considered to have used force itself if three conditions are met: (1) there is an immediate connection between the involvement and the direct application of force; (2) the contributions is essential to the direct application of force, which means it has a big impact on how strong or how different it is; and (3) the assisting state

did all three of these things. This intent to force raises important contributions from simple help or aid to the indirect use of force, which could lead to some countries sending troops to support Ukraine under Article 2(4) (Green, 2023; Kreß, 2022; Schmitt & Biggerstaff, 2023).

Concerns about being pulled into the conflict have prompted some countries that support Ukraine to curtail their help. French President Macron and German Chancellor Scholz stressed the necessity of not crossing the line into co-belligerence, highlighting the contrast between *jus contra bellum* and human rights law worldwide (Rozenberg, 2022). However, providing enough help and support to meet the standards for the indirect application of force may create questions regarding whether the supporting state is considered a participant in the armed battle under international human rights law. The Global Committee of the Red Cross has stated the criteria under which assisting one party to a conflict can make the country itself a party to the armed battle, which may be easier to meet than the proposed threshold of indirect application of force. The relationship between these levels needs to be explored further, but if military aid to Ukraine counts as an indirect application of force, then puts into doubt the assumption that Western countries are not already parties to the Russia-Ukraine conflict (Talmon, 2022).

References

- Aust, H. P. (2011). *Complicity and the law of state responsibility* (Vol. 81). Cambridge University Press.
- Babin, B. (2020). Attempted Annexation of Crimea and International Legal Practice. *Law Ukr.: Legal J.*, 40.
- Barnes, J. E., Cooper, H., & Schmitt, E. (2022). US Intelligence Is Helping Ukraine Kill Russian Generals, Officials Say. *International New York Times*, NA-NA.
- Brownlie, I. (1983). *System of the Law of Nations*. (No Title).
- Bruha, T. (2015). The General Assembly's Definition of the Act of Aggression in Claus Kreß and Stefan Barriga. *Commentary on the Crime of Aggression*.
- Corten, O. (2021). *The law against war: The prohibition on the use of force in contemporary international law*. Bloomsbury Publishing.
- Dilanian, K., Kube, C., Lee, C. E., & De Luce, D. (2022). US Intel Helped Ukraine Protect Air Defenses, Shoot Down Russian Plane Carrying Hundreds of Troops. *NBC News*, April, 26.
- Dominicé, C. (2010). *Attribution of Conduct to Multiple States and the Implication of a State in the Act of Another State*.

- Fleck, D. (2021). *The handbook of international humanitarian law*. Oxford University Press.
- Green, J. A. (2023). The provision of weapons and logistical support to Ukraine and the jus ad bellum. *Journal on the Use of Force and International Law*, 10(1), 3–16.
- Heintschel, W., & Heinegg, V. (2007). Benevolent third states in international armed conflicts: The Myth of the irrelevance of the law of neutrality. In *International Law and Armed Conflict: Exploring the Faultlines* (pp. 543–568). Brill Nijhoff.
- Heller, K. J., & Trabucco, L. (2022). The legality of weapons transfers to Ukraine under international law. *Journal of International Humanitarian Legal Studies*, 13(2), 251–274.
- Henderson, C. (2023). *The use of force and international law*. Cambridge University Press.
- HENDERSON, C., & GREEN, J. A. (n.d.). *THE APPLICABILITY OF THE JUS AD BELLUM TO ENTITIES SHORT OF STATEHOOD IN THE REPORT OF THE INDEPENDENT INTERNATIONAL FACT-FINDING MISSION ON THE CONFLICT IN GEORGIA*.
- Higgins, R. (1963). The development of international law through the political organs of the United Nations. (*No Title*).
- International Law Commission. (2001). Draft articles on responsibility of states for internationally wrongful acts. *Yearbook of the International Law Commission*, 2(2), 49.
- Kreß, C. (2022). The Ukraine War and the Prohibition of the Use of Force in International Law. *TOAEP Occasional Paper Series*, 13, 1–28.
- Lanovoy, V. (2016). *Complicity and its Limits in the Law of International Responsibility*.
- Leigh, M. (1987). Military and Paramilitary Activities in and Against Nicaragua (Nicaragua v. United States of America). *American Journal of International Law*, 81(1), 206–211.
- Marsh, N. (2023). Responding to needs: Military aid to Ukraine during the first year after the 2022 invasion. *Defense & Security Analysis*, 39(3), 329–352.
- McQuigg, R. J. (2015). Domestic violence as a human rights issue: Rumor v. Italy. *European Journal of International Law*, 26(4), 1009–1025.
- Milanovic, M. (2021). Intelligence sharing in multinational military operations and complicity under international law. *International Law Studies*, 97, 1269.
- Milanovic, M. (2023). Revisiting coercion as an element of prohibited intervention in international law. *American Journal of International Law*, 117(4), 601–650.
- Moynihan, H. (2016). *Aiding and assisting: Challenges in armed conflict and counterterrorism*. Chatham House.
- Neuhold, H. (1977). Das „Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States“. In *Internationale Konflikte—Verbotene und erlaubte Mittel ihrer Austragung* (pp. 16–44). Springer.

- Nolte, G., & Aust, H. P. (2009). Equivocal helpers—Complicit states, mixed messages, and international law. *International & Comparative Law Quarterly*, 58(1), 1–30.
- Nussberger, B., & Fisher, P. (2019). Justifying Self-defence against Assisting States: Conceptualising Legal Consequences of Inter-State Assistance. *EJIL: Talk*, 1–6.
- Nußberger, B. K. (2023). *Interstate Assistance to the Use of Force*. Nomos Verlagsgesellschaft mbH & Co. KG.
- Öhring, L. (2021). *Arms Trade, Human Rights and the Jurisdictional Threshold: On the Responsibility of Arms Transferring States Under the European Convention on Human Rights*.
- Pobjie, E. K. (2019). “Use of Force” and Article 2 (4) of the UN Charter: The Meaning of a Prohibited Use of Force Between States Under International Law.
- Quigley, J. (1986). Complicity in international law: A new direction in the law of state responsibility. *British Yearbook of International Law*, 57(1), 77–131.
- Rozenberg, O. (2022). *A Political Presidency: The 2022 French Presidency of the Council of the European Union*. Svenska institutet för europapolitiska studier (Sieps).
- Ruys, T. (2014). The Meaning of “Force” and the Boundaries of the Jus Ad Bellum: Are “Minimal” Uses of Force Excluded from UN Charter Article 2 (4)? *American Journal of International Law*, 108(2), 159–210.
- Schaller, C. (2023). When aid or assistance in the use of force turns into an indirect use of force. *Journal on the Use of Force and International Law*, 10(2), 173–200.
- Schmitt, M. N., & Biggerstaff, W. C. (2023). *Aid and Assistance as a ‘Use of Force’ Under the Jus Ad Bellum*.
- Stone, J. (1977). Hopes and Loopholes in the 1974 Definition of Aggression. *American Journal of International Law*, 71(2), 224–246.
- Taft IV, W. H. (2004). Self-Defense and the Oil Platforms Decision. *Yale J. Int’l L.*, 29, 295.
- Talmon, S. A. (2022). The Provision of Arms to the Victim of Armed Aggression: The Case of Ukraine. *Bonn Research Papers on Public International Law, Paper*, 20.
- United Nations. Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations. (1985). *Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-use of Force in International Relations*. United Nations, General Assembly.
- van onderzoek besluitvorming Irak, C. & Davids Commission. (2010). *Rapport Commissie van onderzoek besluitvorming Irak*.
- Verlinden, N. (2019). ” Are we at war? “State support to parties in armed conflict: Consequences under jus in Bello, jus ad bellum and neutrality law.