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**HUMANITARIAN
MILITARY
INTERVENTION
THE CONDITIONS FOR
SUCCESS AND FAILURE**

TAYLOR B. SEYBOLT

Stockholm International Peace Research Institute

Humanitarian military intervention is not an oxymoron but a central policy challenge of our times. What are the conditions for success and failure? Taylor Seybolt's thoroughly documented and rigorously argued cases provide specific answers about when, where and how we should rescue war victims with military force.

Thomas G. Weiss
Presidential Professor of Political Science, City University of New York

Taylor Seybolt's book is essential reading for anyone interested in humanitarian intervention. It is the leading study on when humanitarian intervention will produce humanitarian results, and when it will only make things worse.

Stephen Van Evera
Professor of Political Science, Massachusetts Institute of Technology

Moving beyond debates about legality and legitimacy, this work is a systematic attempt to apply measures of success to humanitarian interventions. The difficulties of this analysis are fully acknowledged—and fully engaged. The result is a carefully argued, richly detailed study, an original and important contribution to the literature.

Jim Whitman
Co-editor, Journal of Humanitarian Assistance

Humanitarian Military Intervention focuses on the questions of when and how military intervention in conflicts can achieve humanitarian benefits. It argues that an intervention can be justified only when decision makers are reasonably sure that it will do more good than harm. As the measure of success, the book develops a methodology to determine the number of lives saved. The analysis of 17 military operations in the defining cases of the 1990s—Iraq after the Gulf War, Somalia, Bosnia and Herzegovina, Rwanda, Kosovo and East Timor—reveals both successful and unsuccessful interventions in the same locations.

The book posits that an intervention's short-term effectiveness depends primarily on factors within the control of the intervener, rather than factors inherent to the conflict. Taylor Seybolt combines political and humanitarian dimensions to create a typology that compares the needs of populations suffering from conflict with an intervener's military strategies, motives, capabilities and response time. The detailed case studies test hypotheses derived from the model and identify the policy implications of various courses of action.

Dr Taylor B. Seybolt (United States) is an assistant professor at the University of Pittsburgh Graduate School of Public and International Affairs. He was previously a Senior Program Officer at the United States Institute of Peace and Leader of the SIPRI Conflicts and Peace Enforcement Project.

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Stockholm International Peace Research Institute

Signalistgatan 9, SE-169 70 Solna, Sweden

Telephone: +46 8/655 97 00

Fax: +46 8/655 97 33

Email: sipri@sipri.org

Internet URL: <http://www.sipri.org>

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Taylor B. Seybolt

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Contents

<i>Preface to the paperback edition</i>	vii
<i>Preface to the hardback edition</i>	viii
<i>Acknowledgements</i>	x
<i>Abbreviations and acronyms</i>	xi
<i>Map 1. Northern Iraq, 1992</i>	xiii
<i>Map 2. Somalia</i>	xiv
<i>Map 3. Bosnia and Herzegovina, April 1995</i>	xv
<i>Map 4. Rwanda, August 1994</i>	xvi
<i>Map 5. Kosovo, 1999</i>	xvii
<i>Map 6. East Timor, 1999</i>	xviii
1. Controversies about humanitarian military intervention	1
I. Humanitarian intervention debates	7
II. The structure of this book	28
2. Judging success and failure	30
I. What is success?	30
II. Counting people who did not die	32
III. A typology of humanitarian military intervention	38
IV. Summary	45
Figure 2.1. Military responses to humanitarian dilemmas	40
Table 2.1. A typology of humanitarian military intervention	42
3. Humanitarian military interventions in the 1990s	46
I. State oppression of the Kurds in northern Iraq, 1991–96	47
II. State failure and famine in Somalia, 1991–95	52
III. Secession and ethnic expulsion in Bosnia and Herzegovina, 1992–95	61
IV. Genocide and civil war in Rwanda, 1994	70
V. Secessionist violence and ethnic expulsion in Kosovo, 1999	78
VI. Independence and fear in East Timor, 1999–2000	86
VII. Summary	93
Table 3.1. The impact of intervention in northern Iraq, 1991–96	48
Table 3.2. The impact of intervention in Somalia, 1991–95	60
Table 3.3. The impact of intervention in Bosnia and Herzegovina, 1992–95	68
Table 3.4. The impact of intervention in Rwanda, 1994	78
Table 3.5. The impact of intervention in Kosovo, 1999–2000	80
Table 3.6. The impact of intervention in East Timor, 1999–2000	90

4. Helping to deliver emergency aid	96
I. Strategies for delivering aid	97
II. Direct aid and logistics provision in the 1990s	106
III. Advantages and disadvantages of military intervention to help provide aid	131
IV. Summary	133
Table 4.1. Variations of direct aid and logistical assistance	106
5. Protecting humanitarian aid operations	135
I. Strategies for protecting aid operations	136
II. Protecting aid operations in the 1990s	145
III. Advantages and disadvantages of military intervention to protect aid operations	172
IV. Summary	176
Table 5.1. Various forms of military protection of aid operations	140
6. Saving the victims of violence	177
I. Strategies for protecting civilians	180
II. Saving the victims of violence in the 1990s	191
III. Advantages and disadvantages of military intervention to save the victims of violence	218
IV. Summary	220
Table 6.1. Various forms of saving civilian victims	184
7. Defeating the perpetrators of violence	222
I. Strategies for defeating the perpetrators of violence	224
II. Defeating the perpetrators of violence in the 1990s	230
III. Advantages and disadvantages of military intervention to defeat the perpetrators of violence	262
IV. Summary	265
Table 7.1. Various outcomes of offensive action to defeat perpetrators of violence	226
8. The prospects for success and the limits of humanitarian intervention	267
I. Taking stock	270
II. Choosing among types and strategies	274
III. The limits of humanitarian military intervention	276
IV. Concluding comments	280
Table 8.1. Success and failure in humanitarian military intervention in the 1990s	272
Index	282

Preface to the paperback edition

It is with great pleasure that SIPRI reissues this excellent volume in a paperback edition. Since *Humanitarian Military Intervention* was first published the issues it addresses have only become more timely and the book continues to speak to critical policy questions.

While it is still true that national or state security remains the dominant paradigm, the idea of human security has proven powerful enough to influence major policy decisions, as shown by the repeated practice of humanitarian military intervention. Today, the ‘responsibility to protect’, with its emphasis on protecting civilian populations from state predation, stands in stark contrast to the ‘global war on terrorism’, with its emphasis on protecting states from non-state actors. Advocates for each perspective arrive at very different conclusions about when, why and how to use military force.

This book weighs in on the use of force debate, arguing that protecting and assisting civilians who are caught up in violent conflicts—saving strangers—is a legitimate purpose for military intervention. At the same time, this book recognizes that hard-nosed considerations of strategy, power and risk are as important for the success of humanitarian intervention as they are for more traditional national security purposes, and that intervention for humanitarian ends is just as likely as traditional intervention to go wrong.

In the context of the human security–national security debate, the humanitarian aid community is undergoing significant change and collective soul searching. Taylor Seybolt challenges the core humanitarian concepts of political neutrality and duty-based, or deontological, ethics. Integrating just war reasoning and deterrence theory with comprehensive empirical analysis of landmark cases, he argues that humanitarian intervention is inherently a political act that must be judged by its consequences, not its motivation.

This book makes an important contribution to policy debates and should be seen as a valuable text in graduate and advanced undergraduate courses on foreign policy, humanitarian affairs and military intervention. SIPRI is pleased to offer this book in a paperback edition that is more accessible for use in the classroom.

Humanitarian Military Intervention ties into contemporary policy debates, is methodologically innovative and is written with clarity. In short, the work will continue to be valuable reading for practitioners, policy analysts and students concerned with making our world a more stable and safe place for the most vulnerable people in regions around the globe.

Dr Bates Gill
Director, SIPRI
Stockholm, May 2008

Preface to the hardback edition

Tragedies such as the war in Lebanon between Israel and Hezbollah in the summer of 2006 and the fighting and massacres in Darfur, Sudan, seize the world's attention with harrowing stories of human suffering and political complexity. Many other humanitarian disasters never reach the newspaper headlines or the television broadcasts. In places like northern Uganda and the Democratic Republic of the Congo, loss of life on a large scale—and the political instability and economic decline that go with it—have persisted for years almost unnoticed by the world community. What can and should be done to help ordinary people who are caught in the middle of violent conflicts, and who all too often are deliberately press-ganged, attacked, driven out or starved by armed groups?

The debate about when and how outsiders should get involved has, in recent years, focused on the concept of a 'responsibility to protect' civilians during violent conflicts. This controversial idea—now enshrined in a document adopted by the UN Summit of September 2005, but still contested in practice by many governments—puts the onus on the UN and its nations to step in and protect the citizens of a country when that country's government cannot protect them or turns its own weapons on them. Difficult though it has been, and still remains, to reach consensus in principle on this idea, implementing it is harder still. Who should act upon the responsibility to protect, in what circumstances, and with what instruments and methods? Even more to the point, what makes success more likely?

The demand for international interventions of all kinds has grown in recent years and is set to grow further, including many cases already known or still unforeseeable where such action will be motivated by the need to protect civilians and provide humanitarian assistance. In these as in other types of missions, the institutions and contributing nations need to improve their performance and success rate if they are not only to meet the human demands involved, but also to use their limited resources more effectively. The best single adjunct to doing so is a clear understanding of the reasons why operations undertaken with an explicit or inherent humanitarian motive have succeeded or failed in the past, and especially in the seminal decade following the end of the cold war.

This book aims to promote that understanding through an up-to-date examination of the criteria for launching military intervention for humanitarian ends, followed by a detailed analysis of factors for success based on past experience. On the first point, it draws on the concept of 'just war' (also much cited in the recent 'responsibility to protect' debate) to argue that the establishment of just cause, and a reasonable prospect of success, are the most important considerations. In contrast to other analysts and observers who also place emphasis on the interveners' 'right intention' and 'right to authority', the author contends

that there can be no justification for the use of force without a reasonable prospect of succeeding in the given humanitarian aims.

The heart of the book is an in-depth analysis of the outcomes of 17 past military operations in northern Iraq, Somalia, Bosnia and Herzegovina, Rwanda, Kosovo and East Timor, measured in terms of saving human lives. The general finding is that such interventions have saved lives more often than not, but that there is much room for improvement. In order to develop prescriptions, the author looks in detail at four potential roles of armed forces together with the inputs and strategies that are needed to ensure that they achieve the right results on the ground. What emerges is that past failures have been caused mainly by interveners either pursuing an inappropriate strategy, or choosing the right strategy but not understanding its material and political demands.

This is by no means the first book written on the topic of humanitarian intervention. It aims to provide added value by establishing a rigorous framework for defining the category of what constitutes humanitarian intervention, and what constitutes 'success' in such a venture; followed by the empirical application of these tests to a wide range of case studies from the past. The author goes further to derive some particular and general explanations for success and failure, including the basic point that intervention of any kind can succeed only when it is planned and carried out such in a way that the ends are supported by the means. Experience has shown that this simple lesson has yet to be learned by many advocates of humanitarian intervention.

SIPRI's hope in presenting this volume is that its value will go well beyond research and documentation to assist those who are struggling in the real world with the imperative of saving human lives from armed violence, and with all the conceptual, political and practical dilemmas that arise when pursuing that goal. The findings presented here should be of interest to those making policy and plans in the UN and other concerned international institutions, and in national governments, but also to the many non-governmental actors who have a role to play both in spurring and in working alongside timely and successful interventions. I would like to congratulate Taylor Seybolt on this valuable work, which represents the fruit of many years' sustained effort, and to thank Eve Johansson and SIPRI's Editorial and Publications Department for the editing and Peter Rea for the index.

Alyson J. K. Bailes
Director, SIPRI
Stockholm, November 2006

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The Stockholm International Peace Research Institute, under the direction of Daniel Rotfeld and Alyson Bailes, provided strong support for this project during my employment there and throughout the publication process. While at SIPRI, I was privileged to receive a grant from the United States Institute of Peace to substantially broaden my research and refine my thinking on this difficult topic. My research assistant, Emma Kay, did fabulous work without which this book would not be half as rich in detail. The editorial team at SIPRI has been a great help. In particular, I thank Eve Johansson who is highly professional and efficient as well as being a good person. The reviewers of this work deserve thanks for their comments, which have led to a better book.

As I have studied the tragedies of war, my children, Willa, Potter and Reed, have been constant reminders of all that is good in life. Above all else, I owe a debt of gratitude to my wife Susan. Her inspiration and constant support made this book possible.

My parents, Cynthia and Peter Seybolt, have been there for me every step of my life. This book is dedicated to them.

Taylor B. Seybolt
Washington, DC, November 2006

Abbreviations and acronyms

APC	Armoured personnel carrier
CARE	Cooperative for Assistance and Relief Everywhere
CIMIC	Civil–military information centre
CMOC	Civil–military operation centre
DART	Disaster assistance response team
FALINTIL	Forças Armadas da Libertação Nacional de Timor-Leste (Armed Forces for the National Liberation of East Timor)
FRETILIN	Frente Revolucionária de Timor-Leste Independente (Revolutionary Front for an Independent East Timor)
FRY	Federal Republic of Yugoslavia (Serbia and Montenegro)
FYROM	Former Yugoslav Republic of Macedonia
HOC	Humanitarian Operation Centre (Somalia)
ICRC	International Committee of the Red Cross
IDP	Internally displaced person
INTERFET	International Force for East Timor
JNA	Jugoslovenska Narodna Armija (Yugoslav People’s Army)
JTF	Joint Task Force
KFOR	Kosovo Force
KLA	Kosovo Liberation Army
KVM	Kosovo Verification Mission
MSF	Médecins sans Frontières
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organization
OCHA	Office for the Coordination of Humanitarian Affairs (United Nations)
OFDA	Office of US Foreign Disaster Assistance
OSCE	Organization for Security and Co-operation in Europe
PRT	Provincial reconstruction team
QRF	Quick Reaction Force
RPA	Rwandan Patriotic Army
RPF	Rwandan Patriotic Front
RRF	Rapid Reaction Force
RUF	Revolutionary United Front
SNA	Somali National Alliance
SRSNG	Special Representative of the (UN) Secretary-General
TNI	Tentara Nasional Indonesia (Indonesian National Defence Forces)

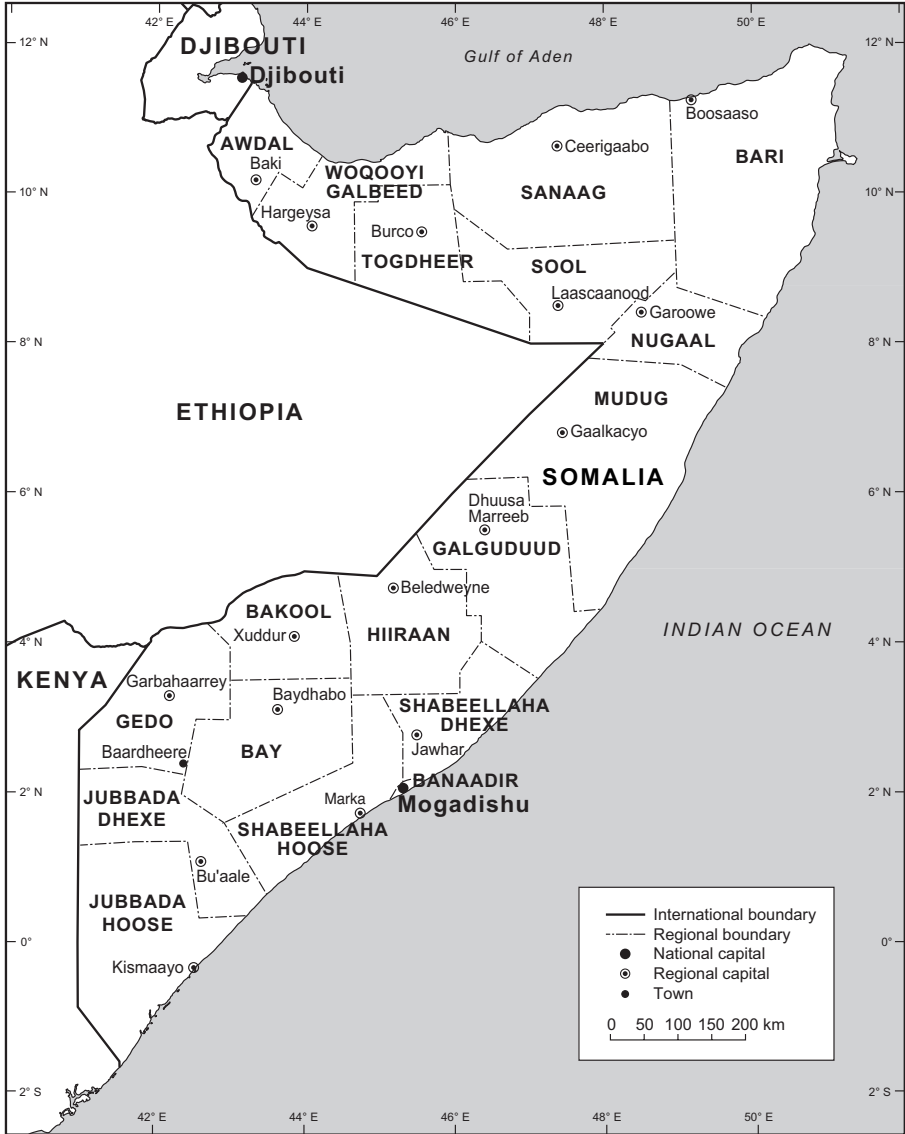
xii HUMANITARIAN MILITARY INTERVENTION

UN	United Nations
UNAMET	United Nations Assistance Mission in East Timor
UNAMIR	United Nations Assistance Mission for Rwanda
UNGCI	United Nations Guard Contingent in Iraq
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNITAF	Unified Task Force (Operation Restore Hope, Somalia)
UNMIK	United Nations Mission in Kosovo
UNOSOM	United Nations Operation in Somalia
UNPROFOR	United Nations Protection Force (former Yugoslavia)
UNREO	United Nations Rwanda Emergency Office
UNTAET	United Nations Transitional Administration in East Timor
USAID	United States Agency for International Development
VRS	Vojska Republika Srpska (Army of Republika Srpska)
WFP	World Food Programme
WHO	World Health Organization



Map 1. Northern Iraq, 1992

Source: Kurdish-populated areas based on the map 'Ethnoreligious groups' in US Central Intelligence Agency (CIA), *Iraq: A Map Folio* (CIA: Washington, DC: 1992).

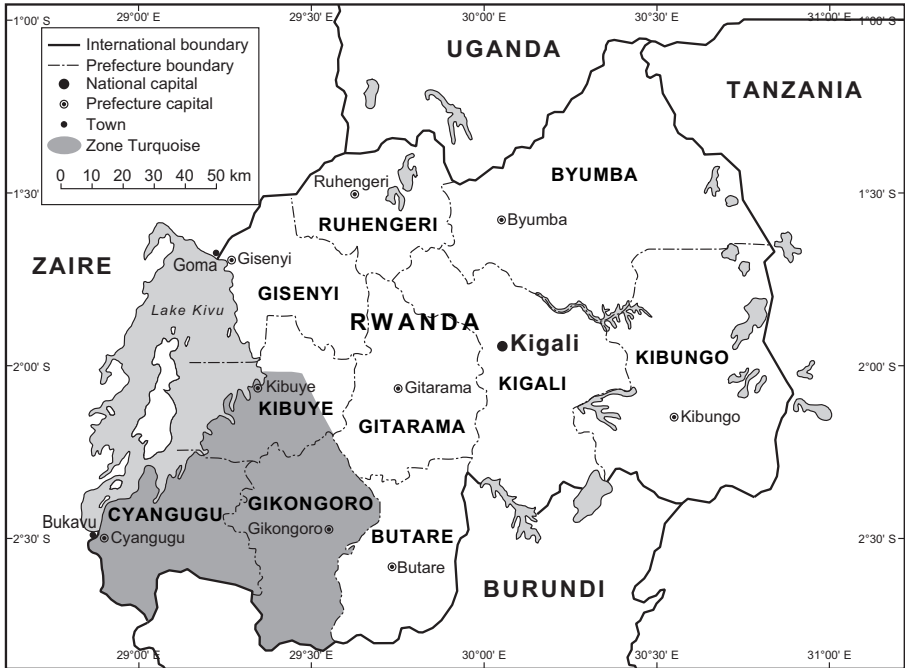


Map 2. Somalia



Map 3. Bosnia and Herzegovina, April 1995

Source: UN High Commissioner for Refugees, Mapping Unit, ‘Areas of control in Croatia and Bosnia and Herzegovina, April 1995’, 1 June 2000, URL <<http://www.unhcr.org/cgi-bin/texis/vtx/country?iso=bih&expand=maps>>.



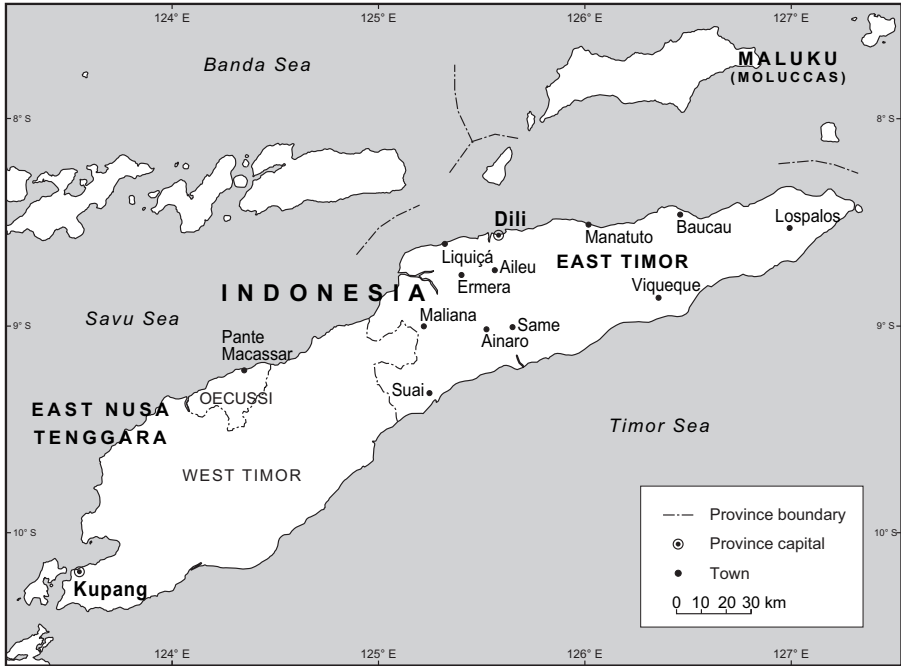
Map 4. Rwanda, August 1994

Note: The shaded area indicates the safe area established by the French-led Operation Turquoise during the second phase of its deployment, 7–31 July 1994.

Source: Karhilo, J., 'Case study on peacekeeping: Rwanda', *SIPRI Yearbook 1995: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 1995), figure 2C, p. 102.



Map 5. Kosovo, 1999



Map 6. East Timor, 1999

1. Controversies about humanitarian military intervention

Once considered an aberration in international affairs, humanitarian military intervention is now a compelling foreign policy issue. It is on the front line of debates about when to use military force; it presents a fundamental challenge to state sovereignty; it radically influences the way humanitarian aid organizations and military organizations work; and it is a matter of life or death for thousands upon thousands of people.

The modern international system is founded on the premise that sovereign states have a right to non-intervention, to be free from unwanted external involvement in their internal affairs. Yet repeated humanitarian interventions since 1991 have confronted the idea of sovereign immunity in the name of protecting civilians from harm. This human security perspective on the use of force, grounded in the belief that the rights of people, not states, are the bedrock of a just and secure world, has found its voice in the concept that states have a responsibility to protect civilians within their jurisdiction.

The painful events in Darfur, Sudan, are a case in point. Since 2003 tens of thousands of people have been killed and hundreds of thousands have been driven from their homes by government-backed militia. Advocates for intervention decry the loss of human life; they do not argue for intervention to protect the sovereignty of a state or to address a threat to international peace and security. Many governments and the United Nations (UN) have echoed the concern, with the United States going so far as to officially accuse the Sudanese Government of genocide.¹ It is the first time in history that one government has accused another of ongoing genocide. At the same time, responses to the mass killing in Sudan have been wholly inadequate to protect civilians, as they were during the violence in Rwanda, Bosnia and Herzegovina, and many other places of mayhem. The reluctance to act reflects the tension between the emerging norm of human security and the continued dominance of traditional security concerns, respect for state sovereignty, and a very practical recognition that stopping the killing is difficult and dangerous.

This tension has been played out in recent years both at the highest political level and down in the dirt of operational practice. UN Secretary-General Kofi Annan intensified the debate over humanitarian intervention following the military operation in Kosovo in 1999—a controversial case of intervention to protect civilians that was not endorsed by the UN Security Council. His challenge to governments to agree on guidelines for the use of force led to the publication

¹ The White House, 'President speaks to the United Nations General Assembly', Washington, DC, 21 Sep. 2004, URL <<http://www.whitehouse.gov/news/releases/2004/09/20040921-3.html>>.

2 HUMANITARIAN MILITARY INTERVENTION

in 2001, by an independent commission, of *The Responsibility to Protect*, which emphasized that a duty inherent in state sovereignty is to safeguard the lives and livelihoods of civilians.² If that duty is not upheld, the commission argued, other governments, authorized by the UN, have the right to act, including to use military force as a last resort.³

The concept of states' responsibility to protect civilians drew sharp reactions from many governments, particularly in Asia and Latin America, which saw in it the legitimation of military intervention by strong states against weak ones. Their criticisms appeared to be borne out in 2003 when the USA tried to justify its invasion of Iraq in humanitarian terms after its initial justification—that Saddam Hussein possessed weapons of mass destruction—was proved false. Human rights organizations, however, forced the US Administration of President George W. Bush to back away from the claim when they exposed its absurdity, with reference to the conditions for legitimate humanitarian intervention laid out in *The Responsibility to Protect*.⁴

Despite the misgivings of many countries, human security as a justification for military intervention under certain circumstances has gained widespread acceptance. The UN Secretary-General's High-level Panel on Threats, Challenges and Change endorsed 'the emerging norm that there is an international responsibility to protect [civilians] . . . in the event of genocide and other large-scale killing, ethnic cleansing or serious violations of international humanitarian law which sovereign governments have proved powerless or unwilling to prevent'.⁵ Annan carried forward this endorsement in his report to the UN General Assembly, 'In larger freedom'.⁶ Surprisingly, the General Assembly, at the September 2005 World Summit, endorsed the concept of the sovereign responsibility to protect civilians, including by using force as a last resort against states that do not live up to that responsibility.⁷

If there is an emerging consensus in theory (and that is open to debate), many questions remain in practice.⁸ Under what conditions should outsiders intervene militarily? Should the intervention force be a UN force, as in Haiti, or a coalition of like-minded states, as in Kosovo? Should the interveners be combat

² International Commission on Intervention and State Sovereignty, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (International Development Research Centre: Ottawa, 2001).

³ See section I below for an extended discussion of the contemporary normative context and its historical antecedents.

⁴ See e.g. 'War in Iraq: not a humanitarian intervention', *Human Rights Watch World Report, 2004: Human Rights and Armed Conflict* (Human Rights Watch: New York, 2004), pp. 13–35.

⁵ United Nations, 'A more secure world: our shared responsibility', Report of the High-level Panel on Threats, Challenges and Change, UN documents A/59/565, 4 Dec. 2004, and A/59/565/Corr., 6 Dec. 2004, URL <<http://www.un.org/secureworld/>>.

⁶ United Nations, 'In larger freedom: towards development, security and human rights for all', Report of the Secretary-General, UN document A/59/2005, 21 Mar. 2005.

⁷ UN General Assembly Resolution 59/314, 26 Oct. 2005. The text of this and other General Assembly resolutions referred to in this volume is available at URL <<http://www.un.org/documents/resga.htm>>.

⁸ See below in this chapter for an extended discussion of the practical debates and the position of this book within those debates.

troops or peacekeepers? How much force is appropriate and at whom should it be directed? Humanitarian aid workers define their role as non-political and impartial, seeking to minimize violence and treat all sides equally. Militaries, on the other hand, take sides and look for enemies. When should intervention happen? Preventive military action is difficult to justify on humanitarian grounds, given the potential destructiveness of a military operation, yet delayed action almost invariably means large-scale loss of life in crises. When soldiers and aid workers interact, how can humanitarian organizations avoid being seen as parties to the conflict? The controversy over provincial reconstruction teams (PRTs) in Afghanistan in recent years highlights the scope for extreme disagreement between military and humanitarian perspectives on appropriate military activities in complex emergencies.

A great deal of ink has been spilled on this topic already, much of it by international lawyers and moral philosophers whose legal and moral debates have shifted ground considerably since the end of the cold war, but whose arguments remain in ‘a state of vincible ignorance’ of empirical support.⁹ Political scientists, aid practitioners and military analysts, for their parts, have spent less time on the issue of justification, preferring instead to analyse past interventions to determine what happened; why it happened; and what the implications are for the resolution of violent conflict, humanitarian assistance and military affairs. This book attempts to bridge the gap between normative debates and empirical analysis by looking at past interventions from political, humanitarian and military perspectives in order to shed light on the conditions under which humanitarian intervention can be morally justified.

This book provides a fine-grained analysis of humanitarian military interventions during the decade that followed the cold war. Grounded in a theory of what makes humanitarian intervention effective, it rigorously and systematically compares military responses to politically induced humanitarian crises in northern Iraq in 1991, in Bosnia and Herzegovina, Somalia, Rwanda and Kosovo, and in East Timor in 1999. The historical–analytical approach provides responses to important questions that have yet to be adequately answered. Which past interventions, if any, were effective? How is it possible to know they were effective? What were the reasons for success or failure? How much control did governments have over the outcome of an intervention? What does past experience tell us about the prospect of success when military force is used for human protection purposes in the future?

The link between effectiveness and moral justification in this book’s argument is based on the premise that military intervention for human protection purposes can *only* be justified in humanitarian terms if the intervention does more good than harm. More formally, humanitarian military intervention is morally justifiable only when, at a minimum, the intended beneficiaries of the

⁹ Holzgrefe, J. L., ‘The humanitarian intervention debate’, eds J. L. Holzgrefe and R. O. Keohane, *Humanitarian Intervention: Ethical, Legal and Political Dilemmas* (Cambridge University Press: Cambridge, 2003), p. 50.

4 HUMANITARIAN MILITARY INTERVENTION

action are better off after the intervention than they would have been had the intervention not taken place. This is not simply the consequentialist approach of saying that the ends justify the means. Rather, it emphasizes that, no matter what other legitimating rationale is offered, the means (military intervention) cannot be justified in humanitarian terms unless there is a reasonable prospect that it will achieve the desired ends (betterment of the human condition).

In summary, this book argues that effectiveness should be measured by the number of lives saved. About half of the humanitarian military interventions in the 1990s were effective; this can be determined by close examination of mortality statistics and analysis of military and humanitarian organizations' activities.¹⁰ The fundamental cause of success and failure across all the cases was the interaction of military strategy with humanitarian objectives and the demands of the situation on the ground. When strategy, objectives and demands were aligned, success was far more likely than when one or more pieces were incongruent. Intervening governments, this book contends, have a great deal of control over the outcome of a humanitarian intervention if they understand what they are up against and have the political will to pay a price in soldiers' lives to save strangers.

Some people argue that humanitarian intervention is 'yesterday's problem' and that the 'war on terrorism' since September 2001 has made it obsolete because governments now focus only on protecting their vital national interests.¹¹ There is no doubt that national interests, traditionally understood, remain at the centre of every state's foreign and security policies. Furthermore, the Bush Administration's doctrine of 'preventive war' and its experiment with regime change in Iraq have generated considerable controversy in the halls of government over the use of force in pursuit of national interests. Those concepts, while relevant to the practice of humanitarian intervention, are part of a separate, more traditional, debate about how states can and should secure their vital interests. They do not make humanitarian intervention yesterday's problem.

On the contrary, humanitarian intervention is likely to be rare but it is not likely to disappear. It is only necessary to look as far as the 2005–2006 African Union mission in Darfur, Sudan, to see humanitarian intervention (and its limitations) in action. Many vicious and debilitating wars continue to occur, from Africa, across the Middle East and Central Eurasia, to South-East Asia. Most of them cause large-scale human suffering when rebel militia or government soldiers kill, rape and torture civilians and drive people from their homes and livelihoods. Given the ascendancy of human rights norms in international affairs, continual large-scale violence, the precedents of past humanitarian interventions and available military capacity, it is reasonable to expect that

¹⁰ Chapter 2 provides an in-depth discussion of counterfactual analysis to determine the number of people who did not die but would have died without intervention.

¹¹ See e.g. Traub, J., 'Never again, no longer?', *New York Times Magazine*, 18 July 2004, pp. 17–18.

political leaders will sometimes become concerned enough about the welfare of civilians to consider taking drastic action.¹²

False humanitarian rhetoric must also be taken seriously. Abuse of the humanitarian justification for military action blurs the distinction between legitimate exceptions to the non-intervention principle and subversion of the principle for reasons of national interest.¹³ If the allowable scope for pursuing national interests through aggressive use of force expands, the international system is likely to become more dangerous and violent. Conversely, humanitarian intervention might be less likely in future situations where civilians truly need help if the claim of humanitarian motives is doubted because of past misuse of such a claim or if the action is not approved by the UN or another multilateral body. If there is a legitimate case for humanitarian intervention—and there is—such intervention must be strictly limited. A better understanding of what constitutes legitimate humanitarian intervention will aid recognition of a wolf in sheep's clothing and help to maintain peace in international affairs.

It is imperative that policymakers and the implementers of intervention—humanitarian workers, soldiers and civil servants—learn from the past. Humanitarian intervention is a dangerous and expensive enterprise. The mixed record of the past 15 years leaves enormous room for improvement, and there are no easy answers. The balance between political and humanitarian considerations is delicate; the relationship between military and civilian humanitarian actors is both fragile and crucially important. If not done well, humanitarian intervention wastes lives and resources and might perpetuate or exacerbate the problems it is intended to address. Humanitarian assistance can feed wars.¹⁴

Before summarizing the major debates, a definition of humanitarian intervention and a few words about context are in order. The term 'humanitarian military intervention'—or 'humanitarian intervention' for short—is used here to mean 'the threat or use of force across state borders by a state (or group of

¹² In addition to majority agreement with the principles laid out in *The Responsibility to Protect* (note 2) and subsequent documents, a number of governments have individually supported the idea of legitimate intervention. Government of Belgium, 'Argument of Belgium before the International Court of Justice', 10 May 1999, URL <<http://www.icj-cij.org>>; Aartsen, J. van, Foreign Minister of the Kingdom of the Netherlands, Opening remarks, International Peace Academy, 'Humanitarian action: a symposium summary', 20 Nov. 2000, pp. 12–13, URL <<http://www.ipacademy.org/Publications/Publications.htm>>; and Cook, R. (British Foreign Secretary), 'Guiding humanitarian intervention', Speech presented at the American Bar Association Meeting, 19 July 2000, URL <<http://www.fco.gov.uk>>—all 3 cited in Stromseth, J., 'Rethinking humanitarian intervention: the case for incremental change', eds Holzgrefe and Keohane (note 9), pp. 237, 239, 263.

¹³ When the Bush Administration put forward a humanitarian argument for its invasion of Iraq in 2003, many observers objected. When the USA invaded Afghanistan in 2001 it justified the action on national security grounds, but certain actions by US military units substantially blurred the line between the military and humanitarian realms. Among the controversial actions were airdrops of food during the period of fighting and the establishment of 'provincial reconstruction teams' (PRTs) during the post-combat stabilization phase.

¹⁴ Maren, M., *The Road to Hell: The Ravaging Effects of Foreign Aid and International Charity* (Free Press: New York, 1997); Reiff, D., 'The humanitarian illusion', *New Republic*, 16 Mar. 1998, pp. 27–32; and Terry, F., *Condemned to Repeat? The Paradox of Humanitarian Action* (Cornell University Press: Ithaca, N.Y., 2002).

6 HUMANITARIAN MILITARY INTERVENTION

states) aimed at preventing or ending widespread and grave violations of the fundamental human rights of individuals other than its own citizens [due to violence], without the permission of the state within whose territory force is applied', and the use of military personnel to assist the delivery of humanitarian aid to people in need.¹⁵ This definition excludes interventions by a state to rescue its own citizens. It also excludes non-forcible interventions such as economic or diplomatic sanctions. Non-forcible use of military personnel for logistical and other specialized tasks falls within the definition only in instances of response to crises caused by violence, not by natural disasters. The UN Security Council can authorize humanitarian military intervention, or intervention can occur without legal authorization. An 'effective' humanitarian intervention is one that saves lives by preventing or ending violent attacks on unarmed civilians, or by assisting the delivery of aid, or both.

Humanitarian intervention is a short-term activity with limited political objectives. It is intended only to stop the worst suffering. It is not intended to establish a lasting peace or to put a new, or renewed, political system in place, although it can establish a basis for peace-building by creating an environment in which people can think about more than mere survival. Explicitly political objectives follow, but are distinct from, humanitarian objectives. This distinction becomes blurred when policymakers want an intervention to alleviate human suffering *and* promote a political resolution to the crisis, as UN-led operations were asked to do in Somalia and Bosnia and Herzegovina. The difference between humanitarian and political objectives was more obvious in Kosovo and East Timor, where initial humanitarian operations quickly handed over to long-term political operations. In brief, humanitarian intervention is meant to protect fundamental human rights in extreme circumstances; it is not meant directly to protect or promote civil and political rights.

Military intervention for human protection purposes takes place in a hostile environment, where the political order is contested and the national government does not have the capacity or the will to respond to the basic needs of people for safety, shelter, food, water and medical services. In some cases the government itself is responsible for creating the humanitarian crisis in its effort to defeat rebels or impose demographic changes through killing and forced displacement. Politicians call these situations crises or wars; humanitarian workers call them complex emergencies; soldiers used to call them military operations other than war and now refer to them as peace operations. In cases where parties to the conflict have reached a (provisional) negotiated settlement, diplomats and military officers refer to peacekeeping.

Whatever the label, the essential point is that humanitarian crises are a symptom of deeper political and social problems. In the aftermath of a natural disaster the leaders and population of a country almost always welcome outside assistance, even when it is delivered by armed forces. In contrast, during a

¹⁵ Holzgrefe (note 9), p. 18.

complex emergency—a political crisis with humanitarian consequences—some armed elements within a country are very likely to be hostile to the delivery of aid or the protection of civilians because the intervention gets in the way of their political objectives.

Diverse organizations and groups populate this complicated and volatile environment. Apart from troops, outside governments and the UN may send in civilian administrators with specialized knowledge of different aspects of governance and economic development. International non-governmental organizations (NGOs) play significant roles, with competences ranging from emergency relief to long-term development. The ways in which these diverse actors work with, and in opposition to, each other and the indigenous government, rebels and civil society organizations remains poorly understood.¹⁶ The practice of humanitarian intervention, and debates about it, take place against this backdrop of political violence and multiple organizations with diverse, often incompatible, agendas.

I. Humanitarian intervention debates

The literature on humanitarian military intervention is vast and the practice of intervention to ‘help the innocent’ has a substantial history. The following review of moral and legal debates focuses on the principles of ‘just war’ and identifies the ‘reasonable prospect of success’ as an important consideration that analysts often treat only in passing.

After the moral and legal perspective, a review of the debates among political scientists, humanitarian practitioners and military officers addresses key questions that have emerged in response to interventions since the end of the cold war. The strategy employed by an intervener emerges as a central determinant of success that is poorly addressed in the existing literature. This discussion lays the foundation for the analytical model developed in chapter 2.

Moral and legal perspectives

The question of when and why to use military force has occupied princes, popes and presidents for centuries. Military interventions in the name of humanity must be understood in the normative context in which they occur. The post-cold war normative context gives purpose and meaning to actions that were politically inconceivable not long ago. It shapes the rights and duties states believe they have, the goals they value, and the means they believe are effective and

¹⁶ Aall, P., Miltenberger, D. and Weiss, T. G., *Guide to IGOs, NGOs and the Military in Peace and Relief Operations* (United States Institute of Peace Press: Washington, DC, 2000); and Crocker, A. C., Hampson, F. O. and Aall, P., *Herding Cats: Multiparty Mediation in a Complex World* (United States Institute of Peace Press: Washington, DC, 2001).

legitimate to achieve those goals.¹⁷ Debates today are based on the work of theologians, philosophers and legal scholars who broke new ground, first regarding natural law, then regarding positive law, and currently regarding attempts to meld the two.

Natural law is grounded in moral reasoning. It holds that proper behaviour is governed by precepts that can be known by reason and are binding on all rational beings. Chief among these precepts is that natural rights accrue to people simply by virtue of their being human. Natural law recognizes the right (and, according to some thinkers, the duty) of sovereigns to use force to uphold the good of the human community, particularly in cases where unjust injury is inflicted on innocents.¹⁸ The substance of the precepts, it must be said, has changed over time, suggesting that natural law is based on reason informed by current norms, rather than on pure reason. Serious scholarship on natural law as a guide to justified war first appeared in the work of Pope Innocent IV in the 13th century. Writing at the time of the crusades, he sought to answer a question that preoccupied many thinkers of the time: was it morally justifiable for Christians to invade the land of non-Christians?¹⁹

Natural law persisted as the basis for reasoning on the legitimate use of force ('just war') until the Treaty of Westphalia of 1648, which brought the Thirty Years War to an end. The general congress of European powers that produced the treaty had the immediate effect of ushering in a period of peace in Europe and the long-term (and more important) effect of putting positive law before natural law.²⁰ This enabled the development of the modern international system, with the sovereign state as the ordering principle of power. A central tenet of positive international law is that law is determined by the joint will of sovereign states. Whereas natural law is based on moral reasoning, positive law in the international sphere is based on political reasoning.

Under the influence of positive law, relations between states became increasingly governed by the view that a sovereign government has the right to rule within its own territory as it sees fit without fear of outside intervention. Thus, state sovereignty came to be treated as nearly absolute and individual rights, while recognized, were at the mercy of the state.

Today, the point of departure for the debate on justified military intervention is the tension between state sovereignty and individual human rights that is embodied in the pinnacle of positive international law—the Charter of the

¹⁷ Finnemore, M., *The Purpose of Intervention: Changing Beliefs about the Use of Force* (Cornell University Press: Ithaca, N.Y., 2003), p. 53.

¹⁸ Bellamy, A. J., 'Ethics and intervention: the "humanitarian exception" and the problem of abuse in the case of Iraq', *Journal of Peace Research*, vol. 41, no. 2 (2004), p. 132; and Nardin, T., 'The moral basis of humanitarian intervention', *Ethics and International Affairs*, vol. 16, no. 2 (2002), p. 58.

¹⁹ Nardin (note 18), p. 59.

²⁰ Smith, D., 'Sovereignty in the age of intervention', ed. A. McDermott, *Sovereign Intervention*, PRIO Report 2/99 (International Peace Research Institute: Oslo, 1999), p. 19.

United Nations.²¹ The UN Charter prohibits the use of military force except in cases of self-defence or when authorized by the UN Security Council to address threats to international peace and security.²² Until recently, there was almost universal agreement among legal scholars that military intervention against the will of the target state is not legal outside these two exceptions. The sanctity of state sovereignty is based on the assumption, backed by centuries of experience before the Treaty of Westphalia, that outside involvement in internal strife will escalate and broaden a conflict. Complementing this dominant theme, international law seeks to protect the rights of people within a state to exercise their political will free from outside interference—commonly referred to as the right of self-determination.

At the same time, the UN Charter recognizes the legal status of individual human rights, which is embodied in the Universal Declaration of Human Rights.²³ The 1948 Genocide Convention and international humanitarian law further consolidate within international law the rights of individuals independent from those of sovereign states.²⁴

These two aspects of modern international law neatly embody the recurrent tension in political theory between order and justice.²⁵ Where do legal and moral responsibilities lie when the imperatives of state sovereignty and human rights clash? When a state is unable or unwilling to protect the rights of its citizens, what are other actors within the international system allowed, or required, to do?

In their extensive summary of the ‘intricate debate’ during the second half of the 20th century, Oliver Ramsbotham and Tom Woodhouse give an account of the historical dichotomy between positive and natural law.²⁶ They distinguish between ‘restrictionists’, who adhere to the dominant interpretation of positive law that prohibits intervention,²⁷ and ‘counter-restrictionists’, who argue that state sovereignty is not absolute and intervention is allowed for the purpose of

²¹ An excellent collection of scholarly essays on both sides of the debate is Lillich, R. (ed.), *Humanitarian Intervention and the United Nations* (University of Virginia Press: Charlottesville, Va., 1973).

²² Charter of the United Nations, articles 2(4), 39, 42 and 51.

²³ Charter of the United Nations, Article 1(3); and United Nations, Universal Declaration of Human Rights, UN General Assembly Resolution 217 A (III), 10 Dec. 1948.

²⁴ The Convention on the Prevention and Punishment of the Crime of Genocide was adopted by the UN General Assembly on 9 Dec. 1948 and entered into force on 12 Jan. 1951. The text of the convention is available at URL <http://www.unhchr.ch/html/menu3/b/p_genoci.htm>.

²⁵ The standard text is Bull, H., *The Anarchical Society: A Study of Order in World Politics*, 2nd edn (Macmillan: London, 1995).

²⁶ Ramsbotham, O. and Woodhouse, T., *Humanitarian Intervention in Contemporary Conflict* (Polity Press: Cambridge, 1996), pp. 8–66.

²⁷ Examples of the restrictionist view are Brownlie, I., *International Law and the Use of Force by States* (Clarendon Press: Oxford, 1963); Brownlie, I., ‘Thoughts on kind-hearted gunmen’, ed. Lillich (note 21), pp. 139–48; Akehurst, M., ‘Humanitarian intervention’, ed. H. Bull, *Intervention in World Politics* (Clarendon Press: Oxford, 1984); Verwey, W., ‘Humanitarian intervention under international law’, *Netherlands International Law Review*, vol. 32 (1985), pp. 357–418; and Ferar, T., ‘An enquiry into the legality of humanitarian intervention’, eds L. F. Damrosch and J. Scheffer, *Law and Force in the New International Order* (Westview Press: Boulder, Colo., 1991), pp. 316–47.

preventing atrocities, even when those atrocities occur within the borders of the responsible state.²⁸ The debates remained largely theoretical through the 1970s and 1980s, as no government seriously sought to justify military intervention on humanitarian grounds, even though the interveners used the term gratuitously on many occasions.²⁹

The outstanding exception was India's intervention in East Pakistan in 1971. Following the electoral victory in East Pakistan of the independence-minded Awami League, the Pakistani Army killed over 1 million people and drove millions more into India. Indian Government representatives at the UN initially justified their military response in part on humanitarian grounds. They withdrew that justification, however, and relied on a national security argument when other governments objected that the principles of sovereignty and non-interference should take precedence. In 1979 Viet Nam overthrew Pol Pot in Cambodia and Tanzania overthrew Idi Amin in Uganda. Although the two dictators were among the most atrociously brutal in the 20th century, and both actions have been cited subsequently (years later) as examples of intervention with positive humanitarian results, both governments justified their actions on national security grounds and shunned humanitarian arguments.³⁰

In the 1990s the question of justifiable humanitarian intervention took on new urgency when states, the United Nations and regional multinational organizations repeatedly intervened to help people subject to human rights abuses and severe deprivation, from Iraq in 1991 to East Timor in 1999.³¹ The restrictionist camp, despite holding the legal high ground, faced a strong challenge from the counter-restrictionists, who sought ways to make intervention allowable in order to protect individuals from the state.

The concept of absolute state sovereignty began to give way because its insistence on strict adherence to the principle of non-intervention did not allow engagement with questions of great theoretical and practical importance. Are

²⁸ Examples of the counter-restrictionist view are Lillich, R., 'Forcible self-help by states to protect human rights', *Iowa Law Review*, vol. 53 (1967), pp. 325–51; Fonteyne, J.-P., 'The customary international law doctrine of humanitarian intervention: its current validity under the United Nations Charter', *California Western International Law Journal*, vol. 4, no. 2 (1974), pp. 203–70; Bazylar, M., 'Re-examining the doctrine of humanitarian intervention in light of the atrocities in Kampuchea and Ethiopia', *Stanford Journal of International Law*, vol. 23 (1987), pp. 547–619; Reisman, M., 'Sovereignty and human rights in contemporary international law', *American Journal of International Law*, vol. 84 (1990), pp. 866–76; Vincent, R. J., *Human Rights and International Relations* (Cambridge University Press: Cambridge, 1986); and Tesón, F., *Humanitarian Intervention: An Inquiry into Law and Morality* (Transnational Publishers: Dobbs Ferry, N.Y., 1988).

²⁹ Anthony Arend and Robert Beck list 11 interventions from 1948 to 1983 where the intervening government claimed humanitarian motives. They dismiss every one, in part because of their restrictive definition of humanitarian intervention. Arend, A. C. and Beck, R. J., *International Law and the Use of Force* (Routledge: London, 1993), pp. 112–37. Despite their critique, 3 cases of intervention that stopped widespread massacres and displacement during the cold war are regularly cited in debates on humanitarian intervention—those of Viet Nam in Cambodia, Tanzania in Uganda, and India in East Pakistan.

³⁰ Tesón (note 28), chapter 8; and Wheeler, N., *Saving Strangers: Humanitarian Intervention in International Society* (Oxford University Press: Oxford, 2000).

³¹ The following chapters address the issue of whether or not the interventions in question were truly motivated by a desire to assist the victims of atrocities.

states' rights always morally and legally superior to individual rights, or are there circumstances in which states forfeit certain rights in favour of individual rights?³² How can governments address the tension inherent in the UN Charter? Can a meaningful distinction be made between legal action and legitimate action? If states occasionally engage in humanitarian intervention despite its legal prohibition, should their actions be subject to standards of behaviour, and if so what should they be?

By 1993 some writers detected an emerging and controversial 'normative consensus' concerning the conditions under which international intervention in intra-state crises could be justified,³³ that is, an intervention should be in response to the violation of a recognized set of moral and political standards, it should be done collectively rather than by a single state, it should comply with procedural safeguards, and it should be effective at achieving its goal of helping the people of the state concerned.³⁴ In such work can be seen an attempt to meld principles of positive law, such as the legitimacy of collectively authorized action, with principles of natural law presented in the modern language of human rights.

Despite these contributions from the early post-cold war period and many more that followed,³⁵ not to mention prior centuries of thought, the idea of a moral right to intervene remains 'conceptually obscure and legally controversial'³⁶ and has led to 'profound normative confusion' among international lawyers and ethicists.³⁷ In fact, the contention that a consensus is emerging seems unfounded, as many writers and governments remain to this day implacably opposed to the idea of legitimate humanitarian intervention.³⁸

Nonetheless, it became clear by the mid-1990s that the legal and ethical debate had shifted.³⁹ In an international environment where some states are prepared to contemplate military intervention for altruistic reasons, writers interested in developing new normative guidelines have embraced the natural law principles of just war as a useful framework.

³² Tesón (note 28).

³³ See e.g. Reed, L. W. and Kaysen, C., *Emerging Norms of Justified Intervention* (American Academy of Arts and Sciences: Cambridge, Mass., 1993).

³⁴ Damrosch, L. F. (ed.), *Enforcing Restraint: Collective Intervention in Internal Conflicts* (Council on Foreign Relations Press: New York, 1993), pp. 1–27; and Farer, T. J., 'A paradigm of legitimate intervention', ed. L. F. Damrosch, *Enforcing Restraint: Collective Intervention in Internal Conflicts* (Council on Foreign Relations Press: New York, 1993), pp. 316–47.

³⁵ E.g. Kaplan, R., 'Humanitarian intervention: which way forward?', *Ethics and International Affairs*, vol. 14 (2000), pp. 23–38; and Mertus, J. A., 'Legitimizing the use of force in Kosovo', *Ethics and International Affairs*, vol. 15, no. 1 (2001), pp. 133–50.

³⁶ Verway, W., quoted in Ramsbotham and Woodhouse (note 26), p. 45.

³⁷ Damrosch, L., 'Changing conceptions of intervention in international law', eds Reed and Kaysen (note 33), p. 91.

³⁸ See e.g. Roberts, A., 'The so-called "right" of humanitarian intervention', *Yearbook of International Humanitarian Law*, 2000 (T. M. C. Asser Press: The Hague, 2002), pp. 3–51; and Cotton, J., 'Against the grain: the East Timor intervention', *Survival*, vol. 43, no. 1 (spring 2001), pp. 127–42.

³⁹ Danish Institute of International Affairs, *Humanitarian Intervention: Legal and Political Aspects* (Danish Institute of International Affairs: Copenhagen, 1999).

Since the concept of just war developed over a long period of time, there is no definitive set of principles, but modern writers focus on some or all of five principles for going to war (*jus ad bellum*) and two principles during war (*jus in bello*). The criteria for a legitimate resort to military force are: just cause, right intention, right authority, last resort and a reasonable prospect of success. The criteria for legitimacy during war are proportionality and discrimination.

The touchstone work on just war principles in modern times is *Just and Unjust Wars*, in which Michael Walzer builds on the work of classical writers and Enlightenment philosophers to argue that communal liberty and human rights have greater intrinsic value than state sovereignty. Walzer stresses the limits on the legitimate use of military force, but he does not adhere to a strict legalist paradigm. ‘Humanitarian intervention’, he writes, ‘is justified when it is a response (with reasonable expectations of success) to acts “that shock the moral conscience of mankind”’.⁴⁰ Setting a precedent for most work that follows this line, he devotes a good portion of his work to discussion of what constitutes a just cause, but says very little about how an intervening government could reasonably expect to attain success.

Summarizing the nature of the relationship between human rights and the state, Ramsbotham and Woodhouse lay out the logical steps that put individual rights before state rights and allow intervention when a state does not fulfil its duty to protect its citizens: ‘victim’s right to protection and assistance; host government’s duty to provide it; outside governments’ duty to act in default; outside governments’ right to intervene accordingly’.⁴¹ Aware that this logic could lead to illegitimate interventions, they propose five questions to determine if a past intervention was, in fact, humanitarian:

(i) was there a *humanitarian cause*? (ii) was there a declared *humanitarian end* in view? (iii) was there an appropriate *humanitarian approach*—in other words, was the action carried out impartially, and were the interests of the interveners at any rate not incompatible with the humanitarian purpose? (iv) were *humanitarian means* employed? (v) was there a *humanitarian outcome*?⁴²

These questions adhere closely to the just war principles first articulated by writers in the Middle Ages. It is relevant to the consequentialist analysis of this book that Ramsbotham and Woodhouse believe that ‘The criterion of humanitarian outcome is particularly difficult to apply’, largely because it requires counterfactual judgements about what would have happened to the population if intervention had not occurred.⁴³

In a project to trace the evolution of the norm of humanitarian intervention in international affairs, Nicholas Wheeler attempts a ‘reconciliation of the

⁴⁰ Walzer, M., *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (Basic Books: New York, 1977), p. 107.

⁴¹ Ramsbotham and Woodhouse (note 26), p. 23.

⁴² Ramsbotham and Woodhouse (note 26), p. 73 (emphasis in the original).

⁴³ Ramsbotham and Woodhouse (note 26), pp. 73, 75–76.

imperatives of order and justice'.⁴⁴ He is the first writer to provide an extended evaluation of humanitarian intervention cases with explicit reference to just war principles. Like Walzer, he seeks to emphasize the principles of just cause and reasonable prospect of success. This is a controversial position, given the importance accorded in policy debates to the motives of interveners. Unlike Walzer, Wheeler develops an argument in favour of military intervention to protect civilians from predation by states. He is also one of the first authors to provide a serious evaluation of the effectiveness of intervention across multiple cases.⁴⁵ Few writers have taken up the issue of effectiveness beyond single case studies,⁴⁶ but just war principles have been widely recognized as an analytical framework for judging the legitimacy of an intervention for humanitarian purposes.

In early 1999 the North Atlantic Treaty Organization (NATO) intervened in the Serbian province of Kosovo, without UN Security Council authorization. The action sparked vehement disagreement over whether human rights and humanitarian concerns can ever be a legitimate cause of war.⁴⁷ UN Secretary-General Kofi Annan recognized that it was time to address head-on the tension in the UN Charter.⁴⁸ He confronted the UN General Assembly in 1999 and again in 2000 with a startling challenge (by General Assembly standards) to 'forge unity' around basic principles of intervention in cases of extreme need: 'if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica—to gross and systematic violations of human rights that affect every precept of our common humanity? In essence the problem is one of responsibility: in circumstances in which universally accepted human rights are being violated on a massive scale we have a responsibility to act.'⁴⁹

In response to the challenge, Canada initiated the International Commission on Intervention and State Sovereignty which produced *The Responsibility to Protect* in 2001. In its attempt to square the circle of order and justice—sovereignty and individual rights—the commission emphasized the *duties* inherent in sovereignty. It turned the issue of 'intervention for human protection purposes' from a debate about a right to intervene into one about the responsibility to protect innocent lives, following the logic set out by Francis Deng

⁴⁴ Wheeler (note 30), p. 17.

⁴⁵ Wheeler looked at the interventions of India in East Pakistan in 1971; Viet Nam in Cambodia in 1979; Tanzania in Uganda in 1979; France, the UK and the USA in northern Iraq in 1991; the UN and the USA in Somalia in 1991–93; France in Rwanda in 1994; and the UN and the North Atlantic Treaty Organization (NATO) in Bosnia and Herzegovina and Kosovo in 1992–99.

⁴⁶ An exception, published before Wheeler's book, is Weiss, T., *Military–Civilian Interactions: Intervening in Humanitarian Crises* (Rowman & Littlefield: Lanham, Md., 1999).

⁴⁷ For a review of 8 books that provide a range of opinions on the question, with specific reference to Kosovo, see Mertus, J., 'Legitimizing the use of force in Kosovo', *Ethics and International Affairs*, vol. 15, no. 1 (2001), pp. 133–50.

⁴⁸ Annan, K. A., 'Two concepts of sovereignty', *The Economist*, 18 Sep. 1999, pp. 49–50.

⁴⁹ United Nations, General Assembly, Report of the Secretary-General on the work of the organization, 55th Session, Supplement no. 1 (A/55/1), 30 Aug. 2000, para. 37.

and his colleagues five years earlier.⁵⁰ Starting from a presumption of non-intervention, deviation from which must be exceptional and justified, the report offered guidelines for the ‘exceptional and extraordinary measure’ of military intervention to protect large numbers of people from imminent danger.⁵¹

The commission argued that ‘all the relevant decision-making criteria can be succinctly summarized under the following six headings: *right authority, just cause, right intention, last resort, proportional means and reasonable prospects*’.⁵² It is really quite extraordinary that a government-sponsored report, in response to a United Nations call for consensus, should so boldly embrace natural law principles. Certainly, the principles have been modernized. Just cause no longer concerns religious affiliation, but large-scale loss of life and expulsion from homelands. Right authority no longer rests with the pope, as it was once considered to do, but with the UN (and possibly with regional organizations). To its credit, the commission’s report pays a significant amount of attention to factors that influence the prospects of successful military intervention. In keeping with the nature of the report, however, the discussion remains general and free of empirical examples.⁵³

A landmark report on the future direction of the United Nations, published in late 2004, revealed sustained political interest in the idea that governments have a duty to protect individuals. A central theme of ‘A more secure world: our shared responsibility’ is the responsibility of governments to prevent and, if necessary, to stop large-scale killing of civilians and violation of human rights.⁵⁴ The High-level Panel that produced the report presented five criteria for Security Council authorization of the use of force that are directly descended from just war principles: seriousness of threat, proper purpose, last resort, proportional means and balance of consequences. The panel defined the fifth principle in terms of the likelihood of success by asking ‘Is there a reasonable chance of the military action being successful in meeting the threat in question, with the consequences not likely to be worse than the consequences of inaction?’⁵⁵

The point has now been reached where the just war principles have wide currency as a political and moral, but not legal, framework for judging the legitimacy of military intervention for human protection purposes. These guidelines are presented as a complement to positive law and the strong presumption of non-intervention. In that regard, it must be noted that the principles are not used only to justify or excuse intervention, but sometimes to draw cautionary lessons or to criticize an intervention. Some observers, for example, worry that legitim-

⁵⁰ Deng, F. et al., *Sovereignty as Responsibility: Conflict Management in Africa* (Brookings Institution Press: Washington, DC, 1996).

⁵¹ International Commission on Intervention and State Sovereignty (note 2).

⁵² International Commission on Intervention and State Sovereignty (note 2), p. 32 (emphasis in the original).

⁵³ International Commission on Intervention and State Sovereignty (note 2), pp. 57–67.

⁵⁴ United Nations (note 5), pp. 17, 65–66.

⁵⁵ United Nations (note 5), p. 67.

ized humanitarian causes, combined with technological advances in weapons that make some kinds of military action relatively cheap and easy for powerful states, will make it less likely in the future that military intervention will be used only as a last resort.⁵⁶

The importance of a reasonable prospect of success

Although the just war principles have gained wide currency in the humanitarian intervention debate, there remain deep disagreements about some principles and a lack of serious thought about others. For none is this more true than it is for the principle of a reasonable prospect of success. Evaluations of interventions in Somalia, Bosnia and Herzegovina, Rwanda, Kosovo and elsewhere have great value, but studies of single cases cannot easily provide generally applicable lessons.⁵⁷ The few cross-case comparisons that delve deeply into the issue of effectiveness have looked at the question of legitimacy or the balance of costs and benefits but have not attempted to provide a set of criteria for judging the prospective effectiveness of future interventions.⁵⁸

Two recent surveys of the literature on the changing attitude towards humanitarian intervention, which appear in the same edited volume, conclude that empirical studies of the short-term and long-term effects of intervention ‘are absolutely essential if these disagreements [about the justice of humanitarian intervention] are ever to be resolved’.⁵⁹ ‘In the end the normative debate over the circumstances warranting humanitarian intervention will be incomplete unless the question of the *effectiveness* of using military force for humanitarian purposes is fully addressed. . . . But such analysis is absent from much of the recent writing on humanitarian intervention.’⁶⁰

Academic debates aside, policymakers and analysts must make decisions in specific cases based on what they expect will happen. Prior to an intervention, what indicators should a government official use to determine the chances of success? What constitutes a ‘reasonable’ chance? After an intervention, how are observers to judge whether the intervention succeeded and why or why not? If these questions are to be answered (and they must be), there is no responsible alternative to learning from past cases to discern future prospects. It is unfortu-

⁵⁶ Hodge, C. C., ‘Casual war: NATO’s intervention in Kosovo’, *Ethics and International Affairs*, vol. 14 (2000), pp. 23–54.

⁵⁷ Clarke, W. S. and Herbst, J. (eds), *Learning from Somalia: The Lessons of Armed Humanitarian Intervention* (Westview Press: Boulder, Colo., 1997); Eriksson, J., *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, Synthesis Report (Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda: [Copenhagen], 1996); Burg, S. L. and Shoup, P. S., *The War in Bosnia–Herzegovina: Ethnic Conflict and International Intervention* (M. E. Sharpe: London, 2000); and Independent International Commission on Kosovo, *The Kosovo Report: Conflict, International Response, Lessons Learned* (Oxford University Press: Oxford, 2000).

⁵⁸ Wheeler (note 30); Weiss (note 46); and Brown, M. E. and Rosecrance, R. N. (eds), *The Costs of Conflict: Prevention and Cure in the Global Arena* (Rowman & Littlefield: Lanham, Md., 1999).

⁵⁹ Holzgrefe (note 9), p. 51.

⁶⁰ Stromseth (note 12), pp. 267–68.

nate, therefore, that serious treatment of the efficacy of humanitarian intervention is so rare. This book takes up the challenge of defining and measuring the effectiveness of past humanitarian interventions.

What accounts for the variations in effectiveness of past interventions? If policymakers and pundits want to judge the prospects of success prior to an intervention, what criteria should they use? To answer these questions, the focus must move from the literature of lawyers and ethicists to work by soldiers, aid workers and political scientists.⁶¹

Political, humanitarian and military perspectives

Adam Roberts observed in the late 1990s that in ‘the long history of legal debates about humanitarian intervention, there has been a consistent failure to address directly the question of the methods used in such interventions’.⁶² That charge cannot be levelled against practitioners and policy analysts, many of whom make it their business to debate various methods of intervention. The literature is vast and can be categorized in any number of ways. The following review focuses on two overarching debates that encompass many smaller disputes. The first is about whether humanitarian action in times of war is politically neutral or politically fraught. The second is over whether military intervention for humanitarian purposes is easy or hard. These two debates do not encompass broader conceptual issues, such as the relative merits of cosmopolitan and liberal internationalist approaches to foreign policy. Rather, they aid focus on whether military intervention is an effective method for saving civilian lives in extreme circumstances.

The review concludes that the question of effectiveness can only be answered by examining alternative military strategies and the circumstances under which they are appropriate. Surprisingly, most analysts of humanitarian intervention have ignored strategy. This book argues that it is a fundamentally important determinant of success and failure.

The political context of humanitarian intervention

Humanitarian assistance in time of war was originally conceived as a non-political activity. That position has come under increasing strain since 1991, but it continues to hold strong attraction for humanitarian practitioners.⁶³ Inter-

⁶¹ According to Terry Nardin, political theorists and lawyers have left the question of defining a reasonable prospect of success largely unaddressed because effectiveness is particular to an individual case and so not amenable to a general definition. Nardin (note 18), p. 69.

⁶² Roberts, A., ‘NATO’s humanitarian war over Kosovo’, *Survival*, vol. 41, no. 3 (1999), p. 110.

⁶³ Chr. Michelsen Institute, *Humanitarian Assistance and Conflict* (Chr. Michelsen Institute: Bergen, 1997); Whitman, J., ‘The political limits of humanitarian assistance’, eds J. Whitman and D. Pocock, *After Rwanda: The Coordination of United Nations Humanitarian Assistance* (Macmillan: London, 1996), pp. 3–16; and Roberts, A., International Institute for Strategic Studies, *Humanitarian Action in War: Aid Protection and Impartiality in a Policy Vacuum*, Adelphi Paper no. 305 (Oxford University Press: Oxford, 1996).

national NGOs and UN aid agencies insist that their activities are non-political. They provide assistance on the basis of need without regard to the recipient's ethnicity, religion or political position. This needs-based delivery, they contend, makes their actions impartial. Traditionally, aid organizations have relied on the impartial, non-political nature of aid to keep their personnel safe in zones of conflict. Maintaining a clear distinction between humanitarian and political work is an abiding concern for them. According to this view, humanitarian and political objectives can and must be clearly separated so that local actors do not see humanitarian relief as a tool for their own political objectives and do not target aid projects for violence.⁶⁴ Humanitarian practitioners argue that a lack of political impartiality will lead to situations in which humanitarian action is corrupted, emergency relief is politicized, relief delivery efforts are inhibited, and aid workers' lives are endangered.⁶⁵

Advocates of the non-political nature of humanitarian aid dislike the idea of military intervention for humanitarian purposes. Not only is it an oxymoron—since military intervention is inherently political—but military intervention also causes humanitarian action to become politicized. When foreign soldiers arrive, and particularly when they engage in relief work, foreign aid personnel have a difficult time distinguishing themselves from soldiers in the eyes of local actors. The politicization and militarization of aid puts politics ahead of humanitarian principles and can turn aid workers into targets.⁶⁶ For example, the separation of humanitarian and political objectives was hotly contested in Afghanistan in 2003 when soldiers set up the PRTs and began to do aid work while wearing civilian clothes and carrying guns.⁶⁷ Although this practice was short-lived, the politicization of aid and the continued high level of violence led many international NGOs to withdraw from the country.

Military intervention can also increase the intensity of the violence by adding troops, firepower and another armed group to an already volatile environment. In Somalia in 1993, UN and US forces engaged Somali leader General Muham-

⁶⁴ Egeland, J. (UN Under-Secretary-General for Humanitarian Affairs), 'Challenges to future humanitarian action', Second annual Fritz Institute lecture on humanitarian relief, Georgetown University, 28 Apr. 2004; Russbach, R. and Fink, D., 'Humanitarian action in current armed conflicts: opportunities and obstacles', *Medicine and Global Survival*, vol. 1, no. 4 (Dec. 1994), pp. 188–99; and Sommaruga, C., 'Humanitarian action and peace-keeping operations', Address by the President of the International Committee of the Red Cross to the UNITAR/IPS/NIRA Conference, 24 Feb. 1997, URL <<http://www.icrc.org/web/eng/siteeng0.nsf/iwplList160/>>.

⁶⁵ James, A., 'Humanitarian aid operations and peacekeeping', eds E. A. Belgrad and N. Nachmias, *The Politics of International Humanitarian Aid Operations* (Praeger: Westport, Conn., 1997); and International Institute for Strategic Studies (IISS), 'Military support for humanitarian operations', *Strategic Comments*, vol. 1, no. 2 (22 Feb. 1995).

⁶⁶ Hendrickson, D., 'Humanitarian action in protracted crises: an overview of the debates and dilemmas', *Disasters*, vol. 22, no. 4 (Dec. 1998), pp. 283–87; and Duffield, M., Macrae, J. and Zwi, A., 'Conclusion', eds J. Macrae and A. Zwi, *War and Hunger: Rethinking International Responses to Complex Emergencies* (Zed Books and Save the Children Fund (UK): London, 1994).

⁶⁷ Dzeidzic, M. and Seidel, M., *Provincial Reconstruction Teams and Military Relations with International Nongovernmental Organizations in Afghanistan*, Special Report no. 147 (United States Institute of Peace: Washington, DC, Sep. 2005).

mad Farah Aidid in the most intense fighting since 1991. NATO's air campaign over Kosovo and Serbia in 1999 led to accelerated expulsion of Albanians by Serb soldiers and to physical destruction in Belgrade.⁶⁸

Humanitarian aid workers and some policy analysts contend that the best way to address these problems is to improve the practice of aid delivery and to keep it clearly distinct from political and military actions. Reaffirming the traditional principles of independence, impartiality and neutrality and reinforcing them with a code of conduct will preserve the integrity of humanitarian action and help to avoid unintended consequences such as feeding the war.⁶⁹ Some in this camp explicitly give short-term assistance priority over long-term conflict resolution: 'Prioritizing the moral good of peace building may not be the right ethical choice at a time when the sheer volume of people's suffering dictates that more emphasis should be placed on simpler life-saving'.⁷⁰

The issue of the impartiality of aid becomes particularly acute when civilian and military actors meet on the ground during complex emergencies. Effective interaction between humanitarian and military actors is hard to achieve, yet humanitarian, political and military organizations must strive to overcome parochial organizational interests and deep-seated philosophical differences or they will squander resources and people will die. For NGOs, independence of action is a defining characteristic. They argue that if they are constrained by an agenda set by others, they will lose their ability to respond agilely to rapidly changing circumstances—an ability that is essential in chaotic environments. More importantly, they will be seen as political actors, which will cause belligerents in the conflict to restrict their access to people in need and will endanger the safety of their personnel. Recognizing that civilian–military interaction of some kind is necessary, they believe that the best route to coordination is to establish and encourage standards of professional behaviour for individuals and organizations and to encourage the voluntary exchange of information in informal forums. This approach also allows humanitarian actors to maintain their distance from soldiers and minimize the politicization of aid.⁷¹

Those who argue for the non-political nature of aid invariably question the motives of states that respond militarily to a humanitarian crisis. Humanitarian practitioners see mixed humanitarian and political motives as highly problematic because they believe that a state's political interests will overwhelm its

⁶⁸ The assertion that bombing accelerated ethnic cleansing was hotly debated at the time. Independent International Commission on Kosovo (note 57).

⁶⁹ Sommaruga, C., 'Humanity: our priority now and always', *Ethics and International Affairs*, vol. 13 (1999), pp. 23–28; and Leader, N., 'Proliferating principles, or how to sup with the devil without getting eaten', *Disasters*, vol. 22, no. 4 (Dec. 1998), pp. 288–308.

⁷⁰ International Federation of Red Cross and Red Crescent Societies, *World Disasters Report 2003: Focus on Ethics in Aid* (Kumerian Press: Bloomfield, Conn., 2003), p. 13.

⁷¹ Girod, C. and Gnaedinger, A., *Politics, Military Operations and Humanitarian Action: An Uneasy Alliance* (International Committee of the Red Cross: Geneva, 1998). A notable effort to set standards for humanitarian action is the Sphere Project, launched in 1997; see URL <<http://www.sphereproject.org>>.

humanitarian ones, to the detriment of humanitarian objectives.⁷² This reasoning leads many in this camp to contend that moral concerns ought to be sufficient to warrant international action, even military action, when people need physical protection. When people are being killed or driven from their homes in great numbers, governments have a responsibility to respond, whether they have political interests at stake or not.⁷³ In short, humanitarian action must be non-political. On the rare occasions when military intervention is used to protect civilians, it should be as non-political as possible.

In contrast to the non-political view of humanitarian intervention, military officers and many analysts, including the present author, argue that humanitarian intervention is inherently political. They note that even something as seemingly non-political as food can be used as a weapon in violent environments where normal economic activity is disrupted and a significant portion of the population is in desperate straits. Armed groups can manipulate the supply of food to civilians as a means of repression, political bargaining or forced migration.⁷⁴ The practice was common in Angola, Bosnia and Herzegovina and Ethiopia, for example. Food and medicine can also be diverted to sustain soldiers and militia instead of unarmed civilians, as happened in Somalia and Sudan. In addition, humanitarian assistance can give legitimacy to the most violent leaders and undermine non-violent ones by allowing the militarily powerful to present themselves as the leaders who are able to bring relief to desperate people.⁷⁵ Refugee camps can sustain the conflict by serving as rear bases and recruiting grounds for armed factions.⁷⁶ Examples of this problem range from the Khmer Rouge camps in Thailand starting in the late 1970s, to the Afghan camps in Pakistan in the 1980s, and to the Rwandan camps in Zaire in the 1990s. In the longer run, large-scale aid can distort the local economy and inhibit rehabilitation and development. It can distort markets by creating commodity gluts and high premiums on property. It can further undermine a weak state's ability to collect tax revenue, or it can provide a predatory state

⁷² A good review of the spectrum of positions can be found in Weiss, T. G., 'Principles, politics, and humanitarian action', *Ethics and International Affairs*, vol. 13 (1999), pp. 1–22.

⁷³ Jean, F., 'Introduction', ed. F. François, *Life, Death and Aid: The Médecins Sans Frontières Report on World Crisis Intervention* (Routledge: New York, 1993), pp. 1–10; Jonah, J. O., 'Humanitarian intervention', eds T. Weiss and L. Minear, *Humanitarianism Across Borders: Sustaining Civilians in Times of War* (Lynne Rienner: Boulder, Colo., 1993), pp. 69–83; United Nations, 'An agenda for peace', Report of the Secretary-General, UN document A/47/277 - S/24111, 17 June 1992, section I; Weiss, T. G. and Chopra, J., 'Sovereignty is no longer sacrosanct', *Ethics and International Affairs*, vol. 6 (1992), pp. 95–118; and des Forges, A., *Leave None to Tell the Story: Genocide in Rwanda* (Human Rights Watch and International Federation of Human Rights: New York, 1999).

⁷⁴ De Waal, A., *Famine Crimes: Politics and the Disaster Relief Industry in Africa* (Indiana University Press: Bloomington, Ind., 1997); and Macrae, J. and Zwi, A., 'Famine, complex emergencies and international policy in Africa: an overview', eds Macrae and Zwi (note 66).

⁷⁵ Anderson, M. B., *Do No Harm: How Aid Can Support Peace—or War* (Lynne Rienner: Boulder, Colo., 1999).

⁷⁶ Lischer, S. K., 'Collateral damage: humanitarian assistance as a cause of conflict', *International Security*, vol. 28, no. 1 (summer 2003), pp. 79–109; Barber, B., 'Feeding refugees or war?', *Foreign Affairs*, vol. 76, no. 4 (July/Aug. 1997), pp. 8–14; and Greenhill, K., 'Mission impossible? Preventing deadly conflict in the African Great Lakes region', *Security Studies*, vol. 11, no. 1 (fall 2001), pp. 77–124.

with large amounts of foreign exchange.⁷⁷ Finally, humanitarian aid is often used by donor governments as a substitute for the political action that is required to address the causes of the violence and suffering.⁷⁸ Governments want to be seen to be ‘doing something’ but do not want to commit the resources or take the risks necessary to really tackle the problem. According to this line of thought, it is naive and probably counterproductive for humanitarian organizations to maintain the pretence of neutrality.⁷⁹

According to this perspective, the decision to get involved in a war zone, which is where the worst humanitarian crises occur, is a political decision. For this reason, a humanitarian intervention is more likely to succeed when an intervener has clearly identified political motives in addition to humanitarian ones (as long as the political motives are not in conflict with the humanitarian motives) than when the political interests are obscure or minor. It follows from this line of reasoning that military action should *only* be undertaken when political concerns are at stake in addition to moral ones.

Morality alone cannot be a guide for humanitarian intervention, for two reasons. First, there are many more places in the world that have a moral claim to help due to their desperate condition than there are resources available to provide help. Therefore a second standard must be used, which is the level of political interest that the country in question holds for the potential intervener.⁸⁰ Second, humanitarian intervention is most likely to succeed when the political interests of the intervening states are strongly engaged because only then will other important factors be present, such as adequate resources and the commitment to persevere in the face of adversity.⁸¹

A major advantage of explicitly recognizing the political nature of humanitarian intervention is the potential to avoid unintended consequences. Political awareness opens the possibility of humanitarian assistance complementing conflict resolution by using local connections and knowledge to assist diplomacy, providing economic rehabilitation when fighting ends, and monitoring compliance with human rights norms.⁸² Fortunately, some NGOs have come to focus on the importance of conflict-sensitive development and humanitarian practice. They seek to change the way in which conflicts are approached and

⁷⁷ Anderson (note 75); and Duffield, M., ‘The political economy of internal war: asset transfer, complex emergencies and international aid’, eds Macrae and Zwi (note 66).

⁷⁸ De Waal, A. and Omaar, R., *Humanitarianism Unbound? Current Dilemmas Facing Multi-Mandate Relief Operations in Political Emergencies*, Discussion Paper no. 5 (African Rights: London, Nov. 1994).

⁷⁹ Taw, J. M., ‘The perils of humanitarian assistance in armed internal conflicts: Somalia in the 1990s’, *Small Wars and Insurgencies*, vol. 15, no. 2 (autumn 2004), pp. 5–19; and Seybolt, T., ‘The myth of neutrality’, *Peace Review*, vol. 8, no. 4 (Dec. 1996).

⁸⁰ Mandelbaum, M., ‘Foreign policy as social work’, *Foreign Affairs*, vol. 75, no. 1 (Jan./Feb. 1996), pp. 16–32; and Stedman, S. J., ‘The new interventionists’, *Foreign Affairs*, vol. 72, no. 1 (1993), pp. 1–16.

⁸¹ Whitman, J., ‘Military risk and political commitment in United Nations humanitarian peace support operations’, eds Belgrad and Nachmias (note 65), pp. 19–35; Betts, R., ‘The delusion of impartial intervention’, *Foreign Affairs*, vol. 73, no. 6 (Nov./Dec. 1994), pp. 20–33; and Stedman (note 80).

⁸² Weiss (note 72), pp. 1–22; and MacFarlane, S. N. and Weiss, T. ‘Political interests and humanitarian action’, *Security Studies*, vol. 10, no. 1 (autumn 2000), pp. 112–42.

aid is delivered.⁸³ The ways in which humanitarian aid can inhibit conflict resolution can be addressed only when planning and implementation anticipate the political and economic effects of aid. Politically aware, not politically blind, humanitarianism should influence when and how aid is provided in response to violent conflicts. To ignore politics is to invite disaster.

The difficulty of humanitarian military intervention

Some observers contend that humanitarian military intervention is not as hard as it is generally assumed to be. Sceptics, in contrast, argue that it is even harder than most people imagine. The debates over difficulty revolve around two main factors—military requirements and timing.

There are two variants of the argument that a small military force can do a lot of good, that is, that humanitarian military intervention is easy. The first is based on the peacekeeping model. According to this point of view, humanitarian interventions take place in permissive environments in which the indigenous fighting forces refrain from attacking civilians and aid workers when foreign troops are present.⁸⁴ This position has largely fallen by the wayside as experience has repeatedly shown it to be erroneous.

The second variant recognizes the possibility of a hostile environment but points out that many indigenous armed forces are small, poorly trained, lightly equipped and disorganized. In most cases, it does not take very many crack troops from a developed country to have a significant impact on the level of violence, and thus the mortality rate, in a complex emergency.⁸⁵ The best-known advocate of this position is Canadian General Roméo Dallaire, who commanded approximately 400 UN troops in Rwanda during the genocide in 1994. He claims that, if he had been immediately provided with a single well-equipped battalion of 5000 trained soldiers, he could have stopped the genocide and saved hundreds of thousands of lives.⁸⁶

On the matter of timing, those who see intervention as easy emphasize the importance of waiting for consent from the host government (and, preferably, other fighting forces). Waiting for consent is important because a non-consensual military presence is more likely to be attacked. An attack will raise

⁸³ Lange, M., *Building Institutional Capacity for Conflict-Sensitive Practice: The Case of International NGOs* (International Alert: London, May 2004).

⁸⁴ James, A., 'Humanitarian aid operations and peacekeeping', eds Belgrad and Nachmias (note 65); Haynes, L. and Stanley, T. W., 'To create a United Nations fire brigade', *Comparative Strategy*, vol. 14, no. 1 (Jan. 1995), pp. 7–21; and Canadian Department of Foreign Affairs and International Trade and Department of National Defence, 'Towards a rapid reaction capability for the United Nations', Report of the Government of Canada, Sep. 1995.

⁸⁵ Mueller, J., 'The banality of ethnic war', *International Security*, vol. 25, no. 1 (summer 2000); and Urquhart, B., 'For a U.N. volunteer military force', *New York Review of Books*, vol. 40, no. 11 (10 June 1993), pp. 3–4.

⁸⁶ Dallaire, R., 'Foreword', S. R. Feil, *Preventing Genocide: How the Early Use of Force Might Have Succeeded in Rwanda*, Report to the Carnegie Commission on Preventing Deadly Conflict (Carnegie Corporation of New York: New York, Apr. 1998).

the level of violence, making both humanitarian and military endeavours far more difficult.⁸⁷ The problem with this position is that the longer the delay, the more people will die.

Observers who think that humanitarian intervention is hard, including the present author, base their argument on deterrence and war-fighting assumptions. For them, even a large military force can only do a little good.⁸⁸ When countries commit themselves to humanitarian military intervention, they must be ready to fight. Too often governments send in militarily weak forces and hope for the best—at their peril. Experience has shown that humanitarian intervention usually occurs in places where one or more armed party does not give its consent. Intervening troops attempt to deter attacks on civilians and aid operations, but deterrence often fails and intervening forces are required to apply deadly force in a defensive mode and in some cases in offensive action. According to this view, intervening forces should be able to dominate the battlefield in order to attain their objectives quickly with as few casualties as possible. Dominating the battlefield almost always requires significant air forces and ground forces, and a large logistical infrastructure to support them. Supporters of this position cite as evidence the 3 October 1993 firefight in Mogadishu, Somalia, that resulted in the deaths of 18 US soldiers, one Malaysian soldier and hundreds of Somalis. They also point to the 1995 massacre of Muslims by Serbs in Srebrenica, Bosnia and Herzegovina, despite the presence of a small unit of UN troops and NATO military aircraft in the area.

Those who believe humanitarian intervention is hard recognize the advantage of waiting for consent, but there are situations in which waiting for consent is disastrous. The people who would have to consent are responsible for purposefully creating and perpetuating the humanitarian crisis as part of their larger political–military strategy. If France, the United Kingdom and the USA had sought Iraq’s consent before rescuing the Kurds in 1991, the rescue would never have happened. Expecting all parties to a conflict to give their consent for military intervention is naive and will only make reaction times worse, at potentially great cost in civilian lives lost.⁸⁹

Despite the advantages of rapid response, its advocates recognize that in many cases it is not possible. Lack of institutional capacity and governments’ lack of political interest work against early action. Despite attempts in recent years to improve institutional capacity to act—such as the UN’s self-critical report on how to improve peace operations (the Brahimi Report⁹⁰)—and to

⁸⁷ Roberts, A., ‘The crisis in UN peacekeeping’, eds C. A. Crocker, F. O. Hampson and P. Aall, *Managing Global Chaos: Sources of and Responses to International Conflict* (United States Institute of Peace Press: Washington, DC, 1996), pp. 297–319.

⁸⁸ O’Hanlon, M., *Saving Lives with Force: Military Criteria for Humanitarian Intervention* (Brookings Institution: Washington, DC, 1997); Posen, B. R., ‘Military responses to refugee disasters’, *International Security*, vol. 21, no. 1 (summer 1996), pp. 72–111; and Betts (note 81).

⁸⁹ De Waal and Omaar (note 78).

⁹⁰ United Nations, Report of the Panel on United Nations Peace Operations, UN document A/55/305, S/2000/809, 21 Aug. 2001.

generate political will to act (the *Responsibility to Protect* report), rapid reaction is likely to be the exception rather than the rule in the foreseeable future. The extensive discussions and paltry action in response to the crisis in Darfur, Sudan, provide a case in point.

Strategy: the missing element

If using military force to help provide humanitarian assistance is difficult, is unavoidably political and is subject to severe problems of civilian–military interaction, should policymakers ever attempt humanitarian military intervention? Some people at both ends of the spectrum—traditional humanitarian aid workers and political realists—answer the question with a resounding ‘no’.⁹¹ They are in the minority. The arguments in this book belong to the camp that says ‘The solution is not indifference or withdrawal but rather appropriate engagement’.⁹² Humanitarian intervention will always be difficult and fraught with the possibility of unintended negative consequences. Most of the problems, however, are not inherent in the practice but come about because of particular policies and the way in which they are implemented. The debates about humanitarian aid and military intervention have rarely gone far enough in offering practical analysis of what works and what does not.

This book contends that the question of how to intervene with a reasonable prospect of success is fundamentally a question of strategy. ‘The threat or use of force for humanitarian purposes is as much an act of strategy as is the threat or use of force to achieve geostrategic goals.’⁹³ Strategy is the process of selecting goals and choosing appropriate means to achieve them within the resource constraints faced. A strategy is a distinct plan linking policy and operations that allows decision makers to set priorities and focus available resources on the main effort.⁹⁴

The term ‘strategy’ is used in many different contexts, from sports to business to foreign policy. In all contexts, strategy generally refers to the plan for how to achieve an objective in a given situation, whether that objective is winning a match, making money, besting your rival or providing your country with peace and prosperity. Strategy is used here specifically to refer to the use of military means to achieve humanitarian ends. This book focuses on military strategy at the regional level, or what soldiers call the theatre level, but also pays attention to linkages with broader foreign policy concerns and ground-level considera-

⁹¹ Palwankar, U. (ed.), *Symposium on Humanitarian Action and Peacekeeping Operations* (International Committee of the Red Cross: Geneva, 1994); and Luttwak, E., ‘The curse of inconclusive intervention’, eds C. A. Crocker, F. O. Hampson and P. Aall, *Turbulent Peace: The Challenges of Managing International Conflict* (United States Institute of Peace Press: Washington, DC, 2001), pp. 265–72.

⁹² Weiss (note 72), p. 9.

⁹³ Posen, B. R., ‘Military responses to refugee disasters’, ed. M. E. Brown, *Nationalism and Ethnic Conflict* (MIT Press: Cambridge, Mass., 1997), p. 341.

⁹⁴ Betts, R., ‘Is strategy an illusion?’, *International Security*, vol. 25, no. 2 (fall 2000), p. 7; and Posen, B., ‘The struggle against terrorism: grand strategy, strategy, and tactics’, *International Security*, vol. 26, no. 3 (winter 2001/2002), p. 42.

tions such as civil–military coordination. For example, the behaviour of Western governments in Rwanda in 1994 cannot be understood without knowing the impact that the 1993 disaster in Somalia had on higher-level strategic thinking. Nor can the difficulties of interaction between humanitarian practitioners and soldiers be fathomed without knowing that humanitarian organizations' strategy is to be non-confrontational, even with war criminals.

While cognizant of the wider context, this book focuses on military strategy because the main subject of study is military intervention. Equally important, a narrowly defined concept is a sharper analytical tool with which to dissect a complex topic such as humanitarian intervention.

Strategy is important because it allows decision makers to view the big picture and focus on how to achieve specific objectives at the same time. Despite its importance, strategy is the poor stepchild of the humanitarian intervention literature. Some writers, particularly those with a military background, do not believe that humanitarian intervention requires specialized thinking or training.⁹⁵ Those who recognize the unique aspects of the practice rarely consider the full range of strategic options. This is true for people who plan operations,⁹⁶ people who engage in them,⁹⁷ and people who later analyse them.⁹⁸ Analysts tend to focus on one aspect of response, such as the use of air power, safe areas or direct military involvement in the administration of aid.⁹⁹ These analyses are useful but are limited by their lack of comparison between alternative objectives and the potential for achieving them.

A few exceptions provide comparative strategic analysis. Barry Posen offers five 'military remedies' for the flows of refugees.¹⁰⁰ Daniel Byman and the present author offer six strategies for military involvement in violent communal

⁹⁵ Dworkin, J., 'What's so special about humanitarian operations?', *Comparative Strategy*, vol. 13, no. 3 (July/Sep. 1994), pp. 391–99.

⁹⁶ The US military's doctrine for peace operations does not display much understanding of alternative approaches to diverse problems on the ground. The British and Canadian military doctrines are somewhat better. The UN does not have a coherent doctrine for peace operations, although the Department of Peacekeeping Operations is exploring doctrinal questions. US Army, *Stability Operations and Support Operations*, Field Manual 3-07 (Department of the Army: Washington, DC, Feb. 2003); US Army, *Peace Operations*, Field Manual 100-23 (Department of the Army: Washington, DC, Dec. 1994); British Ministry of Defence, *British Army Field Manual: Wider Peacekeeping* (Ministry of Defence: London, 1995); British Ministry of Defence, *The Military Contribution to Peace Support Operations*, Joint Warfare Publication 3-50, rev. edn (Ministry of Defence: London, June 2004); Canadian Defence Department, *Peace Support Operations*, Joint Doctrine Manual, B-GJ-005-307/FP-030 (Chief of Defence Staff: Canada, Nov. 2002); and United Nations, Department of Peacekeeping Operations, Best Practices Unit, *Handbook on United Nations Multidimensional Peacekeeping Operations* (United Nations: New York, Dec. 2003).

⁹⁷ It is revealing that Oxfam (UK), one of the best humanitarian organizations in terms of reflective analysis, called for conflict impact assessments of relief work only in 1997. Cairns, E., *A Safer Future: Reducing the Costs of War* (Oxfam Publications: Oxford, 1997).

⁹⁸ Clarke and Herbst (note 57); and Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda, *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, 4 studies and synthesis report (Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda: [Copenhagen], 1996).

⁹⁹ Byman, D. and Waxman, M., 'Kosovo and the great airpower debate', *International Security*, vol. 24, no. 4 (spring 2000), pp. 5–38.

¹⁰⁰ Posen (note 93), pp. 334–73.

conflicts.¹⁰¹ Those studies provide guidance for the present work, which follows their example of identifying the type of problem each strategy can address, the logic of each strategy, the requirements to successfully pursue the strategy, and the strategy's advantages and drawbacks.

Summary

The preceding discussion has identified a number of factors that shape thinking about and the implementation of humanitarian military intervention. These factors will be revisited throughout the book and it is worth reviewing how they relate to each other in the chapters that follow.

Part of the appeal of the just war principles is their requirement for contextual analysis that recognizes the need to make choices that are far from optimal. It is rarely possible to adhere to all six just war principles. Nor is it desirable in many cases. Recognizing this, many commentators have privileged some of the principles over others—most often right authority, just cause and right intention.

The present author's position is that *right authority* is important as a way to control for illegitimate use of humanitarian rhetoric to cover an intervention that does not serve humanitarian ends. The UN Security Council is best positioned to play this role, although regional multilateral organizations, such as the African Union, can also act as authorizing bodies. It must be kept in mind, however, that authorization through these bodies should not be a strict standard. The Security Council and similar organs are composed of member states, each with their own political and economic interests. A member state can choose for self-interested reasons to block authorization of a legitimate intervention, as Russia did with regard to Kosovo in 1999.

Just cause is an essential principle. Without a humanitarian cause for the use of force, military intervention cannot be considered humanitarian. It is difficult to determine in a particular instance what constitutes a just cause. The starting position is that humanitarian action is, at a minimum, intended to save lives; but how many people must be endangered before intervention is justifiable? Michael Walzer's formulation, cited earlier, is a good one despite its subjectiveness: there is just cause for intervention in cases that 'shock the moral conscience of mankind'.¹⁰²

Right intention is important, but is overrated. Many commentators focus on the intervener's motives and if they see political interests being served by the intervention they dismiss the action as illegitimate from a humanitarian point of view. In some cases this is justified, as it was when the Bush Administration claimed humanitarian motives in Iraq. In other cases, however, political interests can be compatible with humanitarian interests and objectives. India's inter-

¹⁰¹ Byman, D. and Seybolt, T., 'Humanitarian intervention and communal civil war: problems and alternative approaches', *Security Studies*, vol. 13, no. 1 (autumn 2003), pp. 33–78.

¹⁰² Walzer (note 40), p. 107.

vention in East Pakistan in 1971 was politically motivated and had significant humanitarian benefits. In fact, as already indicated and reiterated below, an intervention is more likely to be a humanitarian success—that is, to save lives—when the intervener’s motives are both humanitarian and political, rather than just humanitarian.

Many observers have recognized the problematic nature of the principle of *last resort*. The seriousness of military action and the terrible violence it can bring mean that intervention should be undertaken only when all less drastic actions have failed. Yet taking the time to try all other options first means that people will suffer and die while governments run through a checklist. As *The Responsibility to Protect* proposes, it is not necessary to try all other means of ending the suffering, but they must be carefully considered and judged inadequate before military intervention is attempted. This process can be quite rapid in many cases.

Proportional means is another important constraint on the use of force. Military rules of engagement must reflect the fact that intervention in complex emergencies is not the same as all-out war. The use of force should be as limited as possible and must be designed to avoid civilian casualties. At the same time, an intervening force must have adequate size, training and equipment to dominate any local force that might challenge it. An intervention force that is not clearly stronger than the local forces is more likely to be challenged. If the intervener is challenged and cannot quickly win the fight, a long drawn-out period of violence can ensue, with serious humanitarian consequences, as happened in Bosnia and Herzegovina and Somalia. In the Kurdish region of northern Iraq in 1991 and in East Timor in 1999, foreign troops used minimal force but clearly dominated their local opponents, nicely demonstrating the balance between proportional means and dominant capability.

A *reasonable prospect of success* is as critical to legitimate humanitarian intervention as just cause. If an intervention is not likely to do more good than harm from a humanitarian point of view, it cannot be justified in humanitarian terms. This is true even if the other criteria of right authority, right intention, last resort and proportional means are met. Despite its essential character, the prospect of success is undervalued and has been the subject of too little study. This lack of attention may help to explain why so many humanitarian interventions have gone awry.

The question of how to achieve a reasonable prospect of success requires a move from the realm of ethical reasoning into the realm of practice. In most cases, civilian needs in times of crisis are best met by humanitarian organizations, not military ones. There are times, however, when civilian humanitarian response is not enough. At those times, the practice of humanitarian military intervention reveals why, if a reasonable prospect of success is desired, the principles of right authority, right intention, last resort and proportional means ought to be interpreted in the somewhat compromised manner articulated above.

Humanitarian intervention is highly political. Complex emergencies are wars by another name. While war can be driven by a multitude of factors, such as religious belief, economic incentives and social dislocation, it is an inherently political activity because the winners gain power at the expense of the losers. Outsiders who become involved in complex emergencies affect the calculations and actions of the local actors; they have a political impact and are therefore political actors, whether they intend to be or not.

The political nature of humanitarian intervention has two important implications. First, aid agencies and military forces that do not recognize their political role are likely to unintentionally exacerbate the conflict. Although it is far more common for humanitarian organizations to be politically blind, military organizations have been known to make the same mistake, as when US forces in Somalia insisted that they were just there to help feed people. Second, and by extension, governments that commit troops to help civilians should have political as well as humanitarian interests at stake (as long as the political interests do not overwhelm the humanitarian ones). The reason for this is that the local belligerents have their most cherished political interests on the line and often will fight to protect them. An intervener motivated solely by humanitarian interests will be likely to withdraw if the level of violence rises and its soldiers are killed. It is better not to intervene at all than to get involved and pull out when involvement leads to trouble. An intervener with both political and humanitarian interests, by comparison, is more likely to accept some losses and persist in helping to feed and protect people. In short, in a political environment, an intervener is well advised to have some degree of political motivation if it wishes to do more good than harm.

It is now widely recognized that humanitarian military intervention is difficult, yet policymakers continue to send small, poorly equipped and poorly trained military forces into dangerous places and constrain them with mandates that further restrict their ability to act. The underfunded and undermanned African Union Mission in Sudan (AMIS), sent to monitor a non-existent ceasefire in Darfur (but not to protect people), is a clear example. It bears repeating, therefore, that one of the critical ingredients for successful humanitarian intervention is a strong, well-trained military force with a mandate to address the needs on the ground. The troops must be constrained, of course, by rules of engagement that reflect the humanitarian purpose of the intervention—that is, rules that emphasize the minimal use of force. They must also have the capacity, through specially trained civil affairs officers, to interact cooperatively with humanitarian aid personnel.

The difficulty of humanitarian intervention also puts a premium on rapid response. Humanitarian organizations know that, if they can set up their operations quickly, they will have a better chance of helping people. The same is true for military forces. In situations dire enough to warrant intervention, civilians die quickly from deprivation or violence or both. The longer the delay, the more people will die. (That is not to say that rapid intervention will necessarily

lead to success, or that early intervention will help to resolve the underlying political conflict.)

Strategy is the concept that pulls these other factors together. Without a coherent strategy, humanitarian intervention is likely to fail. ‘Strategy is the essential ingredient for making war either politically effective or morally tenable. It is the link between military means and political [or humanitarian] ends, the scheme for how to make one produce the other. . . . Without strategy, power is a loose cannon and war is mindless.’¹⁰³

II. The structure of this book

The remainder of this book consists of seven chapters that address two questions. Were past humanitarian interventions effective? Why were they successful or unsuccessful?

Chapter 2 defines lives saved as a measure of short-term success. It then develops a methodology for quantifying the number of people whose lives were saved. It concludes with a presentation of an explanatory model of success and failure, based on a two-by-two matrix, with political and humanitarian dimensions, to identify four types of humanitarian intervention—assisting aid delivery, protecting aid operations, saving the victims of violence and defeating the perpetrators of violence. Each type of intervention implies the need for a specific set of military strategies, drawn from a full menu of avoidance, deterrence, defence, ‘compellence’ and offence.

Chapter 3 addresses whether past humanitarian interventions were effective at saving lives. It surveys the evidence from 17 military operations in six countries or territories—northern Iraq, Bosnia and Herzegovina, Somalia, Rwanda, Kosovo and East Timor—from 1991 to 1999.¹⁰⁴ These were the defining cases in the decade following the cold war, when the contemporary practice of humanitarian military intervention came into being. There were two or more distinct military operations in every country examined, with considerable variation in their effectiveness.

With this background in mind, chapters 4–7 address the question of why some interventions were successful and others were not. Each chapter presents one type of humanitarian intervention in depth by discussing the logic of the strategy and the conditions necessary for it to work. It then compares the idealized strategy to its implementation in the 1990s and in the process explains why

¹⁰³ Betts (note 94), p. 5.

¹⁰⁴ The 17 are: Operation Provide Comfort and the UN Guard Contingent in Iraq; the first UN Operation in Somalia (UNOSOM I), Operation Provide Relief, Operation Restore Hope (the Unified Task Force, UNITAF) and UNOSOM II in Somalia; UNPROFOR and Operation Deliberate Force in Bosnia and Herzegovina; the UN Assistance Mission for Rwanda (UNAMIR), the Rwandan Patriotic Army, Operation Turquoise and Operation Support Hope in Rwanda; Operation Allied Force and the Kosovo Force (KFOR) in Kosovo; Operation Allied Harbor in Albania and Operation Joint Guardian in the Former Yugoslav Republic of Macedonia (FYROM) (both associated with the Kosovo intervention); and the International Force for East Timor (INTERFET).

some interventions were more successful than others. Each chapter ends with a discussion of the advantages and disadvantages of the strategy.

The concluding chapter summarizes the findings and discusses implications for policymakers who wish to determine whether there is a reasonable chance of successful humanitarian intervention when opportunities arise in the future. The book ends by noting the potential utility of humanitarian intervention but also its limitations.

The aim of this book is to explore the well-covered subject of humanitarian intervention by looking at the neglected question of how policymakers can estimate and work towards a reasonable prospect of success. It starts from the premise that there will be opportunities to 'rescue' people in the future, some of which will provide legitimate grounds for military intervention. This book does not pretend to provide definitive answers to when and how to intervene. Its purpose is to advance the analysis of humanitarian military intervention by clearly identifying specific options and their limits.

2. Judging success and failure

The central premise of this book is that humanitarian military intervention can be justified as a policy option only if decision makers can be reasonably sure that intervention will do more good than harm. To estimate future prospects past experience must be drawn on. The book asks, ‘Have past humanitarian military interventions been successful?’ To answer the question, this chapter begins by defining success as saving lives. Whatever criteria is used, relative effectiveness can be determined only by comparison with what might have happened had intervention not occurred or occurred in a different way. Often referred to as ‘the dog that didn’t bark’ approach, this process invites examination. For readers who are sceptical about the possibility of determining the number of lives saved, an extended discussion of the methodology follows.

The last section of the chapter establishes an analytical framework for answering a second research question: ‘Why have some past interventions been more successful than others?’ The framework is deduced from political and humanitarian interests and military strategy. It distinguishes four types of humanitarian intervention and identifies the military strategies required for success. Each type of intervention addresses a different kind of problem and puts different demands on the intervener. Chapters 4–7 build on the resultant model by examining each type in turn and investigating in detail the conditions under which it is most likely to succeed.

I. What is success?

A humanitarian military intervention can be considered a success when it saves lives. To be more specific, if in a humanitarian crisis some people would have died without assistance, but did not die because of the actions of military personnel, the intervention succeeded. Saving lives is a simple, clear, non-exclusive concept that is often used by policymakers and journalists as a justification for intervention and a measure of its impact. Unfortunately, they offer little evidence for the numbers they quote. Many analysts use the number of deaths as a measure of peace and stability, but few have tried to determine the number of people who remain alive as a measure of success.¹

There are several reasons for measuring a humanitarian intervention’s short-term success or failure according to how many people it saves from imminent death. First, ‘lives saved’ is the lowest common denominator in the confused debate about humanitarian intervention. If the question of effectiveness is to be

¹ An example of using mortality statistics, rather than delving into counterfactual lives saved, is Byman, D. L., *Keeping the Peace: Lasting Solutions to Ethnic Conflicts* (Johns Hopkins University Press: Baltimore, Md., 2002).

properly addressed, an uncontroversial criterion is a good place to start. However, while saving lives is a minimal criterion for success, it is not as easy a test of humanitarian intervention as might be thought. Many people who receive assistance die nevertheless. Furthermore, most of the people who receive assistance would not die even in the absence of external help. Therefore, to credit an intervention only with saving the lives of those people who would have died if they had not received help, and did not die because they received help, is to set a fairly high standard.² Another attraction is that the number of lives saved is quantifiable. The same cannot be said, for example, of steps towards rebuilding civil society. Quantitative measures, while open to dispute, have the advantage of being relatively objective and can be used to compare outcomes with rhetorical claims.

Most importantly, estimates of the number of lives saved and lost are the best way to evaluate humanitarian intervention in the short term. This kind of 'impact evaluation' is surprisingly rare.³ Non-governmental organizations tend to focus on 'process evaluation' by publicizing the tonnage of supplies they deliver, the number of people they serve, and so forth. UN agencies highlight similar measures and compare them to the donations they receive. Defence ministries focus on the number of troops they commit, their equipment and their safety. None of this reveals anything about the basic questions that should underlie any serious discussion of humanitarian intervention. Have past interventions been good for the population of the target state? Did the people who were helped need the help as much as their compatriots in the neighbouring province? Was the type of assistance delivered appropriate to the need? Were the efforts of NGOs, UN agencies and military units misdirected or redundant? Did humanitarian assistance save lives?

Finally, it should be noted that using the number of lives saved as a measure of effectiveness does not preclude discussion of the political consequences of intervention. Indeed, counting lives saved and lost in the absence of a broader context has limited meaning. The case material in the following chapters takes into account the political context of the interventions by identifying the causes of violence in the target country and the motives of the intervening countries.

Despite the importance of political context, there are several reasons for resisting judging interventions by their political outcome. First, this book focuses on military intervention, while the political outcome of a conflict depends at least as much on civilian involvement. Second, the appropriate measure is not obvious. Is political stability—absence of violence and the existence of functioning political institutions—the measure of success? Or must there be 'peace with justice' in which the worst perpetrators of violence are

² Hansch, S. et al., *Lives Lost, Lives Saved: Excess Mortality and the Impact of Health Interventions in the Somalia Emergency* (Refugee Policy Group: Washington, DC, 1994), p. 25.

³ Roberts, L. and Hofmann, C.-A., 'Assessing the impact of humanitarian assistance in the health sector', *Emerging Themes in Epidemiology*, vol. 1, no. 3 (Oct. 2004), URL <<http://www.ete-online.com/content/1/1/3>>.

punished for their actions—a much more demanding standard? How long after an intervention should a political judgement be made? Some of the countries studied here remain under heavy international influence, notably Bosnia and Herzegovina, Kosovo and East Timor (not to mention Iraq, which has since experienced a second war and international occupation). It is too soon to judge the political outcome in those countries. The question of time raises the third reason for forgoing a political measure of success and failure: methodological rigour. Section II below notes that one of the keys to making plausible ‘counterfactual’ judgements—what would have happened had circumstances been different—is to rewrite history as minimally as possible in terms of the number of hypothesized changes and their nature. The longer the period of time allowed to elapse before making a judgement on success or failure, the more history is rewritten and the less confidence there can be in the counterfactual judgement.

Public policy, including policy on foreign policy and military affairs, is too often allowed to proceed without rigorous evaluation of whether the policies implemented have the effect their advocates claim. This book attempts to contribute to the emerging recognition that the impact of specific public policies should be evaluated every bit as rigorously as new pharmaceuticals or safety features on cars.⁴ The exercise of estimating lives saved shows which actions saved lives in each particular circumstance and which actors were responsible. This information is the foundation for understanding when military organizations can provide unique services and when they are redundant; when they can help and when they create problems; and what they should do and what they should avoid.

II. Counting people who did not die

In the novel *Silver Blaze*, the character Sherlock Holmes solved the mystery of who stole a horse by noticing something that did not happen. On the night the horse was taken, the stable dog did not bark, from which Holmes deduced that the dog must have known the thief. Social scientists frequently analyse non-events and refer to them as cases of ‘the dog that didn’t bark’. The purpose is to set up a thought experiment (since laboratory experiments are unavailable) to work out what might have happened had certain conditions been different. Working out how many people were saved, or not saved, by an intervention relies heavily on this technique.

To count the number of lives saved requires the determination of the number of people who would have died in the absence of military intervention but did

⁴ Development economists at the Massachusetts Institute of Technology’s Poverty Action Lab make strong arguments for randomized evaluation of social policy. Dugger, C., ‘World Bank challenged: are the poor really helped?’, *New York Times*, 28 July 2004, p. A4; and Poverty Action Lab, URL <<http://www.povertyactionlab.com/>>. The number of humanitarian aid operations is not large enough to allow statistically significant evaluations, but careful qualitative evaluation of different operations in similar circumstances reveals far more than no comparative evaluation at all.

not die because the intervention occurred. It is worth reviewing in detail the method used to count people who did not die. Saving lives may seem an obvious standard for humanitarian operations, but establishing that lives really were saved is rather tricky. Except in a fictional story, how can a non-event be analysed? Even the analysis of a non-event requires information to provide a basis for comparison. How reliable are the available mortality data from these war-torn countries?

Counting people is difficult to do. Governments in stable, highly developed states expend enormous amounts of money and effort to count their populations. The task is immensely more difficult in environments characterized by violence, sudden population movements, lack of government control and inadequate available census data from before the conflict period. An analyst working in the office of the United Nations High Commissioner for Refugees (UNHCR) has identified three reasons why data on refugees and internally displaced persons (IDPs) are often incomplete and inaccurate.⁵ First, it is difficult to determine who is a refugee. Second, there are operational limitations, including lack of resources to devote to the task of counting, population movement, dynamic shifts within the population in factors such as normal birth and death rates, double registering of individuals in camps to increase their share of benefits, and incentives for local residents who are not displaced by the crisis to register as refugees and thereby become eligible for assistance. Third, countries in crisis have an incentive to hide the extent to which their population has been forced to flee; conversely, countries that receive the refugees have an incentive to inflate the numbers. The leaderships of groups that have been forced to move tend to inflate the number of their followers. Countries that donate relief supplies, intervene militarily or refuse to intervene also have reasons to manipulate data.

These problems with establishing reliable statistics for displaced populations are relevant to mortality statistics in two respects. First, counting the number of people who have died is equally subject to operational constraints and politically motivated manipulation. Second, overall estimates are based on samples of particular groups of people in particular areas. Rapid changes in mortality rates occur most often in populations that have been, or are being, forced to leave their homes and livelihoods. Uncertainty about the size and characteristics of displaced populations leads to uncertainty about whether the sample is representative and therefore to uncertainty about the total number of people who have died. In short, sceptics argue that data on mortality in conflict zones are of uneven quality, unreliable and a poor basis for analysis.

This criticism highlights problems with comprehensiveness and reliability that are inherent in all data collection efforts. All efforts to collect data on violent conflict and its effects are susceptible to uncertainty, as indicated by

⁵ Crisp, J., "Who has counted the refugees?": UNHCR and the politics of numbers', *New Issues in Refugee Research*, Working Paper no. 12, UNHCR Policy Research Unit, Geneva, June 1999, URL <<http://www.jha.ac/unhcr.htm>>.

differences between data sets on conflict compiled by different researchers.⁶ Even so, despite this uncertainty, quantitative studies of conflict have made great contributions to the literature on war and peace. The point here is that data uncertainty is not unique to this study and should not detract from its validity. ‘On the contrary: the biggest payoff for using rules of scientific inference occurs precisely when data are limited, observation tools are flawed, measures are unclear and relationships are uncertain.’⁷ The validity of numerically based arguments depends on careful and transparent data collection, adherence to standard rules of inference and caution about claims made on the basis of the data.

There are four steps to determine the effect of *military intervention* on the number of lives saved. The first step is to establish a baseline knowledge of the causes of death in specified populations. It will then be possible to investigate whether military intervention addressed those causes. Did people die because they were subjected to violence or suffered from disease and hunger? If they were dying from violence, were they caught in the crossfire of battle or were they directly targeted? If they were dying from disease, what was the disease? (Death from disease is indirectly caused by violence in the cases studied here. Violence forces people to leave their homes, where they have at least a little food and water, and often to congregate in crowded, squalid camps, where disease spreads rapidly.)

The second step is to look for differences in mortality rates before and after the intervention.⁸ In addition to determining whether or not a military intervention had an effect on the *rate* at which people died, it is useful from a policy perspective (although not necessary from a theoretical one) to know changes in the *number* of people who died.⁹ This is accomplished by applying the mortality

⁶ Seybolt, T. B., ‘Measuring violence: an introduction to conflict datasets’, *SIPRI Yearbook 2002: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2002), pp. 81–96.

⁷ King, G., Keohane, K. O. and Verba, S., *Designing Social Inquiry: Scientific Inference in Qualitative Research* (Princeton University Press: Princeton, N.J., 1994), p. 10.

⁸ The rate of mortality measures the proportion (not the number) of the population that died during a specified time. The common unit of measure is the crude mortality rate (CMR), which is typically indicated by the average number of people out of a sample of 10 000 who die each day. It does not differentiate according to demographic characteristics, such as age or gender. Crude mortality is recognized as one of 3 indicators that are rated ‘highest’ in terms of their validity as a measure of health impact. The other 2 indicators are mortality for children under 5 years of age and case fatality rate. Roberts and Hofmann (note 3), table 2. Crude mortality is used here because there are usually not enough data in complex emergencies for investigators to report reliably on the other 2 indicators.

⁹ There is a moral danger in this calculation—the implication that, if only a few lives were saved, then the intervention might not have been worth the cost. Part of the reason why this book looks at the possible benefits to the population but does not compare them with costs to the intervener is that considering both sides of the equation easily leads to assigning a value to a person’s life. Even more invidiously, it can lead to comparing the value of an intervening soldier’s life to the value of a local civilian’s life. Two books that offer a balanced assessment of the costs and benefits of intervention are Weiss, T. G., *Military–Civilian Interactions: Intervening in Humanitarian Crises* (Rowman & Littlefield: Lanham, Md., 1999); and Brown, M. E. and Rosecrance, R. N. (eds), *The Costs of Conflict: Prevention and Cure in the Global Arena* (Rowman & Littlefield: Lanham, Md., 1999). For an example of analysis that considers the costs of intervention but not its possible benefits see McHugh, L., ‘International disaster assistance: cost to the

rate for a certain part of the population that has been studied to the total population at risk.

How good are the data? Data on causes of death and on mortality rates in refugee and displaced populations are reasonably good in many, but not all, cases. The refereed medical journals *The Lancet* and the *Journal of the American Medical Association* and the *Morbidity and Mortality Weekly Report* publish epidemiological reports on populations of refugees and displaced persons. The authors of the studies are certain of the causes of death and usually are sure of the mortality rates reported with a high degree of confidence.¹⁰ However, there are uncertainties which are due to survey procedures and problems with estimates of the size and characteristics of the population.¹¹ This means that there can be confidence in the data on why people were dying, the trends in mortality and the timing of changes in populations of refugees and displaced persons. The data become less certain when translated from mortality rates to numbers of people dying, for the reasons mentioned above. This book tries to minimize this uncertainty by using population estimates that have emerged over time as the consensus estimates.

When the main cause of death is violence in a non-refugee population, the data are less reliable. The chaos and danger of strife-torn places such as Rwanda in the summer of 1994 or Kosovo in the spring of 1999 prevented trained surveyors from collecting data until the event was over. The estimates made after the fact by country experts and forensic specialists are published in academic articles and books and in the mass media. The political barriers to reliable information noted above are particularly high in these situations. This book attempts to minimize distortions by using multiple sources. In situations of mass violence, there can be confidence in the data on why people were dying and the timing of significant changes in the mortality rate. Knowing the number of people who died is more problematic, but it is possible to provide accurate enough numbers to make some interesting observations.

United States of six recent crises', CRS Report for Congress, Congressional Research Service, Library of Congress, Washington, DC, 18 July 1995.

¹⁰ In statistical terms, data typically have a confidence interval of 85% or better. In other words there can be confidence that 85 times out of 100 the actual population mean falls within the range indicated by the sample. (In more controlled environments, such as an urban area in a developed country, a 95% confidence interval is commonly used.)

¹¹ A report by the US Centers for Disease Control and Prevention that is widely cited in the public health literature discusses some of the uncertainties. 'Among the many problems encountered in estimating mortality under emergency conditions are recall bias in surveys, families' failure to report perinatal deaths, inaccurate denominators (overall population size, births, age-specific populations), and lack of standard reporting procedures. In general, bias tends to underestimate mortality rates, since deaths are usually underreported or undercounted, and population size is often exaggerated.' Centers for Disease Control, 'Famine-affected, refugee, and displaced populations: recommendations for public health issues', *Morbidity and Mortality Weekly Report, Recommendations and Reports*, vol. 41, no. RR-13 (24 July 1992), p. 5.

The third step in the investigation is to establish the causative role of the military intervention.¹² Where there is a *correlation* between military intervention and changes in mortality, did the intervention *cause* those changes? Changes in mortality often occur for reasons other than military intervention, including humanitarian action that is independent of military action and the natural progression of events, for example, famines killing off the weakest members of a society or regrouping during violent conflicts. To answer the question requires knowledge of what actions were needed to prevent people from dying and whether military units took those actions. For example, refugees in camps are frequently the victims of diarrhoeal diseases, which can be treated with oral rehydration therapy and prevented through sanitation and clean water programmes. If the incidence of deadly diarrhoea declines after a military intervention, the intervention can be credited with saving lives *if* it played a role in improving sanitation, increasing the supply of potable water, instituting oral rehydration therapy or any combination of the three.

It is possible to determine whether military action resulted in fewer people dying by closely tracking, over time, the activities of military and humanitarian actors against changes in mortality rates.¹³ Changes in the relationship should then be looked for that are consistent with those predicted by a hypothesis. For example, a simple hypothesis is that when people are dying from violence, physically protecting them will reduce the number killed. If it is observed that fewer people are dying after military protection begins, then the evidence supports the argument that intervention helped save lives. The level of confidence in data of this sort is high. This book draws on many sources to determine what military and humanitarian actors did and when they did it, including humanitarian situation reports from the field, military after-action reviews, personal interviews, media reports, and secondary sources that are based on extensive research into primary documents and interviews with participants.

The fourth step in establishing the number of lives saved by an intervention is perhaps the most controversial because it runs headlong into the problem of how to analyse a non-event. Would more, fewer or the same number of people have died if military intervention had not taken place? The number of lives saved can be estimated by projecting what the course of events would have been in the absence of intervention and comparing it to actual events. This is the problem of the dog that didn't bark.

In a laboratory, both sides of a proposed relationship can be tested. In the world of politics, military affairs and humanitarian crises, analysts cannot run controlled experiments. Counterfactual propositions play a necessary and fundamental role in the work of all social scientists and historians, whether they

¹² Obviously, military intervention can increase or reduce the mortality rate.

¹³ In methodological terms, this multiple congruence procedure makes a number of paired observations of the dependent (mortality) and independent (intervention) variables across a range of circumstances within the case. Van Evera, S., *Guide to Methods for Students of Political Science* (Cornell University Press: Ithaca, N.Y., 1997), pp. 61–63.

acknowledge it or not. Such propositions are the basis for causal inference in non-experimental situations. Without them, lessons could not be drawn from past events. The question is not *whether* to use counterfactuals, but *how* to use them so that there can be confidence in the conclusions that result.¹⁴

In this book, counterfactual reasoning is used to enhance historical understanding and to pose a research question about how to make military intervention for human protection purposes effective. This is a conservative use of counterfactual argumentation. To test propositions and theories, a high degree of causal certainty is needed. To identify important questions or historical anomalies and to formulate theories, the certainty requirement is lower.¹⁵ Several authors have suggested criteria for making sound counterfactual arguments. The first requirement is to be explicit about the undertaking.¹⁶ Other criteria include clarity, logical consistency, historical consistency, theoretical consistency, avoidance of too many counterfactual links in the argument (the conjunction fallacy), and attention to the interconnectedness of social events.¹⁷

The counterfactual arguments made in this book are sound because they meet most of the criteria. They are clearly specified, logically consistent and theoretically consistent.¹⁸ They minimally rewrite history by changing one event (intervention) and are not undermined by enabling counterfactuals, since it is easy to imagine non-intervention in all the cases without imagining significant changes in context. The problem of second-order counterfactuals is not great for the short-term measure of success. The conjunction fallacy is problematic, since the counterfactuals propose a specific world, but the small number of connecting steps in the counterfactual story reduces the problem. Interconnectedness is also problematic, since lack of military intervention might lead to a faster or bigger non-military response or other compensatory events. In short, the strengths of the counterfactual arguments outweigh the weaknesses for the purposes for which they are used here.

To summarize, this methodology attempts to overcome the lacuna of information about the impact of humanitarian intervention on mortality. In doing so, it pushes the bounds of reliable information on public health and capitalizes on

¹⁴ Fearon, J. D., 'Counterfactuals and hypothesis testing in political science', *World Politics*, vol. 43 (Jan. 1991), pp. 169–95; and King, Keohane and Verba (note 7), pp. 78–79.

¹⁵ Tetlock, P. E. and Belkin, A. (eds), *Counterfactual Thought Experiments in World Politics: Logical Methodological and Psychological Perspectives* (Princeton University Press: Princeton, N.J., 1996), p. 16; and Lebow, R. N., 'What's so different about a counterfactual?', *World Politics*, vol. 52 (July 2000), pp. 580–81.

¹⁶ Fearon (note 14), p. 170.

¹⁷ The most comprehensive list of criteria for sound counterfactual argumentation has 8 entries: clarity; logical consistency; enabling counterfactuals should not undercut the central counterfactual; historical consistency; theoretical consistency; avoiding the conjunction fallacy; recognizing interconnectedness; and considering second-order counterfactuals. Lebow (note 15), pp. 581–84.

¹⁸ Theoretical and historical consistency is possible because public health studies indicate what can happen in the absence of outside assistance. Toole, M., 'The public health consequences of inaction: lessons learned in responses to sudden population displacements', ed. K. Cahill, *A Framework for Survival: Health, Human Rights, and Humanitarian Assistance in Conflicts and Disasters* (Basic Books and Council on Foreign Relations: New York, 1993), pp. 144–58.

social science theories on how to reason about events that did not happen. Counting people who did not die consists of four steps: identifying the causes of death before intervention takes place; noting changes in mortality rates and projecting the number of deaths in the overall population at several points in time before and during the intervention; establishing the role, if any, of military intervention in the changes; and comparing events to the impact on mortality of a hypothetical non-intervention, that is, counterfactually projecting the mortality rate in the absence of intervention. Although this approach to estimating the number of lives saved is consistent with accepted methodological principles and practices, the data and counterfactually projected numbers inevitably raise questions of reliability. For this reason the numbers offered in the cases do not support detailed arguments about specific events. They do, however, taken together, support general observations about the efficacy of saving lives with military force.

III. A typology of humanitarian military intervention

Once it has been determined whether an intervention saved lives or not, the reasons need to be worked out. What factors connect intervention and mortality? For interventions that have not yet taken place, the question can be put in prospective terms: when policymakers contemplate a military response to a politically induced humanitarian crisis, how can they determine what to do? Selecting the best remedy requires discerning the causes of suffering and deciding on the means to address them. It requires strategic thinking.

In order to talk about the application of military strategy to humanitarian crises in a logical and coherent way, it is useful to develop a typology of humanitarian intervention. A typology identifies the range of circumstances across which a strategy can be applied and it highlights the distinct demands each circumstance places on the intervening forces. It is possible to imagine a number of possible typologies that focus, for example, on the causes of the crisis, the character of the intervener, or the existence or absence of a legal mandate. Because this book concentrates on the efficacy of intervention, the typology represented in figure 2.1 matches causes of human suffering with possible military remedies. In this way, the typology reflects one of the main sources of fascination with humanitarian military intervention, which is also the source of most of the problems with the practice, namely the overlap of humanitarian and political considerations.

To survive, people need certain essentials: food, water, shelter, health care and protection from violence. It follows that humanitarian crises occur when a large number of people are deprived of one or more of these essentials. The humanitarian aid business is set up primarily to address absence of the first four, which can be referred to as privation. It is, to a limited extent, also pre-

pared to address violence.¹⁹ The problems of privation and violence as immediate causes of human suffering are represented in figure 2.1 on the humanitarian (vertical) axis.

For many years the underlying assumption of most aid practitioners was that all humanitarian crises could be treated as if they were natural disasters. They did not see a fundamental difference between helping people in time of war and responding to an earthquake or flood, even if specific circumstances required different ways of attending to the needy. It has, however, become abundantly clear in the past 15 years or so that politically induced humanitarian crises are fundamentally different from natural disasters. The difference is that people—governments, rebel organizations, militias, armies—are the agents of disaster. When people are the agents of privation and violence, interveners are faced with a political choice—to focus on the victims or on the perpetrators.²⁰ The choice of focusing on victims or perpetrators as the target of intervention is represented in figure 2.1 on the political (horizontal) axis.

The matrix reveals four types of humanitarian military intervention: (a) to assist aid delivery, (b) to protect aid operations, (c) to save the victims and (d) to defeat the perpetrators.²¹ The purpose of each type is self-explanatory but each can take various forms, depending on the specific circumstances, and each entails different strategic demands. None of the four types of humanitarian intervention is exclusive of the others. They can be (and often have been) pursued simultaneously, but they can also work at cross purposes. For example, a logistical operation to supply food and medicine to internally displaced people can, in the eyes of a militia, increase the value of attacking those people and make population protection more difficult. Most of the problems caused by the simultaneous pursuit of different types of intervention can be predicted (at least in theory) if policymakers, military officers and aid practitioners share a common understanding of the intervention objectives and the strategies required to meet those objectives, but the historical record on this point is not encouraging.

When policymakers face decisions about whether and how to use military force to respond to a humanitarian crisis, they must realize that intervention becomes progressively more difficult from the first type to the fourth. The reason lies in the military strategy required to realize the objective. The five

¹⁹ The UNHCR is mandated to protect the legal and political rights of refugees. Over the course of its history, the agency has devoted increasingly large proportions of its budget and attention to providing material assistance and less to protecting refugees' rights. Loescher, G., *The UNHCR and World Politics: A Dangerous Path* (Oxford University Press: Oxford, 2001).

²⁰ The victim/perpetrator dichotomy is anathema to humanitarian organizations, which strive to remain politically neutral and impartial and therefore refrain from assigning blame for the atrocities they attend.

²¹ Some readers might object that designating the perpetrators and explicitly opposing them is not consistent with humanitarian interests because it is likely to raise the level of violence. While it is true that opposing the perpetrators can lead to fighting and civilian suffering, it is sometimes the only way to end a greater evil such as genocide.

		Political considerations	
		Focus on victims	Focus on perpetrators
Humanitarian considerations	Address privation	(a) <i>Objective:</i> assist aid delivery <i>Strategy:</i> avoidance of conflict	(b) <i>Objective:</i> protect aid operations <i>Strategies:</i> deterrence, defence
	Address violence	(c) <i>Objective:</i> save the victims <i>Strategies:</i> deterrence, defence, compellence	(d) <i>Objective:</i> defeat the perpetrator <i>Strategies:</i> compellence, offence

Figure 2.1. Military responses to humanitarian dilemmas

generic strategies of humanitarian military intervention, like all military actions, are avoidance, deterrence, defence, compellence and offence.²²

If an intervener wants to alleviate privation and decides that the best method is to focus on the victims (type *a*), then it can employ the easy strategy of avoidance of conflict to assist the delivery of emergency aid by providing logistical support to humanitarian organizations and by administering aid directly. If an intervener wants to address privation and decides that the best method is to focus on the perpetrators (type *b*), then a strategy of deterrence is needed to protect aid operations. If deterrence fails, then the intervener will have to fight defensively. If an intervener wants to alleviate suffering caused by violence and decides that the best way to do that is to focus on the victims (type *c*), then it can save the victims of violence using strategies of deterrence, defence and compellence combined. If an intervener wants to address violence and decides that the best method is to focus on the perpetrators (type *d*), then it will have to get the perpetrators to stop their attacks on civilians using strategies of compellence or offence.

What does all this mean? What are the real differences between the possible military strategies and when are they useful?

Avoidance is characterized by a conscious effort not to engage an adversary in hostile confrontation. Most military strategists do not include avoidance as

²² Thomas Schelling coined the noun ‘compellence’ from the verb ‘compel’ and introduced the term into the political science literature in 1966. Compellence, meaning the use or threat of force to induce an opponent to take a specific action, is a complementary term to deterrence. Schelling, T. C., *Arms and Influence* (Yale University Press: New Haven, Conn., 1966).

an option, yet it has played a prominent role in many conflicts. Guerrilla warfare, for example, is based on the avoidance of direct confrontation with conventional military units. Humanitarian military intervention, which may be thought of as a form of unconventional warfare, uses avoidance to conduct non-combat activities such as the transport of supplies. Unlike its use by an army at war, avoidance is sometimes the only strategy employed by a humanitarian intervention force. Whether or not an intervener is able to avoid confrontation can depend on the consent of the indigenous parties or on the physical distance between the intervener and the belligerents. The US-led airlift of supplies into southern Somalia, known as Operation Provide Relief, strictly followed an avoidance strategy.

Deterrence is the threat to use force as a punishment if an opponent takes a specified action. To deter an adversary from an action, a country or other actor must convince the adversary that its threat is credible—that it will carry through with its threat. A threat's credibility depends on the adversary's estimation of the deterring party's commitment and ability to make good on the threat. The deterring party can build credibility by clearly communicating its intentions, by leaving itself no way to back down (or by increasing the cost to itself of backing down, for example, by making the threat public), by backing its words with actions, by enhancing its capabilities, and by showing a willingness to accept risks and costs.²³ The adversary then has to weigh the cost of not taking an action it presumably would otherwise take against the likelihood of triggering a response and the amount of punishment the response will bring. If the adversary does not believe the threat to be credible or if it calculates the cost of not taking the specified action to be higher than the cost of suffering the threatened consequences, then the deterrent threat will fail. The infamous safe areas in Bosnia and Herzegovina are a good example of a deterrence strategy. The decision of the UN Security Council to declare six towns as safe areas and to position small UN units in them deterred Bosnian Serb fighters from overrunning them for two years. Deterrence failed in 1995, resulting in the massacre at Srebrenica and the depopulation of Žepa.

Defence is the use of force to protect something or someone from action that an opponent is taking. Defence is necessary when deterrence fails or is never attempted. It may also be necessary to reinforce the credibility of a deterrent threat by demonstrating a willingness and ability to resist when an opponent takes a probing action to test the deterrent threat. Pure defence aims to ensure that an opponent *cannot* succeed if it attacks, whereas defensive actions taken to reinforce deterrence aim to induce an opponent to stop attacking because the price of success would be high. In the heat of battle the distinction often disappears, but as a strategic matter a defensive action that seems futile can stop aggression by raising the cost to the aggressor.²⁴ This logic, although not

²³ Schelling (note 22), pp. 35–55.

²⁴ Schelling (note 22), pp. 78–79. See also Snyder, G. H., *Deterrence and Defence* (Princeton University Press: Princeton, N.J., 1961).

Table 2.1. A typology of humanitarian military intervention

Type	Strategy	Scenario	Examples
Help deliver aid	Avoidance	Air drops	Northern Iraq (1991)
		Camp construction	Kosovo (1999)
		Direct assistance to population	East Timor (1999)
		Transport	Bosnia and Herzegovina (1993–95)
		Infrastructure repair	Somalia (1992–95)
Protect aid operations	Deterrence and defence	Point protection	
		Escort convoys	Bosnia and Herzegovina (1992–95)
		Guard buildings, ports etc.	Somalia (1992–95)
		Area protection	
		Small safe areas	Bosnia and Herzegovina (1993–95)
	Large safe zones	Northern Iraq (1991–2003)	
Save the victims	Deterrence, defence and compellence	Point protection	
		Safe passage	Bosnia and Herzegovina (1993–95)
		Buildings, camps etc.	Rwanda (1994)
		Area protection	
		Small safe areas	Bosnia and Herzegovina (1993–95)
	Large safe zones	Northern Iraq (1991–2003)	
Defeat the perpetrators	Compellence and offence	Negotiated peace	Kosovo (1999)
		Military defeat	Rwanda (1994)

explicit, often provides the rationale for intervening with a small military force. The success of defence depends on the balance of forces between attacker and defender and military factors such as terrain, vegetation, infrastructure and distance. Deterrent defence depends in addition on the balance of will power, which determines the losses that each side will sustain before giving in. Bosnian Muslim troops fought to defend the safe area of Bihać from Serb attacks. UN troops engaged in deterrent defence in Rwanda when they protected Tutsi who had gathered in the national stadium from attacks by Hutu militiamen.

Compellence is the use or threat of force to induce an opponent to take a specified action, with the use or threat being withheld once the action is taken. Compellence is more difficult to achieve than deterrence because it requires the intervener to take the initiative and apply pressure *until* the other party acts, not *if* the other acts. It also requires the intervener to convince the other side that its aims are limited, including clearly communicating the point at which the intervener will stop applying pressure (i.e. the requirements for compliance). Compellence requires a deadline, or threats to act will ring hollow. Finally, compellence differs from pure offence in that it is meant to exact ‘good’ behaviour, not to destroy the opponent. The intervener must persuade the other

party to act on the basis of the belief of likely future damage if it does not act, rather than acting because of damage already done.²⁵ The actions of Joint Task Force Bravo, part of Operation Provide Comfort in Iraq, provide an example of compelling use of force for humanitarian ends. Without firing a shot, US and British troops used threatening manoeuvres to push Iraqi Army units out of northern Iraq so that displaced civilians could descend from the mountains.

Offence is the use of force to defeat an opponent or occupy a place. In contrast to compellence, offence is accomplished without an adversary's acquiescence. It is taking what you want, rather than making someone give it to you. Offence succeeds when brute force is used.²⁶ Like defence, the success of offence depends on the balance of forces between attacker and defender, terrain, vegetation, infrastructure and distance. Offensive action is rare when trying to save people but not unheard of. Stopping the killing was one of the Rwandan Patriotic Front's objectives when it attacked the Rwandan Government after the government initiated the genocide.

In addition to being matched with specific strategies, each of the four types of humanitarian intervention can be broken down into subtypes, or scenarios. To save the victims of violence, for example, an intervention force might guard a displaced persons camp, or it might create and defend a large safe zone. It will become evident in chapters 4–7 that the military requirements for each scenario are different, as are their political and humanitarian implications. Table 2.1 shows the types, strategies, scenarios and examples of humanitarian intervention.

Even without further development, this typology allows several observations to be made about the causes of success and failure. An intervention is most likely to save lives when it: (a) addresses the cause of suffering—whether privation, violence or both; (b) focuses on the appropriate actor—whether the victims, the perpetrators or both; and (c) uses the strategies demanded by the type of intervention being pursued.

A humanitarian intervention can go wrong when policymakers, through ignorance or informed decision, address the wrong cause. If the primary problem is that people are being violently expelled from their homes and forced into unsustainable enclaves, then providing food and medical assistance without substantial protection can bring immediate help but also makes the displaced population vulnerable to attack. This is what happened in Bosnia and Herzegovina, giving rise to the biting critical term 'well-fed dead'.

A humanitarian intervention can go wrong when policymakers do not focus on the important actors. If people are dying of starvation because warlords and bandits steal the food and medicine that aid organizations bring in, then a logistics operation to import more goods will have a limited effect unless the aid operations are protected. In Somalia this dual need was recognized and the

²⁵ Schelling (note 22), pp. 69–72, 172–73.

²⁶ Schelling (note 22), p. 2.

US-led intervention provided logistical help and protection to aid organizations. It probably did more good than an earlier airlift that was not accompanied by a protection operation.

A more common cause of failure is for policymakers deliberately to choose an easier type of intervention when they know that it will not tackle the central problem. When 1 million Rwandans crossed the border into Zaire after the Rwandan genocide, a significant number of them were ideologically dedicated killers who rapidly gained control of the refugee camps. The UNHCR asked for urgent military assistance to oppose the extremists. No government stepped forward, although a number were eager to be seen to be 'doing something' by providing logistical support to stem an outbreak of cholera. The uncontrolled presence of the extremists in Zaire was a cause of two civil wars in that country that led to more than 3 million deaths.²⁷ The reason for this kind of failure is obvious: policymakers do not want to incur the risks and costs associated with more difficult interventions.

Another common cause of failure is underestimation of the strategic requirements of an intervention. Even when policymakers correctly diagnose the causes of human suffering and decide to focus on the appropriate actors, they often fail to realize the corresponding strategic requirements. Underestimation takes two forms. First, a policymaker might believe that population protection is a relatively easy matter of deterrence when the harder strategy of compellence is in fact required. The presence of UN troops in Sarajevo, Bosnia and Herzegovina, did not deter the Serbian troops who surrounded the city from hitting it with thousands of mortar and artillery shells. Second, even if a policymaker gets the strategy right, he or she may not understand the operational requirements of the strategy or the circumstances under which it has the strongest chance of succeeding. Serbian forces overran Srebrenica because the UN troops stationed there did not have the military strength or political backing to deter an attack or to fend it off when it came. When a policymaker chooses any type of intervention other than logistical assistance, he or she should dispatch a military force that is prepared to fight.

Finally, humanitarian interventions often fail because the distinctions between types are not as clear in practice as they appear to be on paper. What starts out as one type of intervention often ends up as another. A military force dispatched to protect aid organizations can come under intense pressure to protect the civilians getting the aid, for example. The unexamined extension of a mandate, widely known by the colourful military term 'mission creep', can be dangerous from an operational perspective because it usually leads to harder tasks. It is significantly more difficult to protect a population than it is to protect

²⁷ International Rescue Committee, 'Mortality in the Democratic Republic of Congo: results from a nationwide survey', New York, Apr. 2003. Of course, government officials or analysts cannot be expected to predict future civil wars, but in this case it was obvious at the time that allowing the perpetrators of genocide to control the camps caused immediate problems for the refugees and radically increased the likelihood of future violence.

foreign aid workers, who are fewer in number, are less widely dispersed, can easily ‘retreat’ to safer or defended areas and can leave the country if need be. Mission creep can happen at the field level, as when US soldiers started to engage in disarming Somali gunmen, and it can happen at the headquarters level, as when UN peacekeepers were directed to deter attacks on Bosnian safe areas. If an intervention mandate is extended and the intervention force is not given additional resources or new rules of engagement, the chance of success is reduced. Unfortunately, political leaders are often tempted to try to accomplish more without paying additional up-front costs.

IV. Summary

When political leaders are confronted by a humanitarian crisis that demands their attention, they must decide whether to intervene or not and, if the former, how to do so. From both practical and ethical standpoints, intervention can only be defended as the correct response if the action is likely to succeed. It is proposed here to define an intervention as a success if it saves more lives than could have been saved without intervention. But how can it be known in advance if an intervention will save lives? It is difficult under the best of circumstances to predict the outcome of any complicated endeavour, and the chaos of a politically induced humanitarian crisis is hardly the best of circumstances. The outcome can never be predicted with certainty, but lessons can be learned from experience and applied wisely to future scenarios. To this end, this chapter has developed a methodology to determine whether past humanitarian military interventions saved lives. Chapter 3 describes events in six countries or territories and applies the methodology to multiple interventions within each country with an eye to working out if humanitarian intervention has, in fact, done any good in the short term.

To anticipate the outcome of the empirical review, it can be stated here that some interventions were more successful than others, both within a single country and across countries. In an attempt to explain the variation, a typology of humanitarian military intervention derived from the overlap of humanitarian and political interests is offered here. It is posited that the four main types of intervention depend for their success on policymakers correctly diagnosing the causes of death and the most effective way to address them. Equally important, and much more difficult, interveners must pursue their objectives through specific strategies which ideally are determined by the objective of the intervention but in fact are subject to political and military constraints that are often tangential to the objective. Some of the strategies, such as compellence, are much more difficult than others, such as avoidance. When contemplating humanitarian military intervention, a political leader will have a greater prospect of success if he or she matches objectives and strategies and then applies the military capabilities and political will required to make the strategies work. This argument is extended in chapters 4–7.

3. Humanitarian military interventions in the 1990s

The interventions in northern Iraq, Somalia, Bosnia and Herzegovina, Rwanda, Kosovo and East Timor were the landmark cases of humanitarian military intervention in the formative decade after the end of the cold war. The characteristics they share make them comparable. The humanitarian crises in all six countries or territories were caused by political conflicts. Ultimately each required a political solution to reconcile the competing objectives of the local parties to the conflict and to satisfy international actors. In the short term, foreign governments and the UN Secretariat felt compelled, for political and moral reasons, to join relief organizations in addressing the truly desperate plight of civilians who not only were caught in the crossfire of a war zone but in every case except Somalia were deliberately targeted for violence. In a number of instances humanitarian action was taken instead of, rather than in addition to, political action.

The six cases also exhibit differences, so there can be confidence that the findings have resonance beyond a unique set of circumstances. Their outcomes varied; they span the globe, from Europe to South-East Asia; they occurred at different times; they presented a variety of problems, from predatory governments to total lack of government; and they had very different levels of international support and legitimacy. Each country experienced two or more separate military interventions, allowing intra-case comparison of interveners and intervention objectives. At the same time, most of the major actors intervened in most or all of the countries and attempted similar objectives at different times and in different places, allowing cross-case comparison. Altogether this chapter covers 17 distinct military operations in the six countries or territories.

Many studies of each case already exist but it is unlikely that most readers are familiar with events in all six cases. This chapter sketches the political causes and the public health demands of each crisis, describes each military operation, and estimates the number of lives saved and lost by each operation. Its main purpose is to highlight international military actions and mortality outcomes rather than to explain the unfolding of events.

Attempts to stop the deaths met with highly varied results. In Rwanda, for example, the UN peacekeeping force saved as many as 20 000 people, while in Kosovo NATO bombing killed 5500 people, mostly soldiers.¹ Overall, out of the 17 military operations, nine directly saved lives, four did not save lives and four had mixed results.²

¹ The tables and footnotes throughout the chapter provide detailed mortality estimates and sources.

² The 9 operations that saved lives were: Operation Provide Comfort in northern Iraq; operations Provide Relief and Restore Hope in Somalia; Operation Deliberate Force in Bosnia and Herzegovina; the

Some of the observed variation is due to the vast differences between countries and the kinds of conflict they were enduring. Yet there are also differences between interventions within each country, suggesting that the particular circumstances of a crisis do not determine the efficacy of humanitarian intervention. A second possible explanation for the variation in outcomes is the nature of the intervener. While the intervener certainly matters, the same actors or set of actors achieved different degrees of success and failure in different countries, suggesting that the nature of the intervener alone does not provide a sufficient explanation. A third possible reason for variation in outcomes is the type of humanitarian objectives the intervener attempts to realize, ranging from assisting the victims of privation to coercing the perpetrators of violence. Yet, again, there is variation within a particular type of objective across countries and actors. In the light of these findings, this book contends, the main explanatory factors in the success or failure of a humanitarian military intervention are the match or mismatch between the needs on the ground, the objective of the intervention and the intervener's strategy. The argument is developed in the chapters that follow this survey of humanitarian interventions in the 1990s.

I. State oppression of the Kurds in northern Iraq, 1991–96

The flight of the Kurds from northern Iraq was not the worst humanitarian disaster in history, but it was one of the most dramatic. It happened in a matter of days, involved a reviled dictator, was shown in all its squalor by television cameras, elicited a visit to refugee camps by the US Secretary of State, attracted a large military operation and resulted in the establishment of a *de facto* autonomous zone in Iraq against the will of the government.

Following the 1991 Gulf War, two groups inside Iraq—the Shia Arabs who lived in the southern marshlands and the Kurds who lived in the northern plains—rebelled against the government of Saddam Hussein, with the encouragement of the United States. Saddam moved quickly to crush the rebellions using the substantial army that had retreated from Kuwait and survived the war. The Shia Arabs received virtually no assistance during or after their uprising and suffered at the hands of Saddam for many years.³

The Kurdish rebellion initially gained control of most of the towns in the north (see map 1). Within a month, however, the Iraqi military had regained control and set out to teach the Kurds a lesson. Government troops captured 100 000 Kurds and Turkomans and killed as many as 20 000, the vast majority

Rwandan Patriotic Front and Operation Support Hope in Rwanda; Operation Allied Harbor in Albania and Operation Joint Guardian in the Former Yugoslav Republic of Macedonia (both associated with the Kosovo intervention); and the International Force for East Timor (INTERFET) in East Timor. The 4 operations that did not save lives were the UN Guard Contingent in Iraq; UNOSOM I and UNOSOM II in Somalia; and Operation Allied Force in Kosovo. The 4 mixed cases were UNPROFOR in Bosnia and Herzegovina; UNAMIR and Operation Turquoise in Rwanda; and the Kosovo Force (KFOR) in Kosovo.

³ The US-led allies did impose a 'no-fly' zone for fixed-wing aircraft, but Iraq was free to use helicopters and ground forces within Iraq.

Table 3.1. The impact of intervention in northern Iraq, 1991–96

Operation	Lives saved by military intervention	Lives lost during crisis
Operation Provide Comfort	> 7 000	~ 46 000
UN Guard Contingent in Iraq	0	..

.. = Data not available.

Sources: Sharp T., Yip, R. and Malone, J., 'US military forces and emergency international humanitarian assistance: observations and recommendations from three recent missions', *Journal of the American Medical Association*, vol. 272, no. 5 (3 Aug. 1994), p. 387; Sandler, R. H. et al., 'Letter from Cukuca: initial medical assessment of Kurdish refugees in the Turkey–Iraq border region', *Journal of the American Medical Association*, vol. 266, no. 5 (7 Aug. 1991), p. 638; 'International notes: public health consequences of acute displacement of Iraqi citizens, March–May 1991', *Morbidity and Mortality Weekly Report*, vol. 40, no. 26 (5 July 1991), p. 444; Pecoul, B. and Malfait, P., Letter to the editor, *The Lancet*, vol. 338 (20 July 1991), p. 19; and Fidaner, C., Letter to the editor, *The Lancet*, vol. 338 (20 July 1991), p. 190.

of them civilians, during the onslaught.⁴ Hundreds of thousands of people fled their homes towards the borders with Iran and Turkey. The general in charge publicly threatened anyone who remained by recalling the use of poison gas against Kurds less than a decade earlier.⁵ Iran allowed over 1 million refugees to enter the country. Turkey refused to honour its asylum obligation, stranding some 400 000 people in mountain passes on the Turkish border with no possessions or supplies. Night-time temperatures dropped below freezing, there was no locally available food or shelter, and the only water in most locations came from melting snow. The few roads in the area were narrow, muddy and nearly impassable due to severe weather, making it difficult for help to arrive.⁶

People quickly began to die at a rate as high as 400 per day.⁷ In less than two months, from 29 March to 24 May 1991 (the duration of most refugees' stay in the mountains), an estimated minimum 6700 persons died while camped on the Iraq–Turkey border. Of these, approximately 500 would have died in Iraq under normal conditions.⁸ The most common causes of death were trauma or injury

⁴ McDowall, D., *A Modern History of the Kurds* (I. B. Tauris: London, 1996), pp. 372–73.

⁵ Quoted in Ciment, J., *The Kurds: State and Minority in Turkey, Iraq and Iran, Conflict and Crisis in the Post-Cold War World Series* (Facts on File: New York, 1996), p. 185.

⁶ Yip, R. and Sharp, T. W., 'Acute malnutrition and high childhood mortality related to diarrhea', *Journal of the American Medical Association*, vol. 270, no. 5 (4 Aug. 1993), p. 587; and Sandler, R. H. et al., 'Letter from Cukuca: initial medical assessment of Kurdish refugees in the Turkey–Iraq border region', *Journal of the American Medical Association*, vol. 266, no. 5 (7 Aug. 1991), p. 638.

⁷ Centers for Disease Control, 'Public health consequences of acute displacement of Iraqi citizens, March–May 1991', *Morbidity and Mortality Weekly Report*, vol. 40, no. 26 (5 July 1991), p. 443; Yip and Sharp (note 6), pp. 589–90; and Sandler et al. (note 6), p. 639.

⁸ The estimate was reached after surveying over 17 800 people who passed through one of the Zakho transit camps. The crude mortality rate (CMR) over the period 29 Mar.–24 May 1991 was 169 deaths per 10 000 people. In a population of 400 000 that means 6760 deaths in 2 months. Centers for Disease Control (note 7), p. 444. This number is consistent with data collected by other organizations in the refugee camps. E.g. a Turkish official reported that 1500 refugees died in Turkey between 2 and 7 Apr.—a

and communicable diseases, such as acute diarrhoea and acute respiratory infections.⁹ It should be noted that the daily mortality rate, while very high, was not as high as commonly believed. A rate of up to 1000 deaths per day was regularly reported in the press and often appeared in analyses of the situation.¹⁰

Western governments were reluctant to intervene but rapidly changed their stance when Turkey, a member of NATO, called for help and televised images of dying Kurds began to tarnish the shine of the recent Gulf War victory. Claiming authority to act under UN Security Council Resolution 688, France, Turkey, the United Kingdom and the USA launched the first humanitarian intervention of the post-cold war era.

Operation Provide Comfort addressed the immediate and proximate causes of death by bringing assistance to displaced people along the Iraq–Turkey border and pushing the Iraqi military out of Kurdish territory so that people felt secure enough to return home. The operation lasted from April 1991 to December 1996, beginning with a short ground phase and moving to an extended aerial protection phase. It was succeeded by an aerial protection operation known as Operation Northern Watch and a minimal UN military presence. The United Nations Guard Contingent in Iraq (UNGCI) was a small unit of UN troops intended to protect aid organizations operating in northern Iraq. Its ability to deter small-scale banditry was only limited.

The emergency phase of Operation Provide Comfort was highly successful at assisting displaced people along the Iraq–Turkey border. It saved the lives of over 7000 Kurdish refugees out of a total population of 400 000, while 6000–7000 (1.5–1.7 per cent) died (see table 3.1).¹¹ In contrast, 1 million Kurds who fled to Iran received almost no international assistance. The refugees in Iran were helped by the Iranian Red Crescent Society, the local population and the UNHCR, which flew in supplies, but not in sufficient quantity. Approximately 23 000 (2.3 per cent) of them died.¹²

rate of 300 per day at the beginning of the crisis. Fidaner, C., Letter to the editor, *The Lancet*, vol. 338 (20 July 1991), p. 190. A Physicians for Human Rights assessment team estimated that during the period 8–12 Apr. the maximum number of people dying per day was 240–400. This is based on a CMR of 6–10 deaths per 10 000 people per day in the Cukurca camp. The conditions in Cukurca were worse than in some other locations, so it is likely that the CMR there was as high as or higher than elsewhere. Sandler et al. (note 6), p. 639.

⁹ Centers for Disease Control (note 7), p. 443; Pecoul, B. and Malfait, P., Letter to the editor, *The Lancet*, vol. 338 (20 July 1991), p. 190; Yip and Sharp (note 6), p. 589; and Sandler et al. (note 6), pp. 638–39.

¹⁰ Statement of Lt. Gen. John M. Shalikashvili, US Army, commander, Operation Provide Comfort', *Aspects of Anti-Chaos Aid to the Soviet Union*, Hearings before the Defense Policy Panel of the House of Representatives Committee on Armed Services, 4–6 Sep. 1991, HASC no. 102-33 (US Government Printing Office: Washington, DC, 1992), p. 9.

¹¹ The remaining 386 000 people survived but probably would not have died in the absence of military intervention, so Operation Provide Comfort is not credited with saving them.

¹² Hoskins, E., 'Public health and the Persian Gulf War', eds B. S. Levy and V. W. Sidel, *War and Public Health* (Oxford University Press: New York, 1997), p. 257. It was highly unlikely that the Turkish Government would have been as generous as Iran since it was engaged in a military struggle with a militant Kurdish organization in Turkey at the time and regarded the refugees as a security threat.

Operation Provide Comfort was successful in the short term because military forces improved sanitation and access to clean water to reduce the incidence of diarrhoea, distributed tents and blankets to reduce exposure and distributed food to prevent malnutrition. Soldiers accomplished this in the first crucial weeks, before non-governmental relief organizations and UN aid agencies could get their programmes up and running.¹³ In addition, Operation Provide Comfort gave logistical assistance to humanitarian organizations, when they arrived, by running a joint military–humanitarian logistical operation out of the Incirlik airbase in Turkey, and delivered far more relief material than the second biggest supplier, the UNHCR.¹⁴

Once the health condition of the displaced population was stabilized, the primary concern was to get people out of the mountains and back to their homes. Under intense pressure from Turkey and the UK, the USA now sent troops into northern Iraq to establish a safe zone. Operation Provide Comfort grew rapidly in strength until it consisted of 14 000–15 000 troops from eight countries inside Iraq, with 7000 more in Turkey and a combined humanitarian and military air operation of over 100 aircraft.¹⁵ Faced with a powerful and aggressive adversary, the Iraqi Army and secret police withdrew without fighting. Once the coalition forces secured the cities of Zakho and Dahuk, people flooded back.

The epidemiology of violence is not as advanced as the epidemiology of disease, so that assessing the impact on mortality of the second phase of Operation Provide Comfort is necessarily more speculative. The Kurds were far better off in the safe zone than they would have been if they had remained sandwiched between the Iraqi and Turkish militaries. In the absence of the safe zone it is easy to imagine that many tens of thousands of people would have been killed or died from privation in the mountains. Even with coalition troops present, however, the zone did not provide as much safety as was commonly believed.¹⁶ In the first place, the ground security zone covered only about one-quarter, and the no-fly zone approximately one-half, of the region of Kurdish habitation in Iraq. Moreover, the political interests of the intervening countries

¹³ The Turkish Government also deserves recognition for its role. Although it did not allow refugees beyond the border, it made major contributions in the form of health care, road building, and provision of water and electricity. Fidaner (note 8), p. 190.

¹⁴ ‘Combined Task Force Provide Comfort’, Incirlik Air Base history, URL <http://www.incirlik.af.mil/history/CTF_PC.htm>; United Nations High Commissioner for Refugees, *State of the World’s Refugees: The Challenge of Protection* (Penguin: New York, 1993), p. 84; and Sharp, T., Yip, R. and Malone, J., ‘US military forces and emergency international humanitarian assistance: observations and recommendations from three recent missions’, *Journal of the American Medical Association*, vol. 272, no. 5 (3 Aug. 1994), p. 387.

¹⁵ Forster, L. M. (Col.), a commander of US ground forces in northern Iraq, Personal interview, Cambridge, Mass., 15 Apr. 1996; and Forster, L. M., ‘Operation Provide Comfort: a shield for humanitarian intervention in Iraqi Kurdistan’, Unpublished paper, Center for International Affairs, Harvard University, 20 Apr. 1996, pp. 16–17. The troop-contributing countries included France, Italy, Luxembourg, the Netherlands, Spain, Turkey, the UK and the USA.

¹⁶ Keen, D., *The Kurds in Iraq: How Safe Is Their Haven Now?* (Save the Children Fund: London, 1993).

extended well beyond the welfare of the Kurds.¹⁷ Other countries turned a blind eye to Turkish incursions into Iraq as the Turkish Government sought to wipe out bases of support for the violent separatist Kurdish Workers Party (Partiya Karkerên Kurdistan, PKK). Turkey carried out a large-scale invasion in late 1992 and established military outposts in Iraq in 1995. The official Turkish estimate of the number of Kurds killed was 20 000—as many as the number of Iraqis killed. The best that can be said is that the safe zone was a qualified success in terms of lives saved. The number of lives saved is so uncertain that no figure for the second phase of Operation Provide Comfort is included in table 3.1.

As for political stability, Operation Provide Comfort was the occasion for great hopes for the Kurds, followed by the disappointment of harsh realities. What began as a humanitarian intervention evolved into sustained support for an unofficial autonomous Kurdish region. The Kurds held elections in 1992, in which the Kurdish Democratic Party and the Party for the Union of Kurdistan split control of the government, with minority participation from other parties. They created an executive council, national assembly and policy committees, but were unable to turn a guerrilla movement made up of multiple rival groups into a viable administration. The UN and national governments would not work with the Kurds for fear of lending legitimacy to their ‘government’.¹⁸ In the absence of an imminent threat from Baghdad the Kurds were unable to maintain peace among themselves, and by mid-1994 the factions were openly fighting again. The political limbo and an internal embargo imposed by Baghdad forestalled the rehabilitation of infrastructure and redevelopment assistance.¹⁹

The second military operation, the UNGCI, arrived in June 1991 to protect UN and NGO aid personnel and property from small-scale attacks. Some NGO and UN agency personnel hoped that the UN Guards’ presence would also deter attacks on Kurdish civilians.²⁰ The UNGCI had very limited military capacity: with an authorized staffing level of only 500 lightly armed soldiers, it rarely reached its maximum complement.²¹ It is likely that its presence deterred some banditry and random attacks, but it also is clear that it did not have the ability to offer any protection against serious violence. Iraqi Government forces shelled two towns on the ‘border’ of the Kurdish autonomous region, despite the presence of UNGCI personnel. The UN Guards fled. Nor were they always success-

¹⁷ Roome, R., CARE (Cooperative for Assistance and Relief Everywhere) team leader, Personal interview, Kigali, Rwanda, 27 Sep. 1996.

¹⁸ McDowall (note 4), pp. 380–83; and O’Balance, E., *The Kurdish Struggle, 1920–94* (St Martin’s Press: New York, 1996), p. 199.

¹⁹ Keen (note 16), pp. 173–79, 182.

²⁰ Keen (note 16), p. 171; and Stromseth, J., ‘Iraq’s repression of its civilian population: collective responses and continuing challenges’, ed. L. F. Damrosch, *Enforcing Restraint: Collective Intervention in Internal Conflicts* (Council on Foreign Relations Press: New York, 1993), pp. 91–92.

²¹ Keen (note 16), p. 171; and ‘Iraq: humanitarian assistance continued in 1993’, *DHA News, 1993 in Review*, no. 7, special edn (Jan./Feb. 1994), pp. 27, 29.

ful at deterring terrorist-type attacks on aid agencies.²² The overall effect of the UNGCI on mortality and political stability was probably zero.

Summary

Security Council Resolution 688, which authorized the intervention in northern Iraq, marked the first time that the UN Security Council defined internal repression as a threat to international peace and security when it results in substantial refugee flows.²³ The precedent opened the door to subsequent humanitarian interventions. Equally important, the intervention revealed the major powers' preference for treating the humanitarian effects of crises while avoiding the difficult political issues that caused the suffering. Operation Provide Comfort and the UNGCI did nothing to resolve the political status of Kurdistan or to remove Saddam Hussein from power. The apparent ease with which Operation Provide Comfort resolved a difficult refugee situation led policymakers to believe that military intervention for humanitarian purposes could be easy and effective. Misunderstandings about the difficulty of matching desired outcomes with intervention strategies and sufficient resources probably played a role in the blunders that followed in Somalia and Bosnia and Herzegovina.

II. State failure and famine in Somalia, 1991–95

Mohammed Siyad Barre, the dictatorial leader of Somalia, planted the seed of his own demise when he launched a popular military campaign in 1977 to take the Ogaden region of Ethiopia, in which many Somalis lived. A decade later he signed a peace agreement without having gained any territory, leaving many Somalis disaffected. In the interim the economy collapsed, partly because of changes in the export market, and Barre's hold on power became increasingly dependent on his manipulating rivalries between the clans that define the country's social and political structure. Barre was unable to control the insurgency that resulted. The civil war that had begun in 1988 swept into the capital, Mogadishu (see map 2), in December 1990, and Barre fled a month later. The national army had become little more than Barre's personal militia—one among many. Coinciding with the political crisis, a drought severely damaged the Somalis' ability to feed themselves.²⁴

²² Keen (note 16), pp. 171–72; and McDowall (note 4), p. 382.

²³ Stromseth (note 20), pp. 76–117.

²⁴ Makinda, S., *Seeking Peace from Chaos: Humanitarian Intervention in Somalia*, International Peace Academy Occasional Paper (Lynne Rienner: Boulder, Colo., 1993); Lyons, T. and Samatar, A. I., *Somalia: State Collapse, Multilateral Intervention, and Strategies for Political Reconstruction*, Brookings Occasional Papers (Brookings Institution: Washington, DC, 1995); and Boutros-Ghali, B., 'Introduction', United Nations, *The United Nations and Somalia, 1992–1996*, United Nations Blue Book Series vol. 8 (United Nations: New York, 1996).

There was no state apparatus left to deal with the violence and economic breakdown, nor was any rebel group strong enough to dominate the others and create a new government. The rebel United Somali Congress seized control of Mogadishu but immediately split into two along clan lines. The stronger faction, the Somali National Alliance (SNA), was led by General Muhammad Farah Aidid and the weaker, the Somali Salvation Alliance, by Ali Mahdi Muhammad, who had the distinct political advantage of being recognized by the UN as the interim president. Each warlord, as they came to be known, was allied with leaders of smaller militias throughout the country. Fighting between them was at its peak in 1991, killing 15 000–40 000 people between January 1991 and August 1992. Drought and war brought famine, which killed 131 000–152 000 people over the same period.²⁵ The few humanitarian aid organizations that stayed on could run only the barest of operations because of the extremely dangerous environment. In addition to ‘taxation’ by the organized militia, thousands of bandits stole much of the aid that NGOs imported.

No government took action to end the violence or help the Somali people. Then, under pressure from aid organizations and then UN Secretary-General Boutros Boutros-Ghali, who goaded political leaders by accusing them of racism for their attention to Bosnia and Herzegovina but not Somalia, the UN Security Council authorized the first United Nations Operation in Somalia (UNOSOM I). It was followed in quick succession by three more UN-authorized military operations in the next two years. The four interventions were vastly different in scope, strength and impact.

UNOSOM I formally began in April 1992 but only became operational in September and lasted until March 1993. It was mandated to monitor a ceasefire in Mogadishu negotiated by UN envoy Mohamed Sahnoun; to provide security in Mogadishu for UN humanitarian personnel, equipment and supplies at the seaport and airport; and to escort the delivery of supplies in the vicinity of the capital.²⁶ To be effective, the UNOSOM I force needed the consent of local leaders, which it did not have. The warlords’ voluntary adherence to the ceasefire agreement allowed aid organizations to import more food, but the UN force was too weak to prevent banditry or move beyond a restricted zone dictated by General Aidid.²⁷ Although the volume of food entering the country increased significantly during the autumn of 1992, the proportion reaching the most

²⁵ Hansch, S. et al., *Lives Lost, Lives Saved: Excess Mortality and the Impact of Health Interventions in the Somalia Emergency* (Refugee Policy Group: Washington, DC, 1994), pp. 15–25.

²⁶ UN Security Council Resolution 751, 24 Apr. 1992. The text of this and other UN Security Council resolutions referred to in this volume is available online at URL <<http://www.un.org/documents/scres.htm>>.

²⁷ Sahnoun, M., *Somalia: The Missed Opportunities* (United States Institute of Peace Press: Washington, DC, 1994), p. 20; and Drysdale, J., ‘Foreign military intervention in Somalia: the root cause of the shift from UN peacekeeping to peacemaking and its consequences’, eds W. Clarke and J. Herbst, *Learning from Somalia: The Lessons of Armed Humanitarian Intervention* (Westview Press: Boulder, Colo., 1997), p. 124.

desperate people fell by 40 per cent.²⁸ The size and geographic reach of aid operations expanded considerably during this time, but the UN military force could claim no credit for this.

One reason why aid organizations were able to expand their programmes was a military airlift called Operation Provide Relief, authorized by the UN to facilitate the emergency delivery of humanitarian assistance by UN agencies and NGOs.²⁹ From September 1992 to February 1993, military personnel from the USA, Germany and Canada worked with the UN World Food Programme (WFP), the United Nations Children's Fund (UNICEF) and the International Committee of the Red Cross (ICRC) on a purely logistical operation which moved supplies from Kenya to the interior of Somalia where the famine was worst.³⁰ The amount of aid that Operation Provide Relief delivered was small compared to what the ICRC and other aid organizations brought in by sea during the same period.³¹ Nevertheless, the airlift served a region that aid organizations could not reach reliably by road. Because it bypassed the bandits, the airlifted supplies were not subjected to the same looting and diversion as aid organizations faced along the coast. According to a study by the Refugee Policy Group and the US Centers for Disease Control and Prevention, the number of lives saved during this period was between 20 000 and 60 000, depending on the scenario portrayed, with the median of 40 000 providing a reasonable estimate.³²

Operation Provide Relief did not serve all the places where aid organizations were active, nor was it the only source of food coming in to the country, but it enabled assistance that would otherwise have been impossible, in a critical location, in time to help before the famine subsided.³³ The airlift deserves credit for a good proportion of the lives saved during this period. A reasonable estimate is that Operation Provide Relief itself (as opposed to the other aid operations) saved 10 000 lives, or one-quarter of the median estimated total number of people who were kept alive during the period of its operation.

²⁸ US Agency for International Development (USAID), Office of Foreign Disaster Assistance situation reports, cited in Hirsch, J. and Oakley, R., *Somalia and Operation Restore Hope: Reflections on Peace-making and Peacekeeping* (United States Institute of Peace Press: Washington, DC, 1995), p. 25.

²⁹ UN Security Council Resolution 767, 27 July 1992.

³⁰ Specifically, Operation Provide Relief worked in the region between the Shabeelle and Jubba rivers in the south, including the regional capitals of Baydhaba, Baardheere, Beledweyne and Xoddur. Sommer, J. G., *Hope Restored? Humanitarian Aid in Somalia, 1990–1994* (Refugee Policy Group: Washington, DC, 1994), p. 23; and Hirsch and Oakley (note 28), p. 25.

³¹ Operation Provide Comfort delivered 28 000 metric tonnes of supplies. For comparison, during Oct. 1992 aid organizations moved 3000–4000 tonnes of food through Mogadishu port every few days, but this was no more than one-third of the amount needed in Mogadishu alone. The ICRC, using smaller supply ships and rapid transport from the port, managed to import 180 000 tonnes of food in 1992, a high proportion of which was stolen. Hirsch and Oakley (note 28), pp. 29, 32; and de Waal, A., 'Dangerous precedents? Famine relief in Somalia 1991–93', eds J. Macrae and A. Zwi, *War and Hunger: Rethinking International Responses to Complex Emergencies* (Zed Books and Save the Children Fund (UK): London, 1994), pp. 144–45, 149.

³² Hansch et al. (note 25), p. 31.

³³ Hansch et al. (note 25), pp. 30–31.

Although the airlift was successful, the aid effort remained small compared to the need. Relief organizations called urgently for assistance, raising the profile of the Somali crisis in world capitals and the international media. In November 1992, soon after losing his bid for re-election, US President George H. W. Bush proposed to Boutros-Ghali that the USA lead a humanitarian military operation. A week later, on 3 December 1992, the Security Council passed Resolution 794 establishing the Unified Task Force (UNITAF). Also known as Operation Restore Hope, UNITAF had a mandate under Chapter VII of the UN Charter to use all necessary means (i.e. military force) 'to establish as soon as possible a secure environment for humanitarian relief operations in Somalia'. The resolution made no mention of disarmament, political settlement or national reconciliation. The coalition operation started within days of its authorization and quickly grew to a peak strength of over 38 000 troops from 21 countries, mostly from the USA.³⁴

Operation Restore Hope expended even more effort on logistical assistance than on security. Three-quarters of the US troops were dedicated to logistics.³⁵ Although logistics work was not mentioned in Resolution 794, it was necessary if emergency aid was to get through. Mogadishu's seaport was littered with derelict equipment, but with rehabilitation the basic infrastructure could support a high operating rate. The story at Mogadishu airport was similar. The runway could accommodate large aircraft, labour was available and the road leading to the airport was in good condition, but there were no landing lights, no air traffic control system and no perimeter fencing. Beyond the main points of entry, the road and bridge system was in critical disrepair.³⁶

Logistical capacity leapt as foreign forces provided security and improved the physical conditions of seaports, airports and roads. Between 10 December and 20 January, 13 vessels with humanitarian supplies berthed at Mogadishu port. Approximately 40 000 tonnes of food, drugs, seeds and tools were delivered through the port and main airport.³⁷ Before UNITAF arrived, the port had been operating at 10 per cent of capacity. By late December 1992, it was the busiest

³⁴ Hirsch and Oakley (note 28), pp. 63–64; and Adibe, C., *Managing Arms in Peace Processes: Somalia*, Disarmament and Conflict Resolution Project, United Nations Institute for Disarmament Research, UNIDIR/95/30 (United Nations: New York, 1995), p. 56. The troop-contributing countries were Australia, Belgium, Botswana, Canada, Egypt, France, India, Italy, Kuwait, Morocco, New Zealand, Nigeria, Pakistan, Saudi Arabia, Sweden, Tunisia, Turkey, the United Arab Emirates, the UK, the USA and Zimbabwe. After the USA, the largest contributors were France, Italy, Morocco, Pakistan and Canada.

³⁵ Sommer (note 30), p. 31.

³⁶ United Nations, Consolidated inter-agency 90-day plan of action for emergency humanitarian assistance to Somalia, UN document S/23839/Add. 1, 21 Apr. 1992, annex, paras 1–4, 6; Johnston, P., *Somalia Diary* (Longstreet Press: Atlanta, Ga., 1994), p. 47; Zvijac, D. and McGrady, K. A. W., *Operation Restore Hope: Summary Report* (Center for Naval Analysis: Alexandria, Va., 1994), pp. 38, 40, 47, 53; and McGrady, K. A. W., *The Joint Task Force in Operation Restore Hope*, CRM 93-114 (Center for Naval Analysis: Washington, DC, 1994), pp. 23, 63.

³⁷ United Nations, Progress report of the Secretary-General on the situation in Somalia, UN document S/25168, 26 Jan. 1993, para. 24.

port in Africa.³⁸ The port at Kismaayo, south of Mogadishu, had been closed since September 1992, but extensive salvage operations revived it by January 1993.³⁹ During the first two months of the intervention, military engineers upgraded eight airfields across southern Somalia.⁴⁰ They also repaired or built 2500 kilometres of roads, cutting in half the transit time on some major supply routes.⁴¹

The impact of UNITAF's considerable effort has been hotly debated. A representative for CARE in Somalia boldly proclaimed, 'The bottom line is we have saved millions of lives'.⁴² US President Bill Clinton claimed in a speech that 1 million lives may have been saved.⁴³ Ambassador Robert Oakley, former civilian head of Operation Restore Hope, wrote that 'the United States saved perhaps a million Somalis from almost certain death'.⁴⁴ More modestly, Secretary-General Boutros-Ghali claimed that 'More than 250,000 lives are estimated to have been saved' during UNITAF and UNOSOM II together.⁴⁵ In contrast, a donor official estimated that UNITAF 'helped save 10,000 Somali lives'.⁴⁶ A highly sceptical observer wrote that 'The evidence that the intervention had *any* impact on mortality in general is . . . extremely slender'.⁴⁷

The UNITAF period saw a dramatic increase in the size and scope of military intervention, but no more lives were saved by military action than during the previous period. A careful epidemiological survey reported that UNITAF helped to save approximately 10 000 lives.⁴⁸ The main reason why the military force that arrived in December 1992 did not save more lives was that it arrived too late. Mortality rates across the country declined sharply after October 1992, *before* the large-scale intervention occurred.⁴⁹ Violence as a cause of death sub-

³⁸ Zvijac and McGrady (note 36), p. 25; and Hirsch and Oakley (note 28), p. 59. Of the early activity, 63% was devoted to military operations, which irked humanitarian organizations, but humanitarian operations certainly benefited from military logistical equipment and expertise. Jean, F. (ed.), *Life, Death and Aid: The Médecins Sans Frontières Report on World Crisis Intervention* (Routledge: London, 1993), p. 104; and de Waal (note 31), p. 155.

³⁹ United Nations (note 37), paras 25 and 31.

⁴⁰ McGrady (note 36), p. 65.

⁴¹ Hirsch and Oakley (note 28), p. 67; and McGrady (note 36), p. 64.

⁴² Hope Rosenberg, quoted in 'Somalia's triumphs overlooked', *Columbus Dispatch* [Oct. 1993], reprinted in Johnston (note 36), p. 109. CARE is the Cooperative for Assistance and Relief Everywhere.

⁴³ Cited in Sommer (note 30), p. 72.

⁴⁴ Oakley, R., on the back cover of Johnston (note 36). In his own account, which was published the following year, Oakley was far more circumspect—to the point of making no claim at all about the number of people Operation Restore Hope helped to save. Hirsch and Oakley (note 28), *passim*.

⁴⁵ Boutros-Ghali (note 24), p. 5.

⁴⁶ Anonymous official quoted in Prendergast, J., *Crisis Response: Humanitarian Band-Aids in Sudan and Somalia* (Pluto Press: London, 1997), p. 112.

⁴⁷ De Waal (note 31), p. 158 (emphasis added).

⁴⁸ Hansch et al. (note 25), p. 32.

⁴⁹ Mortality rates remained high around Baydhoba and Baardheere, where the Operation Provide Relief airlift focused its work. Hansch et al. (note 25), p. 14.

sided after UN envoy Sahnoun negotiated a ceasefire in March 1992. Disease,⁵⁰ hunger and dehydration as causes of death subsided because the famine had already killed the weakest members of the population and because aid organizations had begun to increase their activities after the ceasefire. 'The combined UNITAF and relief effort interventions might be said to have speeded up the conclusion of the famine curve by one full month.'⁵¹ Although the number of people who received international assistance, and whose lives improved as a result, indisputably increased under UNITAF, comparatively few were in imminent danger of death, so the aid did not save their lives.

Looking beyond the narrow measure of lives saved, the military operation contributed to rehabilitation and reconstruction efforts that had the potential to encourage political stability in the long term. The leaders of the intervention, however, assiduously steered clear of politics to the greatest extent possible. The US military wanted to conduct a quickly-in, quickly-out operation like Operation Provide Comfort in northern Iraq, without becoming entangled in disarmament or peace-building efforts. Oakley invested considerable effort in negotiations with Aidid and Ali Mahdi. He pointed out, however, 'that any diplomatic advances he had forged were but "ancillary benefits" in support of a limited humanitarian objective'.⁵² By engaging the warlords without trying to settle their dispute, Oakley probably inadvertently raised their status and power, making it more difficult for his successor to work with social constituencies that were interested in peace.⁵³ In short, UNITAF had no positive political impact and probably had a negative one.

The fourth and final military intervention in Somalia was the second United Nations Operation in Somalia (UNOSOM II), which began in May 1993. It was mandated by the Security Council under Chapter VII of the UN Charter to 'assist in the provision of relief and rehabilitation, . . . the repatriation of refugees and IDPs, . . . promot[ion] and advanc[ement of] political reconciliation . . . and the re-establishment of national and regional institutions and civil administration in the entire country . . .'.⁵⁴ This hugely ambitious and overtly political mandate stood in marked contrast to the humanitarian emphasis of the three operations that came before it. At the time, all the members of the Security Council supported the effort. In retrospect, it appears to have been doomed from the start. General Aidid, the most powerful person in Somalia, interpreted the new mandate as a direct threat to his ambitions and was prepared to oppose the UN mission at every turn. Neither the civilian nor the military part of

⁵⁰ As in all famines, most deaths were due to communicable diseases such as measles and dysentery which bodies weakened by hunger were unable to fight. Crowded, unsanitary refugee and IDP camps make communicable diseases even more deadly.

⁵¹ Hansch et al. (note 25), p. 32.

⁵² Stevenson, J., *Losing Mogadishu: Testing U.S. Policy in Somalia* (Naval Institute Press: Annapolis, Md., 1995), p. 51.

⁵³ Menkhaus, K., 'Getting out vs getting through: US and UN policies in Somalia', *Middle East Policy*, 1 Mar. 1994, cited in Prendergast (note 46), p. 116.

⁵⁴ UN Security Council Resolution 814, 26 Mar. 1993.

UNOSOM II was prepared for a serious confrontation. When Admiral Jonathan Howe arrived in Mogadishu in March 1993 to take up his position as the new Special Representative of the Secretary-General (SRSG) in charge of the UN mission, he was astonished to find no strategy in place for implementing the Security Council resolution, no plans for the handover from UNITAF, and necessary personnel and equipment leaving the country rather than arriving.⁵⁵

Military confrontations between UNOSOM II and Aidid and the SNA dominated the attempt to achieve the mission's political objectives. Aidid tested the new mission's mettle a month after it began when militiamen attacked Pakistani soldiers in southern Mogadishu, killing 24 of them. The next day, the UN Security Council passed a resolution condemning the attack and authorizing UNOSOM 'to take all measures necessary against all those responsible for the armed attacks . . . including . . . their arrest and detention for prosecution, trial and punishment'.⁵⁶ With the approval of the Secretary-General, Howe named Aidid as the man responsible for the attack and issued a warrant for his arrest.⁵⁷ From that point on, the level of violence in Mogadishu increased precipitously. UNOSOM forces attacked a number of military and political sites controlled by Aidid, with limited military impact but at the price of scores of Somali deaths, mostly of civilians. The militiamen, often hidden in crowds of women and children, ambushed UN vehicles and shot at helicopters throughout Mogadishu.⁵⁸ Violence there reached its climax in early October 1993, when specially trained troops from the USA, operating independently of UN command authority, made a seventh, unsuccessful, attempt to capture Aidid. A 15-hour firefight left one Malaysian soldier, 18 US soldiers and approximately 300 Somalis dead.⁵⁹ The USA and UN disengaged from military confrontation; Aidid declared a ceasefire but continued to be threatening and obstructionist. UNOSOM II carried on until March 1995, trying to use diplomatic means to create new political institutions, but its efforts came to nothing.

UNOSOM II's assistance to humanitarian relief and rehabilitation programmes was not as abject a failure as the political element, but it was severely undermined by the hostility emanating from Mogadishu. At the time of the transition from UNITAF to UNOSOM II, malnutrition was endemic and people remained highly vulnerable. Large-scale aid operations remained necessary and

⁵⁵ Howe, J. (Adm.), SRSG in Somalia, Telephone interview, 3 Dec. 1997.

⁵⁶ UN Security Council Resolution 837, 6 June 1993, para. 5.

⁵⁷ Howe (note 55).

⁵⁸ United Nations, Report of the Commission of Inquiry established pursuant to Resolution 885 (1993) to investigate armed attacks on UNOSOM II personnel, UN document S/1994/653, 1 June 1994, paras 137–62; and United Nations, Report of the Secretary-General, UN document S/26022, 1 July 1993, paras 25–28.

⁵⁹ Rosegrant, S. and Watkins, M. D., 'A "seamless" transition: United States and United Nations Operations in Somalia—1992–1993', Part A, Kennedy School of Government Case Program, C09-96-1324.0, Harvard College, Cambridge, Mass., 1996, p. 14; and United Nations, Report of the Commission of Inquiry (note 58), paras 170–73. A detailed account of the 3 Oct. raid, told from the perspective of the US troops who carried it out, is given in Bowden, M., *Blackhawk Down: A Story of Modern War* (Penguin Books: New York, 1999). The book was made into an equally compelling film by the same title.

relief organizations still needed protection to do their work. Like its predecessor, UNOSOM II was meant to protect aid operations by guarding key locations and escorting convoys across southern Somalia. Unfortunately, it could not offer the level of protection to aid organizations that UNITAF did for several reasons: it had too few troops in the field, most of those troops were lightly armed, they tended to be very cautious and remain in defensive positions from which they could offer little help, and communication between soldiers and aid workers broke down.

From mid-1993 general lawlessness increased across the southern part of the country and was often directed against relief organizations.⁶⁰ As the US units that were part of UNOSOM II (and generally more active than their counterparts) withdrew in March 1994, bandits looted NGO offices in the major towns.⁶¹ By mid-1994, relief organizations had become reliant on the military for protection, and half of them found it impossible to return to their traditional practice of negotiating with local faction leaders and elders to secure 'humanitarian space' in which to operate. They had little choice but to curtail their operations and withdraw their personnel.⁶² The pattern continued as UNOSOM II gradually withdrew from everywhere except Baydhaba, Kismaayo and Mogadishu. Even in these locations, UN troops allowed a great deal of fighting and banditry to go on around them. The UN Secretary-General described the situation in September 1994 as 'very volatile and virtually uncontrollable'.⁶³

The embattled intervention force can be given some credit for helping to save lives in early to mid-1994, when it still provided enough protection to enable aid organizations to quell a cholera epidemic,⁶⁴ but its overall impact on mortality was disastrous. Not only was nutritional and medical help withdrawn, but the number of Somali military and civilian deaths from combat rose to its highest point since the ceasefire of early 1992. Fighting between rival Somali clans was partly to blame, but international forces were responsible for a high proportion of the casualties, particularly during the hunt for Aidid. Between 625 and 1500 Somalis were killed by UNOSOM II troops, more than half of them women and children; the number of wounded was between 1000 and 8000. Numbers at the higher end of the range appear more likely to be correct. Also killed in the fighting were 165 foreign soldiers and civilians.⁶⁵ For an ostensibly

⁶⁰ Sommer (note 30), pp. 44 and 47.

⁶¹ Hirsch and Oakley (note 28), p. 144.

⁶² United Nations, Report of the Secretary-General, UN document S/1994/1166, 14 Oct. 1994, para. 13.

⁶³ Hirsch and Oakley (note 28), p. 145, fn. 55; and United Nations, Report of the Secretary-General, UN document S/1994/1068, 17 Sep. 1994, paras 22–27.

⁶⁴ Aid organizations identified 24 650 cases of cholera and reported 872 deaths (3.5%). Untreated cholera epidemics have a much higher mortality rate. United Nations, Further report of the Secretary-General, UN document S/1994/839, 18 July 1994, para. 9.

⁶⁵ United Nations, Report of the Commission of Inquiry (note 58), annex 5, Synopsis of the attacks on the personnel of UNOSOM II which led to casualties among them as drawn from official reports and other documents, UN document S/1994/653, 1 June 1994; Anderson, G., 'UNOSOM II: not failure, not success', eds D. C. F. Daniel and B. C. Hayes, *Beyond Traditional Peacekeeping* (St Martins Press: New

Table 3.2. The impact of intervention in Somalia, 1991–95

Operation	Lives saved by military intervention	Lives lost during crisis
UNOSOM I	0	~ 83 000–100 000
Operation Provide Relief	~ 10 000	Included in above
UNITAF (Operation Restore Hope)	~ 10 000	~ 10 000–25 000
UNOSOM II	~ 2 000	. ^a

UNITAF = Unified Task Force; UNOSOM = UN Operation in Somalia; . . = Data not available.

^a Several sources offer estimates of the number of Somalis killed by intervening forces, ranging from 650 to 1500. There are no good sources of information on the number of people who died from famine and war during the UNOSOM II period.

Sources: Hansch, S. et al., *Lives Lost, Lives Saved: Excess Mortality and the Impact of Health Interventions in the Somalia Emergency* (Refugee Policy Group: Washington, DC, 1994); Sommer, J. G., *Hope Restored? Humanitarian Aid in Somalia, 1990–1994* (Refugee Policy Group: Washington, DC, 1994); Boutros-Ghali, B., ‘Introduction’, United Nations, *The United Nations and Somalia, 1992–1996*, United Nations Blue Book Series vol. 8 (United Nations: New York, 1996); United Nations, Further report of the Secretary-General, UN document S/1994/839, 18 July 1994; and United Nations, Report of the Commission of Inquiry established pursuant to Resolution 885 (1993) to investigate armed attacks on UNOSOM II personnel, UN document S/1994/653, 1 June 1994.

humanitarian mission, these casualty figures are shocking. It is possible that foreign troops killed or wounded as many people after March 1993 as humanitarian organizations managed to save during operations Provide Relief and Restore Hope. Table 3.2 summarizes the numbers of lives saved and lost.

The aggressive use of force cannot be excused as a necessary evil to end the political crisis that underlay the humanitarian crisis. UNOSOM II achieved no political solution and a decade after it withdrew Somalia remained a failed state with practically no functioning government institutions.

Summary

International military involvement in Somalia from 1992 to 1995 was a seminal series of events. It was seen as a manifestation of the brave new world order after the cold war thaw and as a confirmation of the right to intervene following the precedent set in Iraq. It tested the United Nations’ political and military abilities and found them severely limited. For all the intervening countries it became a cautionary lesson on the costs and challenges of intervention, particularly when trying to coerce politically and militarily strong opponents.

The US Government, in particular, determined not to get involved in conflicts that did not threaten its national interests, narrowly defined.⁶⁶

The humanitarian community woke up to the darker side of military involvement in humanitarian crises. Although a number of humanitarian NGOs had called for military assistance in the lawless country, they became convinced that reliance on foreign troops meant that they lost their aura of neutrality. They were not able to follow a long tradition of creating security for themselves by negotiating ‘humanitarian space’ with local leaders.⁶⁷

Finally, the Somalia case reveals several observations about mortality. Policymakers and news reporters appeared to have a poor grasp of the mortality picture, or they dramatically manipulated numbers to support their preferences. Policymakers and pundits also appeared to have a poor grasp of the impact of military intervention. While intervention certainly helped to save lives, it came late in the famine, and humanitarian organizations achieved a far greater proportional benefit with help of a small airlift than with a large invasion. By the time Somalia imparted its harsh lessons, European governments and the UN were already making mistakes in Bosnia and Herzegovina.

III. Secession and ethnic expulsion in Bosnia and Herzegovina, 1992–95

Marshal Josip Broz Tito established the Socialist Federative Republic of Yugoslavia at the end of World War II and ruled it as a communist state until his death in 1980. Under Tito, the country’s six republics had a considerable degree of independence, with their own central banks, territorial armies, and health and education systems.⁶⁸ When Tito died, the Federative Republic began to fall apart, and Slobodan Milosevic rose to power and became president of Serbia by promising to hold Yugoslavia together under consolidated Serbian control. The clash of the other republics’ quest for independence with the Serb nationalist ideal of ruling a unified Yugoslavia had devastating consequences.⁶⁹

⁶⁶ Presidential Decision Directive no. 25 (PDD-25) established a stringent set of criteria for US military intervention that provided a political argument for refraining from military intervention in almost all circumstances. US Department of State, Bureau of International Organization Affairs, ‘The Clinton administration’s policy on reforming multilateral peace operations’, Department of State Publication 10161, May 1994.

⁶⁷ Humanitarian organizations called for military security because they could not create security for themselves before the intervention. The failure to project an image of political neutrality was due less to military involvement than to Somalis’ recognition that aid can be a political weapon.

⁶⁸ The republics were Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia.

⁶⁹ The literature on the Balkan wars of the 1990s is vast. Among the best books are Burg, S. and Shoup, P., *The War in Bosnia Herzegovina: Ethnic Conflict and International Intervention* (M. E. Sharpe: New York, 1999); Glenny, M., *The Balkans: Nationalism, War and the Great Powers, 1804–1999* (Viking: New York, 1999); Gow, J., *Triumph of the Lack of Will: International Diplomacy and the Yugoslav War* (Hurst & Co.: London, 1997); Holbrooke, R., *To End A War* (Random House: New York, 1998); Silber, L. and Little, A., *The Death of Yugoslavia*, rev. edn (Penguin: New York, 1996); Owen, D., *Balkan Odyssey* (Harcourt, Brace & Co.: New York, 1995); and Woodward, S., *Balkan Tragedy: Chaos and Dissolution after the Cold War* (Brookings Institution Press: Washington, DC, 1995).

Following several years of political confrontation with Serbia, Slovenia and Croatia declared their independence from Yugoslavia in June 1991.⁷⁰ Within a month Slovenia had forced the withdrawal of the Yugoslav People's Army (Jugoslovenska Narodna Armija, JNA) and achieved international recognition as an independent state.⁷¹ The war between Croatia and Serbia lasted until a ceasefire agreement in January 1992 and drove many people from their homes, especially Serbs who lived in the Krajina region which bordered Bosnia and Herzegovina. In February 1992 an overwhelming majority of voters in Bosnia and Herzegovina opted for independence in a referendum that was boycotted by Bosnia's Serbs, most of whom lived in a region that had declared its independence from Bosnia and Herzegovina a month earlier as Republika Srpska.⁷² Yugoslavia had truly fallen apart, and Serb nationalists turned the full force of their attention to creating a 'greater Serbia', which they believed ought to include large sections of multi-ethnic Bosnia and Herzegovina.⁷³

The war in Bosnia and Herzegovina was highly complex, with multiple factions and fronts (see map 3), extensive international diplomatic and military involvement, and large-scale population displacement based on ethnicity.⁷⁴ It lasted until December 1995, when the parties signed the General Framework Agreement for Peace in Bosnia and Herzegovina, better known as the Dayton Agreement.⁷⁵

The international responses to the war in Bosnia and Herzegovina were as complicated as the war itself.⁷⁶ Despite the complexity of the diplomatic engagement, there were only two distinct military operations, aside from the war-fighting manoeuvres of the various Balkan forces—a United Nations peacekeeping force and a NATO bombing campaign. The UN began to give sustained attention to Bosnia and Herzegovina when the Security Council adopted Resolution 749 on 7 April 1992, authorizing the United Nations Protection Force (UNPROFOR) to expand its area of operation from Croatia to

⁷⁰ The Croatian Government's conflict with Serbia included brutal military and police actions against Serbs living in Croatia. Slovenia was largely ethnically homogeneous, so that ethnic conflict was not an issue.

⁷¹ The chairman of the European Commission recognized Slovenia's secession on 8 July 1991, but the European Community did not recognize Slovenia's independence until 3 Jan. 1992, when it also recognized Croatia.

⁷² The European Community recognized Bosnia and Herzegovina's independence and the USA recognized Bosnia and Herzegovina, Croatia, and Slovenia on 6 Apr. 1992.

⁷³ The pre-war population of Bosnia and Herzegovina was 44% Bosniak, 31% Serb and 17% Croat. Toole, M., Galson, S. and Brady, W., 'Are war and public health compatible?', *The Lancet*, vol. 341 (8 May 1993), p. 1194.

⁷⁴ The Milosevic government, which engaged in more expulsions than any other party, called its actions 'ethnic cleansing'. Inexplicably, other governments, journalists, analysts and academics adopted the euphemism, thus helping to sanitize the horror of expelling people from their lands and homes, even as they condemned the practice.

⁷⁵ The General Framework Agreement for Peace in Bosnia and Herzegovina was initialled in Dayton, Ohio, on 21 Nov. 1995 and signed in Paris on 14 Dec. 1995. The text of the agreement is available at URL <http://www.usip.org/library/pa/bosnia/dayton_gfa.html>.

⁷⁶ For accounts of diplomatic efforts to end the war, written by the men involved, see Holbrooke (note 69) and Owen (note 69).

Bosnia and Herzegovina. The force's mandate changed and expanded up to late 1995 as the Security Council passed 55 resolutions pertaining to Bosnia and Herzegovina. The inability of UNPROFOR to protect civilians, aid operations and even itself, combined with lack of progress in finding a diplomatic solution to the war, led to a much more aggressive use of force by NATO. The bombing campaign, known as Operation Deliberate Force, together with a Croat ground offensive against Serb civilians and military, convinced Serbian President Milosevic to settle the war at the negotiating table.

UNPROFOR began with a mandate 'to create the conditions of peace and security required for the negotiation of an overall settlement of the Yugoslav crisis'.⁷⁷ The mission was based on peacekeeping principles of the consent of the conflicting parties and the impartiality of the UN force, but it soon became evident that there was no peace to keep. UNPROFOR's presence in Bosnia and Herzegovina began after Bosnian Serb paramilitary and JNA forces executed a swift offensive to occupy 70 per cent of the territory of Bosnia and Herzegovina. In an effort to establish demographic dominance before a diplomatic settlement could reduce their military gains, the Serbs engaged in murder, rape and other forms of violence to drive Bosnian Muslims from their homes and into ever smaller enclaves. The weak Bosnian Army resisted but could do little to protect its citizens, who fled to the capital, Sarajevo, and to other towns in search of refuge. During this time there was also fierce intermittent fighting between Croats and Serbs along the western border of Bosnia and Herzegovina (in 1992 and 1995) and between Croats and Muslims in Herzegovina (in 1993). European and US governments were shocked by the reappearance of carnage in Europe, but were not willing to fight in the Balkans for the third time in the 20th century.⁷⁸ Instead, they turned to UNPROFOR and required it not only to provide peace and security in a peacekeeping mode, but also to assist a humanitarian airlift during the siege of Sarajevo, to escort humanitarian relief convoys and to protect Bosnian civilians in designated 'safe areas'.⁷⁹

The siege of Sarajevo was the defining feature of the war in Bosnia and Herzegovina. It had been a multi-ethnic, cosmopolitan city; it was the seat of the fledgling Bosnian Government and its army; it was the site of the largest UN troop concentration; it was where most representatives of the international media stayed; and its siege was the longest in modern history. Largely cut off from the rest of the country and surrounded by Serbian artillery and snipers in the mountains that cradle the city, the population of 300 000–435 000 were subjected to years of death, terror and hunger.⁸⁰ To relieve the siege, the UNHCR

⁷⁷ UN Security Council Resolution 743, 21 Feb. 1992.

⁷⁸ For a lucid account of great-power involvement in the Balkans over the course of the 19th and 20th centuries see Glenny (note 69).

⁷⁹ The full set of the resolutions related to UNPROFOR from 1992 to 1995 is available on the UN web-site, URL <<http://www.un.org/documents/scres.htm>>.

⁸⁰ Population estimates vary over time and across sources. The estimated 1992 pre-siege population was 435 000; the population then dropped to about 280 000 during the first stage of the siege; by 1994, after Croatian attacks on Muslims in the west, the population had grown to between 380 000 and 455 000.

began an airlift in July 1992, with UNPROFOR playing a vital role by operating and protecting the airport.⁸¹ The logistical contribution was considerable: only military aircraft were used in the airlift, and military personnel and equipment controlled air traffic.⁸² The contribution to protection was critical, but less successful. UN force commanders achieved protection through constant negotiations with the Army of Republika Srpska (Vojaska Republika Srpska, VRS) forces, but they negotiated from a position of weakness.⁸³ The VRS never withdrew its guns from around the city and its airport, thereby maintaining the siege and its ability to close the airport at any time.⁸⁴

The effectiveness of the airlift varied as Serb forces tightened and loosened the siege in response to diplomatic pressure and military activities elsewhere in Bosnia and Herzegovina. In 1993, for example, UN agencies met 70–80 per cent of aid requirements for the city, whereas in 1994 they provided over 100 per cent of minimum requirements, using both land and air routes.⁸⁵ Aid agencies met less than 10 per cent of assessed requirements during the summer of 1995 after the Serbs halted the airlift altogether in April in response to a Bosnian Army attempt to break out of Sarajevo. Despite disruptions, however, the longest-running humanitarian air bridge in history enabled the UNHCR to sustain the population of Sarajevo and probably saved thousands of lives.⁸⁶

The potential for epidemics was evident in the early stage of the siege, when rates of hepatitis A, dysentery and diarrhoea due to poor water quality rose considerably.⁸⁷ Nevertheless, death due to violence consistently remained more

United Nations, Final report of the Commission of Experts established pursuant to Security Council Resolution 780 (1992), and annexes, UN document S/1994/674, 29 Oct. 1990, annex VI, para. 8; Centers for Disease Control, 'Status of public health: Bosnia and Herzegovina, August–September 1993', *Morbidity and Mortality Weekly Report*, vol. 42, no. 50 (24 Dec. 1993), p. 980, table 1—see also 'Erratum', *Morbidity and Mortality Weekly Report*, vol. 43, no. 24 (24 June 1994), p. 450; and Jean, F. (ed.), *Populations in Danger 1995* (Médecins sans Frontières: London, 1995), p. 79.

⁸¹ UN Security Council Resolution 761, 29 June 1992, authorized UNPROFOR 'to ensure the security and functioning of the Sarajevo airport and the delivery of humanitarian assistance'. Earlier in June, the warring parties had agreed to the reopening of the airport under the authority of the UN. Like the rest of the UNPROFOR operation, protecting the airport was a consent-based mission.

⁸² Bisschop, A., UNHCR, Personal interview by research assistant Emma Kay, Geneva, 10 Nov. 2000.

⁸³ The Bosnian Serbs allowed the airlift to operate, in part because they received a share of the supplies.

⁸⁴ Maass, P., *Love Thy Neighbour: A Story of War* (Vintage Books: New York, 1996), p. 168–69.

⁸⁵ United Nations High Commissioner for Refugees (UNHCR), 'Emergency food assistance to returnees, refugees, displaced persons and other war-affected populations in Bosnia and Herzegovina', *UNHCR/WFP Joint Evaluation Mission Full Report* (UNHCR: Geneva, Nov. 1997), p. 18.

⁸⁶ United Nations High Commissioner for Refugees (UNHCR), 'Emergency food assistance to returnees, refugees, displaced persons and other war affected populations in Bosnia and Herzegovina', Joint WFP/UNHCR Evaluation Mission, UNHCR, Geneva, [1 Nov. 1997], URL <<http://www.unhcr.org/cgi-bin/texis/vtx/research/openssl.htm?tbl=RESEARCH&page=home&id=3ae6bd3f8>>. Some observers argue that the importance of the airlift was exaggerated. Their claim is not that aid was not needed or delivered, but that many of the deliveries could have been made by land convoy at one-tenth of the cost. Cutts, M., 'The humanitarian operation in Bosnia, 1992–1995: dilemmas of negotiating humanitarian access', *New Issues in Refugee Research*, Working Paper no. 8, UNHCR Policy Research Unit, Geneva, May 1999, p. 22, URL <<http://www.jha.ac/unhcr.htm>>.

⁸⁷ Carballo, M., Simic, S. and Zeric, D., 'Health in countries torn by conflict: lessons from Sarajevo', *The Lancet*, vol. 348 (28 Sep. 1996), pp. 872–74; and Centers for Disease Control (note 80), pp. 973, 979–82 and Erratum. The source is the Institute for Public Health, Sarajevo.

common than death due to non-violent causes.⁸⁸ This indicates the devastating impact of artillery rounds and sniper fire, and also the relative success of relief operations in meeting basic needs. In a siege situation, starvation and disease can only be controlled by providing food and medical help. The majority of people in Sarajevo were entirely dependent on food distributed by humanitarian agencies.⁸⁹ It is not possible to determine exactly how many lives UNPROFOR can be credited with saving, but it is reasonable to say that thousands more people would have died but for its role in keeping the airport open.⁹⁰

Most of the people who needed assistance—Serb, Croat and Bosniak—lived in towns and villages outside Sarajevo and three-quarters of international aid was delivered to those populations.⁹¹ The vast bulk of the aid was delivered by NGOs working with the UNHCR and the WFP, using convoys of trucks travelling from distribution points at Metković, Zagreb and Belgrade, all of which are located outside Bosnia and Herzegovina. The convoys were subject to multiple roadblocks where they were fired upon, had their cargo stolen, were turned back or suffered some combination of barriers to delivery.

In response to the harassment, on 14 September 1992 the UN Security Council passed Resolution 776 authorizing UNPROFOR to protect humanitarian convoys. The resolution retained the force's peacekeeping nature: troops could only use limited force and only in self-defence. UNPROFOR attempted to protect convoys by playing a role in deciding which routes were secure, by setting up outposts along regular routes, by travelling with supply trucks, and by giving shelter to their drivers in armoured personnel carriers when convoys came under fire.⁹² The ways in which different UNPROFOR battalions interpreted and implemented their mandate differed according to their resources, the degree of local hostility and the willingness of troop-contributing governments to subject their soldiers to risk.⁹³ Although some battalions were more aggressive than others and fired back when fired upon, the overriding mode of operation was negotiation. The success or failure of each negotiation mostly depended on the

⁸⁸ Centers for Disease Control (note 80), pp. 973, 979–82 and Erratum; and Jalovcic, D. and Davis, A., 'Health, water and heating in Sarajevo: a report of a household survey (II)', *Médecins sans Frontières*, Dec. 1993, pp. 5, 13.

⁸⁹ World Health Organization (WHO), 'Background information on WHO action in former Yugoslavia', Press Release WHO/21, 25 Mar. 1993.

⁹⁰ Between July 1992 and Jan. 1996 the airlift delivered 144 827 tonnes of food and 15 850 tonnes of medical and other supplies, as well as evacuating more than 1100 critically wounded or sick people. United Nations High Commissioner for Refugees (note 86), p. 4; and Roberts, A., International Institute for Strategic Studies, *Humanitarian Action in War: Aid, Protection and Impartiality in a Policy Vacuum*, Adelphi Paper no. 305 (Oxford University Press: Oxford, 1996), p. 36.

⁹¹ United Nations High Commissioner for Refugees (note 86), p. 18.

⁹² United Nations High Commissioner for Refugees (UNHCR), Central Evaluation Section, 'Working in a war zone: a review of UNHCR's operations in former Yugoslavia', EVAL/YUG/14, UNHCR, Geneva, Apr. 1994, para. 242; and Ogata, S., 'UNHCR in the Balkans: humanitarian action in the midst of war', eds W. Biermann and M. Vadset, *UN Peacekeeping in Trouble: Lessons Learned from the Former Yugoslavia* (Ashgate: Aldershot, 1999), p. 189.

⁹³ Duffield, M., 'An account of relief operations in Bosnia', Relief and Rehabilitation Network, Network Paper no. 3, Overseas Development Institute, London, Mar. 1994, p. 8. See also Findlay, T., SIPRI, *The Use of Force in UN Peace Operations* (Oxford University Press: Oxford, 2002).

level of violence in the region at the time and on the aggressiveness of the men at each roadblock.

Aid convoys kept a large number of people alive, but it is unclear how much of a role UNPROFOR played in getting the aid through. The UNHCR and the WFP already had a convoy programme under way when UN troops arrived and the evidence is inconclusive as to whether the percentage of supplies reaching their intended destinations increased or decreased after convoy escorts began. Passage depended far more on the dynamics of the overall war and the diplomatic process than on the immediate presence of UN troops.⁹⁴ To summarize, convoy protection was a large part of what UNPROFOR did but it appears to have had little discernable impact on the amount of aid that got through.

After the airlift and convoy protection, the third type of humanitarian activity UNPROFOR undertook, and ultimately the most controversial, was to protect six 'safe areas'. The safe area concept was first floated by the president of the ICRC in the summer of 1992 to protect enclaves of Muslims who had remained behind Serb lines after Serb forces swept through much of Bosnia and Herzegovina that spring. The UNHCR, troop-contributing governments and the USA rejected the idea as diplomatically undesirable and militarily infeasible.⁹⁵ The situation became progressively worse for Muslims throughout Bosnia and Herzegovina in early 1993 following a Croat offensive in Herzegovina. To the east, near the border with Serbia, Bosniaks in the strategically important town of Srebrenica were about to surrender to Bosnian Serb forces in April 1993. By this time the Bosniaks and Croats (but not the Serbs) had agreed to the Vance–Owen Peace Plan—a diplomatic plan to end the war and divide Bosnia and Herzegovina into 10 ethnically defined cantons. Srebrenica was to be the core of a Muslim canton and its conquest by Serb forces would undermine the only available diplomatic solution to end the conflict.⁹⁶ Lacking a better alternative, governments returned to the safe area idea, and on 16 April the UN Security Council adopted Resolution 819, demanding that all parties treat Srebrenica and its surroundings as a 'safe area' that should be free of armed and hostile acts. A company of 133 Canadian UNPROFOR soldiers arrived in Srebrenica, the Muslim population was disarmed, and in exchange Serb forces allowed humanitarian convoys to enter the enclave.⁹⁷ Srebrenica remained outside direct Serb control and the military situation remained calm until May 1995.

⁹⁴ In some cases forceful action helped get trucks through. British and Nordic battalions reacted strongly, and sometimes secured passage for trucks through blockades. Duffield (note 93), p. 10. In other cases, however, the presence of UN troops appeared to draw fire rather than deter it. Ogata (note 92), p. 189.

⁹⁵ Honig, J. and Both, N., *Srebrenica: Record of a War Crime* (Penguin: New York, 1996), pp. 99–101.

⁹⁶ Silber and Little (note 69), pp. 269–72. For a summary of the Vance–Owen plan and a map of the proposed cantons see 'Bosnia and Herzegovina peace negotiations', *IBRU Boundary and Security Bulletin*, vol. 1, no. 1 (Apr. 1993), pp. 2–3.

⁹⁷ Human Rights Watch, 'Bosnia and Herzegovina: the fall of Srebrenica and the failure of UN peacekeeping', *Human Rights Watch*, vol. 7, no. 13 (Oct. 1995), pp. 6–7.

Following the initial success at Srebrenica, the Security Council in 1993 declared five more safe areas around threatened cities and towns across the country, at Bihać, Goražde, Sarajevo, Tuzla and Žepa.⁹⁸ Overall, the declaration of safe areas and the placing of UN troops in them contributed to civilian protection for two years. From May 1993 to May 1995, Bosnia experienced only a small amount of fighting, with the exception of Muslim–Muslim fighting in Bihać. The Vance–Owen Peace Plan was rejected and foreign governments did little but wring their hands and provide humanitarian aid. Even so, the Serbs did not move to consolidate their territory by overtaking the hold-out points of Srebrenica, Žepa and Goražde in eastern Bosnia, which would be critically important if they were to create a ‘greater Serbia’. In the end, the fates of the six safe areas differed greatly, ranging from a massacre at Srebrenica to no significant violence at Tuzla.

In 1995, when events on the ground and diplomatic manoeuvring raised the potential cost of the stalemate from the Bosnian Serbs’ perspective, they moved against the safe areas in the east, meeting with a great diplomatic outcry but no military resistance by UNPROFOR. On the contrary, in Srebrenica UN troops allowed Serb paramilitary forces to separate 8000 men and boys of fighting age from the population before assisting in the deportation of the rest of the population. The men and boys were slaughtered in the largest massacre of the entire war.⁹⁹ When Žepa was overrun, UN troops helped to evacuate the population but did not include men and boys in the evacuation.¹⁰⁰ In Goražde UN troops had abandoned their observation posts by the time of the 1995 Serb offensive.¹⁰¹

The sole exception to UNPROFOR’s failure to act was Sarajevo. (Bihać and Tuzla each had a small number of UN troops but did not face concerted Serb pressure in 1995 in the same way as the areas to the east.) Sarajevo benefited from a large Bosnian Army presence and a large UN troop presence, substantially bolstered by the deployment of a Rapid Reaction Force of British and French troops in June 1995.¹⁰² UNPROFOR’s presence in Sarajevo probably kept the Serbian military out of the capital and in doing so saved many lives. However, despite UNPROFOR’s more vigorous approach to its mandate, some 10 600 people were killed and between 50 000 and 61 100 wounded in the town during the course of the war.¹⁰³ The Bosnian safe areas stand as a symbol of failed UN military intervention.

⁹⁸ UN Security Council Resolution 824, 6 May 1993.

⁹⁹ Human Rights Watch (note 97), p. 47.

¹⁰⁰ United Nations, Report of the Secretary-General: the fall of Srebrenica, UN document A/54/549, 15 Nov. 1999, para. 425.

¹⁰¹ United Nations (note 100), para. 260.

¹⁰² Dodd, T., Ware, R. and Watson, F., ‘Bosnia: update and supplementary information’, Research Paper 95/96, British House of Commons Library, London, 30 May 1995, p. 20; and United Nations (note 100), para. 176.

¹⁰³ Carballo, Simic and Zeric (note 87), pp. 872–74; and Hedges, C., ‘War turns Sarajevo away from Europe’, *New York Times*, 28 July 1995.

Table 3.3. The impact of intervention in Bosnia and Herzegovina, 1992–95

Operation	Lives saved by military intervention	Lives lost during crisis ^a
UNPROFOR airlift	Thousands	~ 5 000 ^b
UNPROFOR convoys	..	Thousands
UNPROFOR safe areas	Thousands ^c	~ 20 000 ^d
Operation Deliberate Force	..	~ 200 ^e

UNPROFOR = UN Protection Force; .. = Reliable estimates not available.

^a The figures in this column do not reflect the total number of lives lost in Bosnia because most people died from violence before any international military operation was launched to protect them. Estimates of the total number of people killed range from a US Central Intelligence Agency (CIA) estimate of 164 500 to a Bosnian Government estimate of 278 000.

^b This is the number of deaths in Sarajevo alone due to privation.

^c This is the number of lives saved in Sarajevo, which was the only enclave with a significant UN military presence.

^d This is the number of deaths in and around safe areas after their designation as safe areas.

^e This is the number of Serb deaths caused by the NATO bombing.

Sources: Carballo, M., Simic, S. and Zeric D., 'Health in countries torn by conflict: lessons from Sarajevo', *The Lancet*, vol. 348 (28 Sep. 1996), pp. 872–74; Dodd, T., 'War and peace-keeping in the former Yugoslavia', Research Paper 95/100, British House of Commons Library, International Affairs and Defence Section, London, 12 Oct. 1995, p. 19; Burg, S. and Shoup, P., *The War in Bosnia Herzegovina: Ethnic Conflict and International Intervention* (M. E. Sharpe: New York, 1999), pp. 169–70; United Nations, Report of the Secretary-General pursuant to General Assembly Resolution 53/35: the fall of Srebrenica, UN document A/54/549, 15 Nov. 1999, para. 3; and Bosnian Institute of Public Health, in *Oslobodjenje* (Sarajevo), 29 Mar. 1996, contained in a memorandum from the UNHCR Office of the Special Envoy for former Yugoslavia, External Relations Unit (30 Mar. 1996).

The course of the war changed dramatically when a mortar round launched from the hills above Sarajevo killed 37 people and injured 90 in a market square in August 1995. Coming after the eastern safe areas had fallen, the attack provoked sufficient international outrage to cause NATO to undertake a new military action independent of UNPROFOR.¹⁰⁴ Operation Deliberate Force was under NATO command and was not constrained by UN peacekeeping rules of engagement or the need for approval by the civilian head of the UN mission.

The (British) UN force commander requested NATO air strikes to break the siege of Sarajevo by driving Serb forces back 20 km from the city. Together with Rapid Reaction Force ground troops, aircraft from several NATO countries attacked Serb positions around Sarajevo and their command headquarters

¹⁰⁴ A more deadly mortar attack in Feb. 1994 had led only to negotiations between the UN force commander and the Bosnian Serbs to move their big guns back 20 km from the city. The negotiated agreement was partially respected for a year. United Nations (note 100), para. 117.

in Banja Luka.¹⁰⁵ The VRS was overwhelmed. Within a month Bosnian Serb commander Ratko Mladic agreed to withdraw his forces from around Sarajevo and to cease all hostile activity in and around all the remaining safe areas.¹⁰⁶

The military action directly saved lives by ending sniping, mortar attacks and the blockade of Sarajevo.¹⁰⁷ The indirect effect on mortality was tremendous as Operation Deliberate Force played an important role in bringing the conflict to an end.

Following Operation Deliberate Force, in mid-September 1995, the combined forces of the Bosnian Croats¹⁰⁸ and the Army of Bosnia and Herzegovina pushed through VRS defences in north-western and central Bosnia and Herzegovina. Within two weeks they had re-conquered 3800 square kilometres of territory from the VRS—20 per cent of the total area of Bosnia and Herzegovina. The rapid advance was possible in part because NATO had disabled the VRS command network and paralysed Serb forces in western Bosnia. Unable to coordinate the movement of its forces, the VRS was in no position to respond well to the Bosniak–Croat offensive. When the offensive moved towards the Bosnian Serb capital, Banja Luka, the US Government put pressure on the Bosniaks and Croats to halt, for fear that, if Serbian Army units were provoked to re-enter Bosnia and Herzegovina, the crisis would escalate and a major refugee crisis would ensue. The closing months of 1995 were marked by a disorganized scramble for territorial gain by all parties before ceasefire and peace agreements were signed.¹⁰⁹

Table 3.3 summarizes the numbers of lives saved by the four operations in Bosnia and Herzegovina.

Summary

The experience in Bosnia and Herzegovina stands as a classic example of weak and ineffective United Nations intervention. However, to blame the world body is to forgive the governments that determine what the UN does. European countries took the lead but, despite being horrified at the fact that there was a war on the continent, they could not countenance forceful intervention to protect people or end the conflict. With US support, they turned instead to a traditional UN peacekeeping operation that was entirely inappropriate in a non-consensual environment where there was no peace to keep.

¹⁰⁵ Aircraft from France, the Netherlands, Spain, the UK and the USA flew about 3500 sorties, a quarter of which were strike missions, to attack air defences, ammunition depots, artillery installations and command posts. Dodd, Ware and Watson (note 102), p. 19.

¹⁰⁶ United Nations (note 100), paras 443, 457–58.

¹⁰⁷ The Bosnian Serb Government claimed that up to 200 Serbs were killed by Operation Deliberate Force. Dodd, Ware and Watson (note 102), p. 19.

¹⁰⁸ These forces were largely composed of the Croatian Army and a smaller percentage of Bosnian Croat forces. Dodd, Ware and Watson (note 102), p. 20.

¹⁰⁹ Dodd, Ware and Watson (note 102), pp. 20–21.

A weak UN military effort, born of a lack of political will on the part of member states, was not the only echo from Iraq and Somalia. Governments sought to cover their political failure with humanitarian assistance and in the process inadvertently helped to sustain the belligerent parties. Convoy protection did not consistently reduce the confiscation of aid at roadblocks. The safe areas were not part of a plan to end the war but a stopgap measure when the only plan to end the war lay in ruins. Finally, governments learned that even a large military force can be ineffective at protecting the population if it takes an accommodatory stance in the face of continued belligerence. Only coercion brought an end to the war and true relief to the population.

The perceived lessons about the use of force strongly influenced NATO's behaviour in Kosovo four years later. Unfortunately for the people of Rwanda, in their case the touchstone was not Bosnia and Herzegovina but Somalia.

IV. Genocide and civil war in Rwanda, 1994

On 13 May, the soldiers and militiamen came in eight busses, vans and lorries that were being used for building the road between Kibuye and Gitarama, and a lot of other vehicles owned by soldiers and the authorities. Other people came on foot, wielding machetes; they were singing and whistling and beating drums. . . . They surrounded us and then began to throw grenades at us. Then they made their advance. The soldiers shot bullets at us and the militiamen finished the Tutsi people off with machetes. They killed practically all the women and children that day. My family was also killed. . . . The militiamen arrived in a great number of cars. We trembled when we saw all this. I went behind my family and together we ran to Muyira. My wife could not run because she was pregnant and my children were small. Due to the bullets that were coming from all directions, we dispersed. As I was running, I fell in a ditch and above me was a big rock. I stayed there, trembling with fear. I could hear people crying as they died. In the evening, when the militiamen had gone, I left the ditch. I couldn't find my way because there were bodies everywhere.¹¹⁰

These are the memories of survivors of the Rwandan genocide. Hutu extremists and ordinary Hutu peasants attacked their Tutsi neighbours with such ferocity and dedication that within 100 days the killers had slaughtered between 500 000 and 800 000 people.¹¹¹ It is difficult to conceive of the murder of 500–

¹¹⁰ Selected quotations from African Rights, *Resisting Genocide: Bisesero, April–June 1994*, Witness no. 8 (African Rights: London, 1998).

¹¹¹ The estimate of 800 000 comes from Prunier, G., *The Rwanda Crisis: History of a Genocide* (Columbia University Press: New York, 1995), pp. 263–65. The estimate of 'at least half a million' comes from des Forges, A., *Leave None to Tell the Story: Genocide in Rwanda* (Human Rights Watch and International Federation of Human Rights: New York, 1999), pp. 15–16. The difference between the estimates is due to different assumptions about the size of the Tutsi population in Rwanda in 1994. Des Forges accepts Prunier's estimate that approximately 130 000 Tutsi survived in Rwanda and adds that another 20 000 fled the country. A commission set up by the Rwandan Ministry of Education reported that the number of people killed in the genocide was 1 364 000. The commission arrived at this number by conducting a commune-by-commune survey. United Nations, Office for the Coordination of Humanitarian Affairs, Integrated Regional Information Network for Central and Eastern Africa, 'IRIN Update no. 419

8000 people a day for three straight months in a county with a population of some 7.5 million. The speed and brutality of the genocide and the refusal of other governments to try to grasp what was happening are three features that stand out among the extraordinary series of events that enveloped the tiny country in the Great Lakes region of Africa (see map 4).

The Hutu-dominated government of President Juvénal Habyarimana had long persecuted the minority Tutsi population, prompting the rebel Rwandan Patriotic Front (RPF) to launch a civil war from neighbouring Uganda in 1990. Three years later an internationally brokered peace agreement signed in Arusha, Tanzania, led to a UN peacekeeping operation in Rwanda and a power-sharing agreement between the government and the rebels.¹¹² As the agreement moved closer to implementation, extremists within the government prepared to exterminate all the Tutsi in Rwanda rather than share power. When the President was killed while returning from implementation talks on 6 April 1994, the conspirators executed their plan with devastating speed and effect.¹¹³

The army and the Interahamwe militia, aided by local police, were the principal agents of the genocide.¹¹⁴ The Interahamwe, created by the government to slaughter Tutsi, sprang into action and encouraged or forced Hutu peasants to join them. Tens of thousands of Tutsi and Hutu who resisted lost their lives at roadblocks, in their homes and in numerous other small-scale situations. Hundreds of thousands lost their lives in more carefully organized and executed massacres. Typically, initial murders caused large groups of Tutsi to congregate in public buildings, especially schools and churches, in search of protection.¹¹⁵ Local police arrived at the planned site of a massacre shortly before the soldiers to seal off all exits and make sure the area was well surrounded by militia. When the soldiers arrived they used assault rifles and hand grenades to slaughter the civilians, who either fought back or begged for mercy. The Interahamwe used machetes, hoes and nail-studded clubs to cut down anyone who tried to escape and then entered the sanctuaries to kill those who had survived the initial onslaught. The gruesome process was coordinated from the capital though

for Central and Eastern Africa (Tuesday 19 May 1998)', electronic posting, 19 May 1998. The government's estimate is probably too high, given Rwanda's original population and the number of people remaining after the genocide.

¹¹² The Peace Agreement between the Government of the Republic of Rwanda and the Rwandese Patriotic Front was signed on 4 Aug. 1993. Its text is available at URL <<http://www.grandslacs.net/>>.

¹¹³ The best books on the Rwandan genocide are Prunier (note 111); Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda, *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, 4 studies and synthesis report (Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda: [Copenhagen], 1996); African Rights, *Rwanda: Death, Despair and Defiance*, rev. edn (African Rights: London, 1995); des Forges (note 111); and Gourevitch, P., *We Wish to Inform You that Tomorrow We Will Be Killed with Our Families: Stories from Rwanda* (Farrar, Straus & Giroux: New York, 1998).

¹¹⁴ The translation of the word *interahamwe* into English is flexible. Prunier translates it as 'those who work together'. Prunier (note 111), p. 367. African Rights translates it as 'those who stand together' or 'those with a common goal'. The name was taken from a popular 1950s pro-independence song and the communal work parties of the 1970s and 1980s. African Rights (note 113), pp. 54–55.

¹¹⁵ In previous years when massacres happened people had found safety in numbers.

tightly controlled bureaucratic lines of authority and the pro-government radio station.¹¹⁶

A critically important aspect of the genocide is that massacres began in hundreds of locations within one to three days of Habyarimana's death. The killing did not originate solely in Kigali and spread across the country, as many commentators believe.¹¹⁷ The killers worked with lightning speed. By the end of the first month the majority of victims had already fallen.¹¹⁸ By mid-May the pace slowed, but only because the killers found fewer and fewer victims.¹¹⁹ The speed of the genocide was one of the primary constraints on the efficacy of intervention. If outside governments had acted with dispatch as soon as they realized what was going on, they could have saved tens of thousands of people, but they would have been too late to save the majority of the people who were killed.¹²⁰

Foreign governments knew at the time that Rwanda was the scene of mass killing.¹²¹ Not a single government with the power to act had any interest in stopping it. The initial reaction at the UN was to *reduce* the size of the existing United Nations Assistance Mission for Rwanda (UNAMIR) force. As public awareness of the genocide became impossible to ignore, the Security Council reversed its decision, authorized reinforcements for UNAMIR and approved a French-led intervention known as Operation Turquoise.¹²² In the meantime, the rebel Rwandan Patriotic Army (RPA), the military arm of the RPF, broke the ceasefire agreement, defeated the government army, stopped the genocide, and drove over 1 million Hutu refugees into Tanzania and Zaire (now the Democratic Republic of the Congo). The plight of the refugees, and the killers who walked among them, elicited an overwhelming humanitarian aid response. One part of that response was a US military logistical effort called Operation Sup-

¹¹⁶ African Rights (note 113), *passim*; and des Forges (note 111), pp. 180–260.

¹¹⁷ A study by the Carnegie Commission on the Prevention of Deadly Conflict which looked at the plausibility of military intervention to stop the Rwandan genocide provides an example of the mistaken image of the killing moving out from the capital: 'More specifically, forces appropriately trained, equipped, and commanded, and introduced in a timely manner, could have stemmed the violence in and around the capital, preventing its spread into the countryside'. In an accompanying footnote the author acknowledges that there are differing views on the rate of spread of the violence, but he does not seem to see the fundamental difference of the *pattern* of violence. It spread from hundreds of points simultaneously. Feil, S. R., *Preventing Genocide: How the Early Use of Force Might Have Succeeded in Rwanda*, Report to the Carnegie Commission on Preventing Deadly Conflict (Carnegie Corporation of New York: New York, 1998), p. 3 and endnote 7, p. 52.

¹¹⁸ African Rights (note 113), pp. 262–548; and Gourevitch (note 113), p. 133.

¹¹⁹ Gourevitch (note 113), pp. 151, 155.

¹²⁰ Kuperman, A., *The Limits of Humanitarian Intervention: Genocide in Rwanda* (Brookings Institution Press: Washington, DC, 2001).

¹²¹ Useful sources on what was known and when, in addition to the books named above, include the US National Security Archive, which posts declassified US Government documents on the Internet, URL <<http://www.gwu.edu/~nsarchiv/NSAEBB/>>; and United Nations, *The United Nations and Rwanda: 1993–1996* (United Nations, Department of Public Information: New York, 1996).

¹²² UN Security Council Resolution 929, 22 June 1994. The troop-contributing countries were France and Senegal.

port Hope. Each of the four military operations saved lives, but only a small percentage of the number who died.

The Rwandan Patriotic Army reacted two days after President Habyarimana's death.¹²³ Units encamped in northern Rwanda moved south in three directions—towards the capital in the centre of the country, towards the east and towards the west. Their objectives were to rescue an RPA battalion in Kigali (stationed there as part of the peace process), to stop the genocide and to defeat the government. The latter two goals merged as it became obvious that the government was directing the genocide.¹²⁴ On paper the rebel army was weaker than the government forces, but it had better officers, better training and a high level of motivation.¹²⁵ The RPA had no trouble prevailing against the army and the Presidential Guard, which were very effective at killing unarmed civilians but completely incompetent as fighting forces, partly because they put so much effort into the genocide. RPA units reached the outskirts of Kigali by 11 April, but did not manage to take the city until 4 July.¹²⁶ Meanwhile, the rebels swept through north-eastern Rwanda in April, fighting their way south and west until they reached the newly established Operation Turquoise zone in mid-July. By that time they had also gained control of the prefectures of the north-west.¹²⁷ In a little over three months they controlled the entire country, except the zone under French control.

As it advanced, the RPA drove before it government troops, militiamen and many other Hutu. To protect itself and the remaining Tutsi population in the areas it controlled, it maintained military rule and a tight system of check-points.¹²⁸ The RPA also took the unusual step of launching rescue raids for large groups of people, notably in Kigali before they controlled the city.¹²⁹ By rapidly defeating the government and protecting the population in areas it controlled, the RPA saved the lives of 65 000–70 000 people.¹³⁰

¹²³ Timmerman, E., Brussels Radio 1 Network, 9 Apr. 1994, in Foreign Broadcast Information Service, *Daily Report–Africa (FBIS-AFR)*, FBIS-AFR-94-069, 11 Apr. 1994, p. 2.

¹²⁴ (Clandestine) Radio Muhabura, 11 Apr. 1994, FBIS-AFR-94-070, 12 Apr. 1994, p. 5; 'Dr Emmanuel Ndarhiho: interview with Robin White', BBC World Service, 12 Apr. 1994, FBIS-AFR-94-071, 13 Apr. 1994, p. 4; and (Clandestine) Radio Muhabura, 19 Apr. 1994, FBIS-AFR-94-076, 20 Apr. 1994, pp. 5–6.

¹²⁵ International Institute for Strategic Studies, *The Military Balance 1993/1994* (Brassey's: London, 1993); African Rights (note 113), p. 49; and Prunier (note 111), p. 270.

¹²⁶ Rabine, G., France-2 Television Network, 4 July 1994, FBIS-AFR-94-128, 5 July 1994, p. 4.

¹²⁷ AFP, 12 July 1994, FBIS-AFR-94-134, 13 July 1994, p. 1; Radio Rwanda, 16 July 1994, FBIS-AFR-94-137, 18 July 1994, p. 1; (Clandestine) Radio Muhabura, 26 Apr. 1994, FBIS-AFR-94-080, 26 Apr. 1994, pp. 4–5; AFP, 15 June 1994, FBIS-AFR-94-116, 16 June 1994, p. 8; France-2 Television Network, 4 July 1994, FBIS-AFR-94-128, 5 July 1994, pp. 4–5; African Rights (note 113), p. 1065; Prunier (note 111), p. 268; and Borton, J., Brusset, E. and Hallam, A., *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, Study no. 3, *Humanitarian Aid and Effects* (Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda: [Copenhagen], 1996), figure 4, p. 27.

¹²⁸ Borton, Brusset and Hallam (note 127), p. 34 and fn. 18.

¹²⁹ African Rights (note 113), p. 1068.

¹³⁰ About 20 000–25 000 Tutsi came out of hiding in RPA-controlled areas. Byumba camp held 15 000 people; East camp held 10 000 people; and Rilima camp held 20 000 people. Prunier (note 111), pp. 264 and 297, fn. 37; and African Rights (note 113), p. 1147.

UNAMIR shared the rebels' advantage of being on the spot when the genocide began, but it was severely hindered by actions taken at UN headquarters in New York. The UN troops encamped in Kigali were mandated to monitor the ceasefire agreement, investigate instances of non-compliance with the Arusha Peace Agreement, contribute to the security of Kigali and monitor the repatriation of refugees.¹³¹ It was a classic peacekeeping mandate, which was perfectly reasonable at the time it was issued in 1993 but became untenable when the killing began.

When the Rwandan military killed 10 Belgian UN soldiers at the beginning of the genocide—a move calculated to drive out meddlesome foreigners—the Security Council voted to cut UNAMIR by 90 per cent to a mere 250 lightly armed infantrymen.¹³² The new mandate reflected a stunning level of ignorance about the one-sided nature of the killing and called for the force commander to concentrate his efforts on negotiating a new ceasefire between the RPA and the government.¹³³ General Roméo Dallaire, the force commander, who knew that massacres were taking place all around him and requested reinforcements to enable him to stop the killing by force, followed orders and negotiated. If he had succeeded in securing a ceasefire, the RPA would have halted its advance and the genocide would have continued unabated.¹³⁴ Fortunately, Dallaire did more than negotiate: he allowed his lightly armed and underfed soldiers to protect pockets of civilians in Kigali for as long as they could. Despite heroic efforts by some UNAMIR soldiers, others were unable or unwilling to offer protection and abandoned Tutsi to their fate.¹³⁵ In May a new Security Council resolution recognized the massacres and called for active protection of civilians.¹³⁶

UNAMIR saved lives by deterring attacks on large groups of people who sought refuge in Kigali landmarks such as the Amahoro Stadium, the King

¹³¹ UN Security Council Resolution 872, 5 Oct. 1993.

¹³² In fact, approximately 450 troops remained in Rwanda, mainly from Ghana and Bangladesh.

¹³³ UN Security Council Resolution 912, 21 Apr. 1994.

¹³⁴ African Rights (note 113), p. 1134. Some analysts argue that an RPF victory was not the only way to stop the genocide. They claim that the army had moderate factions which might have restrained the killers if a ceasefire had been obtained. Stopping the RPF advance would also have dampened the fear and rage among Hutu who attacked Tutsi with extra vengeance when the rebel front line moved towards them. UN military observers claim that a ceasefire would have freed up government troops to rein in the militia. Adelman, H. and Suhrke, A., *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, Study no. 2, *Early Warning and Conflict Management* (Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda: [Copenhagen], 1996), pp. 45–46 and endnote 87. In this author's own opinion, this perspective is naive. It is unlikely that moderates in the military would have been strong enough to oppose the extremist factions and the Presidential Guard, which received preferential equipment and training. Furthermore, Chief of Staff General Augustin Bizimungu was unlikely to order the army to stop the killing. Bizimungu was a hard-liner who was given the position of chief of staff because the first person to fill the position in the interim government was considered by the architects of the genocide to be too moderate. African Rights (note 113), p. 113. Finally, most of the killing happened well away from the battle front. The killers and local government officials enthusiastically carried out the orders of their national leaders and did not have to be on the run to get whipped up into a bloody frenzy.

¹³⁵ Des Forges (note 111), pp. 613–18.

¹³⁶ UN Security Council Resolution 918, 17 May 1994, para. 3.

Faisal Hospital, the Hotel Mille Collines and the Meridian Hotel. Like the RPA, it also engaged in small but dramatic rescue operations.¹³⁷ As the only deterrent and protective presence in the capital during the genocide, UN troops deserve credit for saving the lives of most of the 20 000 Tutsi who were in Kigali when the rebels took control.¹³⁸ UNAMIR could have done more if it had been bigger, fully equipped or more willing to take risks.¹³⁹

Operation Turquoise enjoyed advantages over the UN mission in all three respects. On 22 June 1994 more than 2500 French Foreign Legion troops launched a population protection operation mandated by the UN Security Council under Chapter VII of the UN Charter to contribute 'in an impartial way to the security and protection of displaced persons, refugees and civilians at risk in Rwanda . . .' for a period of two months.¹⁴⁰ Operation Turquoise established a large safe zone in south-western Rwanda which deterred the forward advance of the civil war front, deterred conventional military operations within the zone, and deterred some, but not all, attacks by militiamen within the zone.

The Foreign Legion was prepared to act immediately, having deployed to air-bases on the Zairean side of the border before the Security Council voted. On the first day, infantry and armoured columns entered Rwanda and took control of Nayarushishi camp, where between 8000 and 12 000 people had survived only because the local Rwandan National Police commander refused to allow them to be killed.¹⁴¹ Within 12 days Operation Turquoise established a full-time presence in Rwanda with forward bases at the major towns of Gikongoro and Kibuye, which marked the outer edge of the safe zone.¹⁴² Its commander, General Jean-Claude Lafourcade, formally proposed a 'humanitarian neutral zone' on 2 July and the RPF formally accepted it on 6 July.¹⁴³ From this point on Operation Turquoise improved security within its zone, although scattered killings continued because the intervention force did not have enough troops to police many parts of the zone or enough trucks to transport people to safety.¹⁴⁴

¹³⁷ Adelman and Suhrke (note 134), pp. 52–53; and African Rights (note 113), p. 1133.

¹³⁸ Prunier (note 111), p. 264.

¹³⁹ Des Forges (note 111), pp. 611; Connaughton, R. M., 'Military support and protection for humanitarian assistance: Rwanda, April–December 1994', Overseas Development Institute, London, 1995, pp. 11–12; and Dallaire, R., 'The changing role of UN peacekeeping forces: the relationship between UN peacekeepers and NGOs in Rwanda', eds J. Whitman and D. Pocock, *After Rwanda: The Coordination of United Nations Humanitarian Assistance* (Macmillan: London, 1996), pp. 205–18. Dallaire famously claimed that with 5000 well-trained and well-equipped soldiers he could have stopped the genocide. Feil (note 117). There is good reason to believe that Dallaire would not have been as successful as he thinks because of his limited situational awareness and the time it would have taken to deploy a fighting force. Kuperman (note 120).

¹⁴⁰ UN Security Council Resolution 929, 22 June 1994.

¹⁴¹ Prunier (note 111), pp. 283–86; Borton, Brusset and Hallam (note 127), p. 43; and des Forges (note 111), p. 689.

¹⁴² France Inter Radio Network, 4 July 1994, FBIS-AFR-94-128, 5 July 1994, pp. 7–8.

¹⁴³ 'UNAMIR situation report' 3 July 1994 (restricted/internal); and 'UNAMIR situation report', 6 July 1994 (restricted/internal).

¹⁴⁴ African Rights (note 113), p. 61; Prunier (note 111), pp. 292–93; and des Forges (note 111), pp. 678–79.

Operation Turquoise deserves credit for rescuing the people at Nayarushishi camp, who almost certainly would have come under concerted attack by the army and militia as time wore on. It also deserves partial credit for saving between 3000 and 8000 people who were in hiding in the south-west.¹⁴⁵ (The rest of the credit goes to the RPA whose victory removed the threat of murder in a way the safe zone could not.¹⁴⁶) However, the political impact of the French intervention was devastating. Under the protection of the Foreign Legion, the leaders of the genocide escaped from the RPA and regrouped in Zaire.¹⁴⁷ The Hutu extremists' presence contributed directly to two civil wars in Zaire in 1996 and 1998–2003 that killed more than 3 million people (mostly by disease) and destabilized the entire Great Lakes region for years.¹⁴⁸

The US Operation Support Hope faced very different circumstances when it deployed to assist refugee relief efforts around Goma, Zaire, in July 1994. When the RPF secured its victory over the former government of Rwanda, the defeated Hutu led a tidal wave of people over the border in a frenzied exodus that lasted from 14 to 18 July. The crush of some 800 000 tired, hungry, dehydrated and frightened refugees was too much for the underprepared humanitarian organizations to handle.¹⁴⁹ It was as if an entire city had relocated to a place with no infrastructure to support it. Overcrowding, lack of sanitation, lack of clean water and an insufficient supply of food soon led to epidemics of cholera and dysentery. The approximate average crude mortality rate in the camps surrounding Goma during the month following the influx was 19.5 deaths per 10 000 people per day. (The baseline rate in Rwanda before April was approximately 0.6 per 10 000 per day.) Approximately 50 000 people died during the first month of the refugee crisis.¹⁵⁰

US President Clinton, who had refused to act against the genocide, sent Operation Support Hope to 'stop the dying' by providing logistical assistance to

¹⁴⁵ According to des Forges, the French estimated that they saved 15 000–17 000 people: 8000–10 000 at Nayarushishi, 1100 at Bisesero and 6000 in Gikongoro prefecture. Des Forges (note 111), p. 689.

¹⁴⁶ Some people who came out of hiding at the sight of the French soldiers were subsequently killed by militiamen when the soldiers moved on and left them exposed.

¹⁴⁷ *African Research Bulletin*, 21 Sep. 1994, p. 11560; Hillson, L., BBC World Service, 1 Aug. 1994, FBIS-AFR-94-148, 2 Aug. 1994, p. 2; African Rights (note 113), pp. 1150–51; des Forges (note 111), pp. 675–76; and Gourevitch (note 113), p. 161.

¹⁴⁸ International Rescue Committee, *Mortality in the Democratic Republic of Congo: Results from a Nationwide Survey* (International Rescue Committee: New York, Apr. 2003).

¹⁴⁹ About 30 000 of the people who fled were not legitimate refugees, but rather killers who did not have a right to protection under international refugee law. Boutroue, J., 'Missed opportunities: the role of the international community in the return of the Rwandan refugees from eastern Zaire, July 1994–Dec. 1996', Unpublished manuscript, Massachusetts Institute of Technology, Center for International Studies, 1997, p. 5; Borton, Brusset and Hallam (note 127), pp. 35, 58, 106; and US Committee for Refugees, 'How many refugees are in eastern Zaire? Why estimates vary widely', Press release, 26 Nov. 1996, electronically posted by the African Policy Information Center.

¹⁵⁰ Swerdlow, D. L. and Levine, O., 'Cholera control among Rwandan refugees in Zaire', *The Lancet*, vol. 344 (5 Nov. 1994), p. 1303; Paquet, C. and van Soest, M., 'Mortality and malnutrition among Rwandan refugees in Zaire', *The Lancet*, vol. 344 (17 Sep. 1994), p. 823; and Goma Epidemiology Group, 'Public health impact of Rwandan refugee crisis: what happened in Goma, Zaire, in July 1994?', *The Lancet*, vol. 345 (11 Feb. 1995), p. 339.

aid agencies and by offering aid directly to the refugees.¹⁵¹ US troops helped UN agencies and humanitarian NGOs to tackle the cholera and dysentery epidemics by setting up water purification units. The capacity of the military's system was totally inadequate, but it soon flew in a high-capacity pump to draw water from Lake Kivu. Once tanker lorries were supplied in mid-August, the water problem was largely solved.¹⁵² Operation Support Hope also played a small but important role in medical efforts to combat disease, transporting samples to laboratories in Goma, Germany and the USA. The samples revealed an unusual strain of dysentery, which was subsequently treated with special antibiotics flown in by the military.¹⁵³ This kind of work can normally be done by relief organizations but the circumstances in Zaire completely overwhelmed them.

By 15 August the crude mortality rate in the Goma refugee population as a whole was down to approximately five per 10 000 per day. By 22 August it was two per 10 000 per day, and a week later it was one per 10 000 per day. By mid-September, when the US military pulled out, the crude mortality rate was below one per 10 000 per day.¹⁵⁴ Although it is not possible to say with any certainty how many lives Operation Support Hope saved, it deserves a part of the credit for saving thousands of lives per day. '[T]he Great Lakes underlined that in special, overwhelming circumstances *only* a well organized military logistics operation, especially the use of heavy lift aircraft, could help save so many people in such a short time'.¹⁵⁵ However, Operation Support Hope did nothing to address the critical problem of violent extremists controlling the camps and fomenting political chaos.

Table 3.4 summarizes the numbers of lives saved by the Rwanda operations.

Summary

Some themes emerge in the case of Rwanda that are familiar from Iraq, Somalia, and Bosnia and Herzegovina. Governments once again chose to treat the humanitarian symptoms of a political crisis rather than address the deeper causes of the suffering. The UN military force was severely undercut by member states that did not want to face the costs and risks which aggressive action would have required. Mortality numbers and trends were poorly understood and subject to political manipulation. As in Bosnia and Herzegovina and northern Iraq, coercing the perpetrators was the only solution, although population protection was a good interim response. In contrast to earlier cases, the UNAMIR experience showed that even a small force can be effective in dire

¹⁵¹ US Army, 'Operation Support Hope after action review', 1994, p. 10.

¹⁵² Borton, Brusset and Hallam (note 127), pp. 70–71.

¹⁵³ Borton, Brusset and Hallam (note 127), pp. 58, 73, 79–80.

¹⁵⁴ Roberts, L. and Toole, M. T., 'Cholera deaths in Goma', *The Lancet*, vol. 346 (25 Nov. 1995), figure, p. 1431.

¹⁵⁵ Wilkinson, R., 'The heart of darkness', *Refugees*, no. 110 (winter 1997), p. 8.

Table 3.4. The impact of intervention in Rwanda, 1994

Operation	Lives saved by military intervention	Lives lost during crisis
RPA	65 000–70 000	500 000–800 000
UNAMIR	~ 20 000	500 000–800 000
Operation Turquoise	13 000–20 000	500 000–800 000
Operation Support Hope	Thousands	~ 60 000

RPA = Rwanda Patriotic Army; UNAMIR = UN Assistance Mission for Rwanda.

Sources: Prunier, G., *The Rwanda Crisis: History of a Genocide* (Columbia University Press: New York, 1995), pp. 264, 297 fn. 37; African Rights, *Rwanda: Death, Despair and Defiance*, rev. edn (African Rights: London, 1995), p. 1147; des Forges, A., *Leave None To Tell the Story: Genocide in Rwanda* (Human Rights Watch and International Federation of Human Rights: New York, 1999), p. 689; and Goma Epidemiology Group, 'Public health impact of Rwandan refugee crisis: what happened in Goma, Zaire, in July 1994?', *The Lancet*, vol. 345 (11 Feb. 1995), p. 339.

circumstances, as long as the belligerents are weak and foreign troops are assertive.

Human rights groups' scathing denunciations of the inaction and subsequent admissions of responsibility by internationally prominent politicians moved discussion of humanitarian intervention from a debate about whether it was a legitimate option to a debate about whether it was an obligation in cases of extreme need. The genocide in Rwanda sparked reassessment of the meaning, limits and obligations of state sovereignty,¹⁵⁶ but, coming as it did between the fiascos in Somalia in 1993 and Bosnia and Herzegovina in 1995, it did not immediately lead to activist interventions. It took events in Kosovo at the end of the decade to break the political and diplomatic deadlock. In the eyes of many observers, Kosovo legitimized the use of force for human protection purposes even without UN authorization.¹⁵⁷

V. Secessionist violence and ethnic expulsion in Kosovo, 1999

Kosovo holds special significance for many Albanians and Serbs.¹⁵⁸ For Albanians it is the home of their national movement, which began in the city of

¹⁵⁶ The prominent monograph *The Responsibility to Protect* opens with a quotation from UN Secretary-General Kofi Annan, who was Under-Secretary-General for Peacekeeping during the Rwandan genocide, which reads, 'if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica—to gross and systematic violations of human rights that affect every precept of our common humanity?'. International Commission on Intervention and State Sovereignty, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (International Development Research Centre: Ottawa, 2001), p. vii.

¹⁵⁷ Independent International Commission on Kosovo, *The Kosovo Report: Conflict, International Response, Lessons Learned* (Oxford University Press: Oxford, 2000).

¹⁵⁸ Kosovo is a province of Serbia, which at the time of the events described here formed the Federal Republic of Yugoslavia (FRY) with Montenegro. The FRY was renamed the State Union of Serbia and

Prizren in 1878. For Serbs, the Turkish defeat of the Serbian army at the battle of Kosovo Polje in 1389 marked the end of an era that many nationalists consider to be Serbia's greatest. Communist strongman Marshal Tito granted the province of Kosovo considerable autonomy within Serbia in 1974 (see map 5), which President Milosevic revoked in 1989. Milosevic's government in Belgrade discriminated against the Albanian population, depriving it of political and economic opportunities, even though by 1998 only approximately 7 per cent of Kosovo's population were Serbs; the majority were Albanian, with small numbers of Roma and other minorities.¹⁵⁹

In response to the discrimination, the late Ibrahim Rugova led a non-violent resistance movement that established parallel, unofficial social and political structures for Albanians in Kosovo. Although it was fairly successful at providing services, the movement failed to advance the cause of Kosovan independence from Serbia. The failure became obvious in 1995 when the Dayton Agreement, which gave neighbouring Bosnia and Herzegovina its independence, made no mention of Kosovars' political aspirations. In response the Kosovo Liberation Army (KLA) emerged and by 1997 it was openly advocating violence as the only route to independence. Aware that it lacked popular support and was weak compared to the Serbian authorities, the KLA deliberately provoked Serbian police and Interior Ministry attacks on Albanian civilians, with the aim of garnering international support, specifically military intervention.¹⁶⁰ Violence escalated steadily through most of 1998.¹⁶¹

European and US governments, acutely sensitive to violence in the Balkans, responded with diplomacy that sent mixed signals about their objectives and resolve.¹⁶² In October 1998, Milosevic (now president of the Federal Republic of Yugoslavia, FRY) and the KLA agreed to a ceasefire, the withdrawal of some Serbian security forces and the deployment of international monitors under the authority of the Organization for Security and Co-operation in Europe (OSCE).¹⁶³ The unarmed Kosovo Verification Mission (KVM)¹⁶⁴ succeeded in

Montenegro in Feb. 2003 and the federation was dissolved in June 2006, with Montenegro and Serbia becoming independent states.

¹⁵⁹ Independent International Commission on Kosovo (note 157), p. 319.

¹⁶⁰ Dugi Gorani, a Kosovar Albanian negotiator, said in relation to the KLA hit-and-run strategy, 'Every single Albanian realized that the more civilians die, intervention comes nearer'. Hashim Thaci, a KLA leader, revealed the moral corruption of the strategy when he said that 'any armed action we undertook would bring retaliation against civilians. We knew we were endangering a great number of civilian lives'. Little, A., 'Moral combat: NATO at war', BBC 2 Special, 21.00 hrs, 12 Mar. 2000, Transcript available at URL <http://news.bbc.co.uk/1/hi/english/static/events/panorama/transcripts/transcript_12_03_00.txt>.

¹⁶¹ Among the best accounts of events in Kosovo are: Independent International Commission on Kosovo (note 157); Weller, M., *The Crisis in Kosovo 1989–1999: From the Dissolution of Yugoslavia to Rambouillet and the Outbreak of Hostilities*, *International Documents and Analysis*, vol. 1 (Documents and Analysis Publishing, Ltd: Cambridge, 1999); Daalder, I. and O'Hanlon, M., *Winning Ugly: NATO's War to Save Kosovo* (Brookings Institution Press: Washington, DC, 2000); Judah, T., *Kosovo: War and Revenge* (Yale University Press: New Haven, Conn., 2000); and Posen, B., 'The war for Kosovo: Serbia's political–military strategy', *International Security*, vol. 24, no. 4 (spring 2000), pp. 39–84.

¹⁶² Independent International Commission on Kosovo (note 157), pp. 131–61.

¹⁶³ Weller (note 161), pp. 274, 348–50.

¹⁶⁴ The KVM was authorized by UN Security Council Resolution 1199, 23 Sep. 1998.

Table 3.5. The impact of intervention in Kosovo, 1999–2000

Operation	Lives saved by military intervention	Lives lost during crisis
Operation Allied Force (bombing)	0	15 400–17 600 ^a
Operation Allied Harbor (Albania)	Thousands	Hundreds
Operation Joint Guardian (FYROM)	Thousands	Hundreds
KFOR (Kosovo)	..	~ 700 ^b

FRY = Federal Republic of Yugoslavia; FYROM = Former Yugoslav Republic of Macedonia, KFOR = Kosovo Force; .. = Not applicable.

^a This includes Kosovar Albanian civilians, Serbian civilians and Serbian military. Estimates of the number of Kosovar Albanians killed range from 10 000 (US Department of State) to 12 000 (Salama et al.), with the most likely number at the lower end of the range (American Bar Association Central and East European Law Initiative). Estimates of the number of Serbian civilians killed range from 500 (Human Rights Watch) to 600 (FRY Government, cited in Posen). Estimates of the number of Serbian military personnel killed range from 576 (FRY Government, cited in Posen) to 5000 (NATO, cited in Blaauw).

^b Serb and Roma civilians killed in Kosovo by Albanians while foreign troops were present.

Sources: American Bar Association Central and East European Law Initiative and American Association for the Advancement of Science, 'Political killings in Kosova/Kosovo, March–June 1999', Washington, DC, 2000; Physicians for Human Rights, *War Crimes in Kosovo: A Population-based Assessment of Human Rights Violations against Kosovar Albanians* (Physicians for Human Rights: Boston, Mass., 1999); Blaauw, B., 'The situation in Kosovo', Report submitted on behalf of the Defence Committee, Assembly of the Western European Union, 45th session, 10 June 1999, document 1651, p. 6; British House of Commons, Defence Committee, *Lessons of Kosovo: Vol. I, Report and Proceedings of the Committee*, Session 1999/2000, HC 347-I (Stationery Office: London, June 2000), p. xxviii; Human Rights Watch, 'Civilian deaths in the NATO air campaign', Feb. 2000; Independent International Commission on Kosovo, *The Kosovo Report: Conflict, International Response, Lessons Learned* (Oxford University Press: Oxford, 2000), pp. 306–308; International Crisis Group (ICG), *Violence in Kosovo: Who's Killing Whom?*, Balkans Report no. 78 (ICG: Brussels, 2 Nov. 1999); Posen, B., 'The war for Kosovo: Serbia's political–military strategy', *International Security*, vol. 24, no. 4 (spring 2000), pp. 39–84; Salama, P. et al., 'Mental health and nutritional status among the adult Serbian minority in Kosovo', *Journal of the American Medical Association*, vol. 284, no. 5 (2 Aug. 2000), pp. 578–84; Spiegel, P. and Salama, P., 'War and mortality in Kosovo', *The Lancet*, vol. 355, no. 9222 (24 June 2000), pp. 2204–209; and UNMIK Police statistics, 29 Oct. 2002, URL <<http://www.civpol.org/unmik/statistics.htm>>.

temporarily constraining the KLA and Serb security forces while diplomats sought a more far-reaching political settlement. In the event, the KLA used the hiatus to consolidate its forces, leading the FRY to station army units on the Kosovo border.

Violence came to the fore again by December 1998.¹⁶⁵ At a time of intense governmental and public debate about how to respond to yet another crisis in the Balkans, the Clinton Administration led an effort to confront the two sides with an ultimatum during high-profile negotiations in Rambouillet, France, in

¹⁶⁵ Independent International Commission on Kosovo (note 157), p. 79.

February 1999. The terms of the draft agreement, set out by the Contact Group,¹⁶⁶ were highly favourable to the Kosovar Albanians; Milosevic rejected them.¹⁶⁷

Although the Kosovo intervention was cast by its proponents as a humanitarian operation and is treated as such in this book, the US and allied governments clearly had a political agenda that led to military action.¹⁶⁸

A number of military operations quickly followed the Rambouillet talks. In March 1999, NATO launched Operation Allied Force, a coercive bombing campaign over Kosovo and the rest of Serbia. The UN Security Council did not authorize the action, leading to considerable controversy about the legitimacy of the intervention.¹⁶⁹ In response to the attack, the FRY dramatically stepped up its military assault on the ethnic-Albanian population in Kosovo, causing the vast majority of them to flee their homes. NATO then engaged in two humanitarian operations to address the needs of hundreds of thousands of refugees: Operation Allied Harbor provided logistical assistance and direct aid in Albania, and Operation Joint Guardian did the same in the Former Yugoslav Republic of Macedonia (FYROM). When the war ended in June 1999, the Security Council authorized NATO to send a ground force into Kosovo.¹⁷⁰ Known as the Kosovo Force (KFOR), the operation was designed to protect aid operations, protect the population and create a stable security environment for the international administration of the province.¹⁷¹ The four NATO operations, spanning the range of intervention types from logistics to coercion, met with significantly different degrees of success and failure, as summarized in table 3.5.

¹⁶⁶ The Contact Group included France, Germany, Italy, Russia, the UK and the USA. It was established as a diplomatic forum for dealing with the Bosnia and Herzegovina crisis and came to play a dominant role in peace negotiations for Kosovo.

¹⁶⁷ Independent International Commission on Kosovo (note 157), annex 3, 'The Rambouillet Agreement: a summary'.

¹⁶⁸ The US view of the Rambouillet process was that it would 'help reticent European NATO members to justify an armed intervention' and 'build a tighter coalition in favour of what was by then being viewed as an almost certain recourse to force'. Independent International Commission on Kosovo (note 157), p. 153. The talks were also seen as a way to unite the various Kosovan positions, which would strengthen the case for intervention. This is reflected in US Secretary of State Madeleine Albright's comment, 'It is now up to the Kosovar Albanians to make clear that a NATO implementation force is something that they want'. Independent International Commission on Kosovo (note 157), p. 153. According to US State Department spokesman Jamie Rubin, 'Our first priority was to unite the Europeans behind air strikes by clearly defining the aggressor and the victim'. Rubin, J., 'Countdown to a very personal war', *Financial Times Weekend*, 30 Sep.–1 Oct. 2000, pp. I–IX.

¹⁶⁹ The definitive study on the Kosovo conflict judged the NATO intervention to be illegal according to international law but 'legitimate because it was unavoidable: diplomatic options had been exhausted and two sides were bent on conflict, which threatened to wreak humanitarian catastrophe and generate political instability through the Balkan peninsula'. Independent International Commission on Kosovo (note 157), p. 289.

¹⁷⁰ UN Security Council Resolution 1244, 10 June 1999.

¹⁷¹ The international civilian administration was named the United Nations Mission in Kosovo (UNMIK). It is not included in the analysis here because it was a civilian intervention rather than a military intervention.

NATO initiated Operation Allied Force on 24 March 1999, under the authority of the North Atlantic Council.¹⁷² Its two objectives were to coerce Milosevic to accept a political plan for Kosovo's autonomy and to prevent the Serbian Government from killing and expelling Albanians, provoking refugee flows that could destabilize neighbouring Albania and the FYROM. The political objective was partially achieved, but the humanitarian impact of the operation was the opposite of what NATO political leaders had intended.

The bombing campaign began slowly and became progressively more intense, following a three-phase plan. When three days of strikes against air defence targets did not bring Milosevic back to the negotiating table, NATO began phase 2, which consisted of parallel attacks on FRY forces in the field and against strategic targets in Serbia, such as petroleum supplies. By 3 April (day 11), the campaign entered phase 3, with NATO bombs hitting targets intended to disrupt the government and demoralize the Serb population, including the Ministry of the Interior, the Socialist Party headquarters and Belgrade's government-run television station.¹⁷³ Allied aircraft continued to strike at tactical and strategic targets until a ceasefire agreement on 9 June.

The political outcome was mixed. Milosevic agreed to withdraw FRY security forces from Kosovo, allow the presence of an international security force, allow the UN to establish an interim administration for Kosovo and allow the establishment of a framework for Kosovo to move towards 'substantial' self-government.¹⁷⁴ (The proposed Rambouillet agreement had clearly stipulated the territorial integrity of the FRY and the demilitarization of the KLA but made no mention of a process leading to Kosovo's independence.)

The short-term humanitarian outcome was negative. NATO air strikes did not save any lives and caused between 600 and 5000 Serbian military deaths, 400–600 Serbian civilian deaths, and an unknown (but probably smaller) number of Kosovar Albanian civilian deaths.¹⁷⁵ Operation Allied Force had an indirect role in thousands more civilian deaths because it provoked the Serbian security forces to attack. It must be stated clearly that NATO action did not cause the attack, which FRY officials had prepared in advance, and Milosevic deliberately chose from several possible options; but NATO strongly influenced the

¹⁷² NATO is a military alliance. The North Atlantic Council is its civilian oversight component. In essence, NATO authorized itself to act.

¹⁷³ British House of Commons, Defence Committee, *Lessons of Kosovo*, vol. 1, *Report and Proceedings of the Committee*, Session 1999/2000, HC 347-I (Stationery Office: London, 2000), pp. 45–51. NATO bombs also hit the Chinese Embassy in Belgrade, generating great controversy.

¹⁷⁴ British Ministry of Defence, 'Kosovo: an account of the crisis. The G8 foreign ministers' principles, 6 May 1999', URL <<http://www.kosovo.mod.uk/account/principles.htm>>.

¹⁷⁵ Belgrade claimed that NATO bombing killed 600 military personnel. Posen (note 161), p. 81, fn. 102. NATO estimated that it killed 5000 troops. Blaauw, B., 'The situation in Kosovo', Report submitted on behalf of the Defence Committee, Assembly of the Western European Union, 45th session, 10 June 1999, document 1651, p. 6, para. 21. The FRY Ministry of Foreign Affairs estimated that between 400 and 600 Serb civilians were killed. Cited in Amnesty International, 'Collateral damage or unlawful killings?', ed. K. Coates, *The Spokesman*, no. 69 (Bertrand Russell Peace Foundation: Nottingham, 2000), pp. 31 and 78, fn. 2.

timing and intensity of the attack that killed thousands and caused sudden massive refugee flows.¹⁷⁶

There is debate on this point. It is possible that the Milosevic regime would have done as much or more damage to Kosovo if NATO had not attacked, although over a longer period of time. Yet Western governments could have told the KLA—which some had previously labelled a ‘terrorist organization’—that its strategy of provoking Serbian attacks on civilians was morally corrupt and would not result in political or military help. If they had given the same level of support to the peaceful resistance of Rugova that they gave to the KLA, large-scale violence might have been avoided.¹⁷⁷ That is not to deny that heavy-handed political repression of Kosovar Albanians would have continued.¹⁷⁸

As soon as NATO began its attack, Serbian security forces implemented a plan to expel the Albanian population of Kosovo, using the same tactics that had been so effective in Bosnia and Herzegovina.¹⁷⁹ The KVM and all international aid personnel had withdrawn a few days earlier, so there was no foreign presence to constrain their actions. Military, Interior Ministry and police forces systematically cleared villages and towns, driving hundreds of thousands of people towards the borders with Albania and the FYROM. As part of the expulsion campaign Serbian forces killed 10 000–12 000 Kosovar Albanians, greatly exceeding the number killed in the previous year.¹⁸⁰ In addition, some 863 000 people became refugees and 590 000 were internally displaced. Over 90 per cent of the Kosovar population were forced to leave their homes. It was the largest population displacement in Europe since the aftermath of World War II.¹⁸¹

As in all refugee crises, the people who fled to Albania and the FYROM desperately needed shelter, food, clean water, and sanitation and public health programmes. Unprepared, underfunded, understaffed and uncoordinated, UN

¹⁷⁶ Smith, R. J. and Drozdiak, W., ‘Serbs’ offensive was meticulously planned’, *Washington Post*, 11 Apr. 1999, p. A26.

¹⁷⁷ If Milosevic’s regime had not been defeated by NATO in Kosovo, it would probably not have fallen to the non-violent Otpor movement as quickly as it did. However, the movement fed on much more than the defeat in Kosovo, so there is reason to believe that Milosevic’s days in power would have been numbered even if events in Kosovo had unfolded differently.

¹⁷⁸ Organization for Security and Co-operation in Europe (OSCE), Office for Democratic Institutions and Human Rights (ODIHR), ‘Kosovo/Kosova. As seen, as told: an analysis of the human rights findings of the OSCE Kosovo Verification Mission, October 1998 to June 1999’, OSCE, Warsaw, 1999.

¹⁷⁹ The Serbian Government insisted that Kosovars fled because of NATO bombing, but a rigorous statistical analysis conducted for the International Criminal Tribunal for the Former Yugoslavia disproves the claim and shows Serbian actions to be strongly correlated with waves of killing and refugee flows. Ball, P. et al., *Killings and Refugee Flow in Kosovo, March–June 1999: A Report to the International Criminal Tribunal for the Former Yugoslavia* (American Association for the Advancement of Science/American Bar Association Central and East European Law Initiative: Washington, DC, 2002).

¹⁸⁰ The best available study supports the lower end of the range, stating that ‘an estimated 10 356 Kosovar Albanians were killed’ during the period 20 Mar.–22 June. The study’s margin of error is 9002–12 122 deaths. Ball et al. (note 179), p. 6. The 10 000 estimate is from the US Department of State; the 12 000 estimate is from Spiegel, P. B. and Salama, P., ‘War and mortality in Kosovo, 1998–99: an epidemiological testimony’, *The Lancet*, vol. 355, no. 9222 (24 June 2000), pp. 2204–209.

¹⁸¹ Independent International Commission on Kosovo (note 157), pp. 90, 201.

agencies and international NGOs could not provide for the needs.¹⁸² Many Kosovars found shelter with local citizens but many more were left exposed, and the governments of Albania and the FYROM requested assistance from NATO.¹⁸³ The military assistance operation in Albania, Operation Allied Harbor, was fully operational on 16 April. The operation in the FYROM, Operation Joint Guardian, was able to act effectively by the beginning of April using troops that had comprised the Kosovo Verification Mission.¹⁸⁴

Aid workers feared epidemics of disease early in the crisis because camps were so overcrowded. No epidemics occurred, partly because military units constructed additional camps within days.¹⁸⁵ Operation Allied Harbor also controlled Albanian air space and the country's main airport and seaport, repaired and maintained roads, assisted the movement of refugees, and helped coordinate aid activities.¹⁸⁶ In the FYROM, NATO forces assisted refugee movement and helped coordinate aid activities in addition to building camps. Within the overall structure created by NATO, the WFP provided food, the World Health Organization (WHO) supported health care and dozens of NGOs provided water, sanitation, food, and medical and other services to the camps.¹⁸⁷ The aid effort was not without fault, particularly in the area of coordination, but Western governments lavished resources on the crisis and the standards in the refugee camps were high, especially compared to what refugees in Africa typically receive. The good conditions meant that mortality and morbidity rates remained well below the level common for humanitarian emergencies.¹⁸⁸

It is impossible to say accurately how many refugees' lives were saved by military units because the military and civilian aid efforts were integrated, but it is reasonable to credit the military with saving thousands (see table 3.5).¹⁸⁹

¹⁸² Suhrke, A. et al., *The Kosovo Refugee Crisis: An Independent Evaluation of UNHCR's Emergency Preparedness and Response*, EPAU/2000/001 (UNHCR Evaluation and Policy Analysis Unit: Geneva, Feb. 2000).

¹⁸³ The Albanian Government readily accepted its responsibility to give the refugees sanctuary and worked in cooperation with NATO and international NGOs to provide assistance. The FYROM Government did not allow refugees to cross its border until it was placed under intense international pressure and extracted an agreement from Western governments to immediately transfer the refugees to 3rd countries.

¹⁸⁴ Suhrke et al. (note 182), p. 31; and British Ministry of Defence, *Kosovo: The Financial Management of Military Operations. Report by the Comptroller and Auditor General*, Session 1999/2000, HC 530 (Stationery Office: London, 5 June 2000), p. 32.

¹⁸⁵ Agovino, T., 'Caring for ethnic Albanians in Macedonia's refugee camps', *The Lancet*, vol. 353 (15 May 1999), p. 1702.

¹⁸⁶ 'Nato's humanitarian mission to Albania: AFOR', URL <<http://www.afsouth.nato.int/operations/harbour/>>; British House of Commons, Defence Committee (note 173); and Minear, L., van Baarda, T. and Sommers, M., *NATO and Humanitarian Action in the Kosovo Crisis*, Occasional Paper no. 36 (Thomas J. Watson Jr Institute for International Studies, Brown University and the Humanitarian Law Consultancy: Providence, R.I., 2000).

¹⁸⁷ Independent International Commission on Kosovo (note 157), p. 204.

¹⁸⁸ Suhrke et al. (note 182), p. vi.

¹⁸⁹ In some circumstances it would be reasonable to credit military action with saving tens of thousands of lives. The Kosovars, however, were not as vulnerable as refugees from less-developed countries. They were in reasonably good health and were well fed before they fled. In addition, households in Albania took in thousands of families (for a price). These factors reduced the refugee population's susceptibility to fatal epidemics.

According to the International Federation of Red Cross and Red Crescent Societies, the military disaster relief operations were of unprecedented size and military units ‘performed a remarkable job’.¹⁹⁰ No other actor, including the UNHCR and the governments of Albania and the FYROM, was capable of rapidly providing shelter, sanitation and high-capacity logistics coordination. Without those services it is very likely that a large number of people would have died of exposure and disease.

People began to return home immediately after the ceasefire in early June 1999 and international actors moved quickly to keep pace. On 10 June the UN Security Council passed Resolution 1244, providing for an international civilian and security presence in Kosovo. On the same day, the North Atlantic Council authorized the deployment of its protection force, KFOR, to keep Serbian/FRY forces out of Kosovo, oversee the demilitarization of the KLA, and provide security for international personnel and the people of Kosovo.¹⁹¹ Up to 50 000 troops successfully accomplished most of the mission objectives, including facilitating the rapid return of refugees to their homes. By providing a safe environment for refugees to return and for aid organizations to work, KFOR undoubtedly helped to save lives, but it is not possible to determine how many. Unfortunately, KFOR failed to protect Serb and Roma citizens of Kosovo from deadly revenge attacks. From June 1999 to December 2000, 700 people were murdered in Kosovo, almost all of them Serbs.¹⁹² Most of the rest of the non-Albanian population fled.

Summary

As the first humanitarian intervention since the disasters in Somalia (1993), Rwanda (1994), and Bosnia and Herzegovina (1995), the Kosovo actions disproved the argument that had emerged in the second half of the 1990s that governments would no longer intervene on behalf of oppressed civilians. Mortality figures played a key role in the argument for intervention, although the estimates were largely inaccurate.¹⁹³ At the same time, Kosovo underlined the political nature of ‘humanitarian’ crises: the KLA manipulated violence to encourage intervention; the FRY orchestrated ‘population bombs’—the FRY Government’s term for sudden and controlled expulsions of large portions of the population—in response to NATO military action; NATO countries were

¹⁹⁰ International Federation of Red Cross and Red Crescent Societies (IFRC), ‘Kosovo: the humanitarian Klondike’, *World Disasters Report 2000* (IFRC: Geneva, 2000), p. 117.

¹⁹¹ Kosovo Force, ‘KFOR objectives/mission’, URL <<http://www.nato.int/kfor/kfor/objectives.htm>>.

¹⁹² International Crisis Group (ICG), *Violence in Kosovo: Who’s Killing Whom?*, Balkans Report no. 78 (ICG: Brussels, 2 Nov. 1999); and UNMIK Police statistics, URL <<http://www.civpol.org/unmik/statistics.htm>>.

¹⁹³ US and allied government officials wildly inflated estimates of the number of people killed (possibly in the belief that truly staggering numbers are needed to get the public on board). In Apr. and May officials suggested that up to 100 000 people had been killed. Erlanger, S. and Wren, C. S., ‘Early count hints at fewer deaths’, *New York Times*, 11 Nov. 1999.

receptive to the idea of protecting civilians in the Balkans because of the political repercussions of what had happened in the region four years earlier; and intervening countries showed extreme sensitivity to risking the lives of members of their armed services when they pledged not to send ground troops into combat and when they ordered pilots to fly above the reach of anti-aircraft weapons, despite the increased risk to civilians from less accurate bombing at high altitudes.

In contrast to all four previous cases, the interveners took political action from the start, rather than using humanitarian assistance as a substitute for political action. The coercive use of force by NATO led to intense coercion by the FRY Army against civilians, which resulted in a large number of deaths and massive displacement in a short period of time.¹⁹⁴ Yet it also induced the authorities in Belgrade to withdraw their troops, allowed an international stabilization force to enter the province and allowed for an unprecedented rapid return of refugees. The Kosovo case also highlighted the impressive logistical capacity of Western militaries, which far exceeds that of humanitarian agencies and NGOs in terms of rapidity of response and volume of throughput (as long as cost is not a concern).

The willingness of intervening countries to use military force without a UN mandate was a source of great concern to many governments and observers, as was the willingness to use massive force in the name of humanitarianism. These concerns informed the response, later in 1999, to the crisis in East Timor.

VI. Independence and fear in East Timor, 1999–2000

The tiny territory of East Timor, which occupies one-half of an island in a vast archipelago (see map 6), has attracted more violence and international intervention than any other part of Indonesia.¹⁹⁵ In 1974 Portugal sought to end its colonial control over East Timor by holding an election to establish a provisional government and determine the future status of the territory. Civil war broke out in 1975 between East Timorese who favoured independence and those who wanted to integrate with Indonesia. Portugal was unable to control the situation and withdrew, opening the way for Indonesian President Suharto to assert military control over the territory. Led by the pro-independence Revolutionary Front for an Independent East Timor (Frente Revolucionária de Timor-Leste Independente, FRETILIN) and its military component, the Armed Forces for the National Liberation of East Timor (Forças Armadas da Libertação Nacional de Timor-Leste, FALINTIL), the East Timorese unsuccessfully resisted the loss of their nascent freedom, at the cost of some 60 000 deaths by

¹⁹⁴ It is a matter of speculation how many people would have been killed and displaced over a longer period of time if NATO had not intervened.

¹⁹⁵ Other parts of Indonesia, notably Aceh, have experienced extensive violence but have not attracted multiple international peace operations.

the end of 1975.¹⁹⁶ Despite Indonesia's dominance, the UN General Assembly never recognized Indonesia's sovereignty over East Timor.¹⁹⁷ East Timorese guerrilla resistance continued and by 1978 between 100 000 and 250 000 people had lost their lives.¹⁹⁸ Although the level of violence subsided, human rights groups accused the Suharto government of widespread repression and human rights violations, including massacres, during the ensuing 22 years.¹⁹⁹

Following Suharto's long dictatorship, President Bacharuddin Jusuf Habibie announced in January 1999 that he would permit a referendum to be held in East Timor to finally settle the territory's political status. Habibie had not consulted the Indonesian National Defence Forces (Tentara Nasional Indonesia, TNI), an important political player with vested economic interests in East Timor, which objected vehemently. The TNI established, trained and directed local militia groups in a campaign of intimidation with the objective of averting the referendum. Between January and June 1999, militiamen killed over 100 people and drove tens of thousands from their homes.²⁰⁰ It was obvious that the TNI was complicit, as the militia never made a move without TNI support.²⁰¹

Nevertheless, the Portuguese Government signed, and the UN approved, an agreement with Habibie in May 1999 that (a) called for a referendum in East Timor on its political status, to be held in August, (b) arranged for the UN to organize the vote and oversee the transition to a new political arrangement, and (c) clearly stipulated that the Indonesian Government and the TNI were responsible for maintaining a safe environment in which the referendum could be held.²⁰² The agreement set the stage for three foreign military interventions—the United Nations Assistance Mission in East Timor (UNAMET), followed by the International Force for East Timor (INTERFET), which gave way to the United Nations Transitional Administration in East Timor (UNTAET). All three played essential roles in East Timor's achieving independence, but only INTERFET addressed the humanitarian crisis brought on by the political transition.²⁰³

¹⁹⁶ Federation of American Scientists, Military Analysis Network, 'Timor', 14 Sep. 1999, URL <<http://www.fas.org/man/dod-101/ops/war/timor.htm>>.

¹⁹⁷ United Nations, 'Special Committee on Decolonisation concludes consideration of East Timor', Press Release GA/COL/3011, 24 June 1999.

¹⁹⁸ Federation of American Scientists (note 196); Federation of American Scientists, Intelligence Resource Programme, 'CNRT', URL <<http://www.fas.org/irp/world/para/timor.htm>>; and Mack, A., 'Intervention in East Timor—from the ground', *RUSI Journal*, vol. 144, no. 6 (Dec. 1999), pp. 20–26.

¹⁹⁹ 'Health and human rights of the East Timorese', *The Lancet*, vol. 353 (12 June 1999), pp. 2065–66.

²⁰⁰ United Nations, 'Secretary-General calls for immediate end to escalation of violence by all sides in East Timor', Press Release SG/SM/6961, 19 Apr. 1999; United Nations, 'Decolonisation Committee continues consideration of East Timor', Press Release GA/COL/3009, 23 June 1999; and Garamone, J., 'East Timor: tiny crack in US–Indonesian relation grows', American Forces Press Service, 9 Sep. 1999.

²⁰¹ Stewart, C., Deputy Director of Political Affairs with UNTAET, Telephone interview by research assistant Emma Kay, 14 Feb. 2001; and Walter Dorn, district electoral adviser with UNAMET, 8 Feb. 2001.

²⁰² United Nations, Question of East Timor, Report of the Secretary-General, UN document S/1999/513, A/53/951, 5 May 1999.

²⁰³ Only INTERFET is counted in the tally of 17 humanitarian interventions. The 2 UN operations are discussed briefly here to provide political context.

In June 1999, the Security Council authorized UNAMET to organize and conduct a referendum giving the East Timorese a choice between independence and remaining a part of Indonesia with new special autonomy rights. The small operation had military observers to maintain contact with the TNI, civilian police to advise the Indonesian Police, and civilian staff to oversee the political and electoral aspects.²⁰⁴ During the run-up to the referendum, militias forcibly displaced between 40 000 and 85 000 people and attacked a provincial UN office in an effort to derail the vote.²⁰⁵ UNAMET was powerless to do anything about the violence and intimidation except to report to the Indonesian Government and the UN Secretary-General. Despite the danger, 99 per cent of registered voters cast their ballots on 30 August.²⁰⁶

Life grew much worse for the East Timorese when the UN announced that an overwhelming majority had voted for independence.²⁰⁷ The TNI and militiamen rampaged through the country destroying homes, crops, public buildings and public utilities, killing people, and chasing them from their homes or deporting them to West Timor and other parts of Indonesia.²⁰⁸ Out of a total population of 890 000, UNICEF estimated in late September that 141 000 people had been deported to West Timor and between 190 000 and 300 000 people were hiding in East Timor.²⁰⁹ By mid-October the UN reported approximately 170 000 people living in deportation camps in West Timor and the vast majority of the population, between 520 000 and 620 000 people, displaced within East Timor.²¹⁰ Hunger and disease were widespread among the displaced, most of whom were cut off from food and water supplies by insecurity, rough terrain, broken-down transport and communication systems, and a near-total absence of

²⁰⁴ UN Security Council Resolution 1246, 11 June 1999.

²⁰⁵ US Committee for Refugees, *World Refugee Survey 2000* (Immigration and Refugee Services of America: Washington, DC, 2000); and United Nations, 'Secretary-General deplores in strongest terms attack on UNAMET Maliana regional office', Press Release SG/SM/7052, 29 June 1999.

²⁰⁶ Haseman, J., 'Security implications for an independent East Timor', *Jane's Defence Weekly*, vol. 32, no. 11 (15 Sep. 1999), p. 57–58.

²⁰⁷ In the referendum, 21.5% voted in favour of autonomy (against independence), and 78.5% voted against autonomy (for independence). United Nations, 'Secretary-General informs Security Council people of East Timor rejected special autonomy proposed by Indonesia', Press Release SC/6721, 3 Sep. 1999.

²⁰⁸ US Agency for International Development (USAID), 'Indonesia: complex emergency fact sheet no. 7', 28 Sep. 1999; United Nations, Office of the Coordinator for Humanitarian Affairs, 'United Nations inter-agency and non-governmental organisation preliminary assessment of needs for humanitarian assistance for East Timorese', Oct. 1999; and United Nations, Report of the International Commission of Inquiry on East Timor to the Secretary-General, UN document A/54/726, S/2000/59, 31 Jan. 2000, para. 130.

²⁰⁹ Associated Press, 'Peacekeepers take control of East Timor capital', *New York Times*, 20 Sep. 1999, URL <<http://www.nytimes.com/yr/mo/day/late/ap-timor-rdp.html>>; and United Nations Children's Fund (UNICEF), 'East Timor update', 23 Sep. 1999, 24 Sep. 1999, 28 Sep. 1999 and 1 Oct. 1999, URL <<http://www.unicef.org/easttimor/>>.

²¹⁰ United Nations, Office of the Coordinator for Humanitarian Affairs (note 208), p. 17. The Secretary-General later reported an estimated peak of 250 000 refugees in West Timor. United Nations, Security Council, Report of the Secretary-General on the United Nations Transitional Administration in East Timor, UN document S/2000/53, 26 Jan. 2000, para. 29.

international aid organizations.²¹¹ There were widespread reports of thousands of civilians killed.²¹² In retrospect, estimates of the number of people who were displaced were accurate, but mortality estimates were wrong by a factor of 10. The number of people killed was 'only' in the hundreds.²¹³ Confronted by violence it could not control and threats to international personnel, UNAMET withdrew to the capital, Dili, in early September and left the island on 14 September. It did not save any lives.

Under intense pressure from concerned governments and international financial institutions, President Habibie consented to international military intervention to stop the violence.²¹⁴ The Security Council authorized the International Force for East Timor on 15 September to restore peace and security in East Timor and facilitate humanitarian assistance operations.²¹⁵ Five days later Australian troops led INTERFET into Dili, raided militia compounds, confiscated weapons and gained control over the capital, including its airport and seaport, in a matter of days.²¹⁶ The militia were no match for the international troops without support from the TNI, which honoured President Habibie's pledge to avoid military confrontation.²¹⁷ INTERFET secured a second international airport (an important entry point for relief supplies) in the town of Baucau to the east during the first week and then spread out across the country, quickly gaining control of the main towns and the roads that link them.²¹⁸ Killing and harassment stopped in places where INTERFET had a presence but the

²¹¹ US Committee for Refugees (note 205), p. 141; Mack (note 198), pp. 20–26; and United Nations (note 210), para. 30.

²¹² Most reports from Sep. and Oct. report thousands of civilian deaths. US Agency for International Development (USAID), 'East Timor Fact Sheet 11', 18 Oct. 1999. The UN Food and Agriculture Organization estimated 7000 deaths. United Nations, 'Grave humanitarian and food crisis developing in East Timor, FAO warns', Press Release SAG/56, 14 Sep. 1999. A US military news service estimated 8000 deaths. Kozaryn, L., 'US plans to support UN force in East Timor', American Forces Press Service, 13 Sep. 1999.

²¹³ United Nations, Report of the International Commission of Inquiry on East Timor to the Secretary-General (note 208), paras 98–99. The SRSG for Timor-Leste, Sukehiro Hasegawa, estimated that during the run-up to the 1999 referendum and after it 1500 people were killed. Hasegawa, S., Remarks at the Conference on Reconstructing and Stabilizing War-torn States: The Challenges before Us, Washington, DC, 23 Mar. 2005.

²¹⁴ 'East Timor: unfinished business', *The Economist*, 27 Nov. 1999; and Robinson, G. and Fidler, S., 'IMF and World Bank played role in climbdown', *Financial Times*, 13 Sep. 1999, p. 6.

²¹⁵ UN Security Council Resolution 1264, 15 Sep. 1999.

²¹⁶ 'Asia Pacific: Indonesia. Violent aftermath of East Timor referendum', *Keesing's Record of World Events*, vol. 45, no. 9 (News Digest for Sep. 1999).

²¹⁷ The president of Indonesia had consented to the intervention, so it was politically difficult for the Indonesian military to confront the foreign troops. The Australian military wished to avoid fighting the TNI, with which it had developed ties since 1974. Stewart (note 201); and Bell, C., 'East Timor, Canberra and Washington: a case study in crisis management', *Australian Journal of International Affairs*, vol. 54, no. 2 (2000), pp. 171–76.

²¹⁸ Mydans, S., 'Tense encounters as Indonesian troops begin withdrawal', *New York Times*, 24 Sep. 1999, URL <<http://www.nytimes.com/library/world/asia/092499timor-rdp.html>>; and 'World news round up', *Aviation Week & Space Technology*, 11 Oct. 1999, p. 25.

Table 3.6. The impact of intervention in East Timor, 1999–2000

Operation	Lives saved by military intervention	Lives lost during crisis
UNAMET	0	Hundreds
INTERFET	5 000–10 000	~ 1 000
UNTAET	..	Tens

INTERFET = International Force for East Timor; UNAMET = UN Assistance Mission in East Timor; UNTAET = UN Transitional Administration in East Timor; .. = Data not available.

Sources: United Nations, Report of the International Commission of Inquiry on East Timor to the Secretary-General, UN document A/54/726, S/2000/59, 31 Jan. 2000, paras 98, 99; Waldman, R. J., 'Prioritising health care in complex emergencies', *The Lancet*, vol. 357 (5 May 2001), pp. 1427–29; World Health Organization (WHO), 'East Timor: as soon as the arms are laid down, reconstruction of the health system must begin', Press release WHO/47, 17 Sep. 1999; 'Health and human rights of the East Timorese', *The Lancet*, vol. 353 (12 June 1999), pp. 2065–66; and United Nations, Office of the Coordinator for Humanitarian Affairs (OCHA), 'United Nations inter-agency and non-governmental organisation preliminary assessment of needs for humanitarian assistance for East Timorese', Oct. 1999.

militia continued to harass and kill people in parts of East Timor not yet under international control and in the camps of West Timor.²¹⁹

In addition to chasing away the militia and the TNI, INTERFET gave high priority to working with UN agencies and international NGOs to establish humanitarian operations.²²⁰ In September and for most of October humanitarian operations were entirely dependent on INTERFET. The force provided logistical assistance, reconstructed roads and public utilities, protected aid stocks, and escorted aid convoys.²²¹ The activities enabled aid organizations to deliver desperately needed food, water, temporary shelter and health care. There were no epidemics of disease and the daily crude mortality rate remained below one death per 10 000 people per day.²²² When INTERFET handed over responsibility to UNTAET, East Timor was secure, except along the West Timor border, the majority of internally displaced people had returned to their homes and refugees were returning from West Timor.²²³

²¹⁹ International Committee of the Red Cross (ICRC), 'ICRC activities in Indonesia, 14 April 1994–16 March 2000', Geneva, 2000; *ICRC Update*, 23 Sep. 1999, no. 99/02; McGivering, J., 'Fears over East Timor's missing', BBC News, 1 Nov. 1999, URL <<http://news.bbc.co.uk/2/501567.stm>>; and Shenon, P., 'UN to triple its border forces in East Timor', *New York Times*, 11 Oct. 1999, URL <<http://www.nytimes.com/yr/mo/day/world/>>.

²²⁰ Mack (note 198), pp. 20–26.

²²¹ Stewart (note 201); and United Nations, Office for the Coordination of Humanitarian Affairs, 'East Timor: humanitarian response, external review', May 2000, pp. 6–8.

²²² Technically that means that East Timor did not experience a public health emergency. Waldman, J. R., 'Prioritizing health care in complex emergencies', *The Lancet*, vol. 357 (5 May 2001), pp. 1427–29.

²²³ United Nations (note 210), para. 2; and United Nations, Security Council, Report of the Secretary-General on the United Nations Transitional Administration in East Timor, UN document S/2000/738, 26 July 2000, paras 13–17.

Through its efforts, INTERFET probably saved 5000–10 000 lives (see table 3.6). The estimate is conservative: it is easy to imagine that many more lives would have been lost in the absence of military intervention. The objective of the TNI and the militia was to make East Timor ungovernable and to punish the population, which necessitated the use of considerable violence. At the time of the intervention, the TNI and the militia showed no signs of relenting and persisted in attacking people even after foreign troops opposed them. The East Timorese had no way to defend themselves. If the weak FALINTIL rebels had come down from the hills to resist, they would have run the risk of provoking the Indonesian Government and the TNI into committing massacres like those of the mid-1970s.²²⁴ The centrally directed violence against unarmed civilians could easily have taken thousands of lives. Disease could have killed tens of thousands if people had remained stranded away from their homes without international assistance.²²⁵

Before the crisis began, the health of the East Timorese population was markedly worse than that of Indonesia as a whole. Malnutrition, pneumonia, malaria, diarrhoeal diseases and tuberculosis were major causes of mortality and morbidity, and the prevalence of dengue fever was rising.²²⁶ The incidence of each of these plus dehydration and upper respiratory disease were highly likely to increase over time in a population that was often sheltered in overcrowded conditions and lacked access to potable water, food and sanitation.²²⁷ The scenario never came to pass because military intervention enabled a rapid humanitarian operation.

The Indonesian Parliament voted on 22 October to approve East Timor's separation, opening the way for the UN Security Council to approve UNTAET. UNTAET became operational in November 1999 and took over security responsibility from INTERFET on 28 February 2000.²²⁸ The new operation was the most ambitious ever for the UN, endowed as it was 'with the overall responsibility for the administration of East Timor and . . . empowered to exercise all legislative and executive authority, including the administration of justice'.²²⁹ By July 2000, the UN Secretary-General could report that the operation had 'contributed to the alleviation of the emergency . . . maintained a

²²⁴ On the other hand, the Indonesian Government knew that it was being closely watched, and the TNI and militia deported more people than they killed. They avoided large-scale massacres, in part, because FALINTIL did not fight back, but it is not clear that the TNI would have indulged in massacres even if FALINTIL had fought.

²²⁵ As an indication of what can happen to a population cut off from emergency assistance, the UNHCR estimated that in Tua Pukan camp in West Timor the mortality rate over a 6-week period at the end of 1999 reached 9.35 per 10 000 per day. United Nations (note 210), para. 38.

²²⁶ World Health Organization (WHO), 'East Timor: as soon as the arms are laid down, reconstruction of the health system must begin', Press Release WHO/47, 17 Sep. 1999; and 'Health and human rights of the East Timorese', *The Lancet*, vol. 353 (12 June 1999), pp. 2065–66.

²²⁷ United Nations (note 208).

²²⁸ United Nations, 'The United Nations and East Timor: a chronology', URL <http://www.un.org/peace/etimor99/chrono/chrono_frame.html>.

²²⁹ UN Security Council Resolution 1272, 25 Oct. 1999.

secure environment . . . established the foundations of an effective administration and . . . established a relationship of mutual respect and trust with the East Timorese'.²³⁰

It is not possible to say with any certainty how successful UNTAET was at saving lives in the short term. On the one hand, the acute emergency had passed by the time it took over from INTERFET: militia activity had all but stopped and UN humanitarian agencies and NGOs had large-scale assistance operations up and running. Looking at the position this way, few people remained alive who would have died in the absence of UNTAET. On the other hand, UNTAET prevented East Timor from becoming a failed state. It maintained security, established political and judicial institutions and helped with economic rehabilitation. From this angle, UNTAET, like any functioning government, deserves credit for preventing the deaths of thousands of people. The counterfactual reasoning requires too many assumptions and intermediate steps to offer a reliable judgement on the number of lives saved. It can be said that UNTAET has been, to date, largely successful at building a new state in East Timor.

Summary

The INTERFET operation reinforced the impression first made in Kosovo that governments learned several lessons from earlier troubled interventions. The intervention was both humanitarian and political, rather than being humanitarian action in lieu of political action. It was launched expressly to support the political choice of the population against the interests of the Indonesian Government, military and militia. There was no pretext of impartiality or neutrality as foreign troops acted to protect the population from indigenous forces. The combative intervention, coming between two 'softer' UN missions, was conducted by a coalition of willing states rather than a UN force sent to conduct a non-peacekeeping action. In contrast to Operation Allied Force in Kosovo and Serbia, the Australian-led coalition was authorized to act by the UN Security Council, which brought humanitarian intervention back into the legal fold established in Iraq, Somalia, Bosnia and Herzegovina and Rwanda.

The INTERFET intervention showed that governments understood the importance of acting quickly when militiamen and soldiers begin to attack unarmed civilians.²³¹ It also showed that interveners understood the potential

²³⁰ United Nations (note 223), especially para. 63. However, one UNTAET official resigned because he felt that the UN was acting in an imperialistic manner and not giving the East Timorese the political power they deserved. Chopra, J., 'The UN's kingdom of East Timor', *Survival*, vol. 42, no. 3 (Sep. 2000), pp. 27–40.

²³¹ Many humanitarian NGOs criticized the slow response to post-referendum violence in East Timor, but their ire was misplaced. The UN's great mistake was its failure to anticipate large-scale violence and deploy a military force that was capable of responding. However, once violence broke out on 3 Sep., the Security Council convinced the Indonesian Government to consent to intervention and authorized a coalition of the willing within 12 days (on 15 Sep.). Five days after that Australian troops landed on the island. Two and a half weeks is unusually fast for a political decision and military deployment.

benefit of well-trained military units moving aggressively against poorly trained and ill-equipped militia. Like the US Marines in Somalia, Australian troops rapidly established a dominant presence through active manoeuvres by a small number of soldiers. At the same time it is important to keep in mind one of the essential differences between Somalia and East Timor: the Indonesian Government gave its consent for the intervention and constrained its military, while there was no official consent or lasting constraint in Somalia (or in Bosnia and Herzegovina and Rwanda). Finally, East Timor showed that mortality statistics remained an object of uncertainty and manipulation, with estimates of the number of dead up to 10 times as high as the actual count.

VII. Summary

Is humanitarian military intervention effective? The answer, according to the preceding survey of multiple military operations in six countries or territories, is 'sometimes'. At least one intervention in each country helped to save lives. At the same time, at least one intervention in each country did not save lives and in some cases intervention may have cost more lives than would have been lost if no military intervention had occurred.²³²

The mortality estimates are more accurate in some cases than in others. For example, state-of-the-art statistical projections in Kosovo inspire more confidence than anecdotal estimates in Rwanda, where the original size of the population was not accurately known. In a similar way, counterfactual projections are more certain in some cases than in others. The effect of untreated disease on the Iraqi Kurd refugee population is easier to predict than the effect of continued insurgency and counter-insurgency in Kosovo. Nevertheless, the analysis presented in this chapter is far more accurate than the numbers bandied about by humanitarian organizations and politicians during crises. Lack of information at the time of a crisis is partly to blame. Equally important and potentially more dangerous, aid workers and government officials manipulate numbers to suit their agenda. People who want an intervention overestimate the number of deaths and refugees, as happened in Kosovo and East Timor.²³³ People who do not want to intervene play the numbers down, as happened in Rwanda. Intervening governments and humanitarian organizations tend to overestimate the number of lives they save. US claims, uncritically reported in the news media, that up to 1 million people had been saved in Somalia are a good example.

²³² Operation Allied Force in Serbia and Kosovo killed thousands of people, both military and civilian. UNOSOM II in Somalia, particularly the Rapid Reaction Force, directly killed hundreds of Somalis and bears partial responsibility for casting the country back into the violence that had caused aid organizations to abandon their projects.

²³³ Humanitarian organizations frequently overestimate the number of people in need of assistance because they need to paint a dire picture in order to raise money, not because they want military intervention.

Manipulation of this sort is troubling because it encourages drastic action. Military intervention is a dangerous and uncertain enterprise that holds the potential for great destruction. The decision to intervene should not be based on inflated numbers. Nor should policymakers judge the outcome of intervention on bad data, for that can lead to bad decisions in the future. How many government decision makers know that the relatively safe and easy airlifts into southern Somalia and Sarajevo saved as many lives as, or more lives than, the large ground operations in those countries? In cases where privation is a problem, airlifts might be a better option than convoy protection, but one would not know that from the statements of political leaders who make the decisions.

A better understanding of the impact of past interventions on mortality leads to several conclusions.

1. Humanitarian military intervention helped to save lives more than half of the time—in nine out of the 17 cases, with an additional four cases having some success and four failing to save lives.

2. Most of the operations that did not save lives could have done so if they had been executed faster, or with more resources, or with more unity of command, or with some combination of these and other factors. The statement is not tautological, for some humanitarian operations stood little chance of success under any realistic circumstances. In Bosnia and Herzegovina, for example, manipulation of aid to the population was such an important part of the Serb strategy that more aggressive protection of convoys was unlikely to work unless the entire UNPROFOR mission was transformed into a combat operation.

3. Many of the successful interventions could have saved more lives than they did. Slow response was a chronic problem until Kosovo and East Timor. Lack of sufficient resources, from communications gear to trucks to helicopter gunships, was a common problem. Misunderstanding or underestimating local adversaries was the rule rather than the exception.

4. Military intervention often did not save as many people as commonly believed because the actions of relief organizations and victimized people themselves do more to reduce mortality than is widely realized. The victims of humanitarian crises are not helpless—they need assistance, but rarely are they entirely dependent.

5. Political leaders frequently underplayed the unintended consequences of intervention—for example, in denying the role of bombing in triggering the massive expulsion of Kosovar Albanians. This is a dangerous and irresponsible practice. The only way to avoid similar problems in the future is to recognize them and learn from them.

These observations mean that there is room for improving the prospects of success in the future. Improving the prospect of success requires a cross-case analysis that focuses on the intersection of three factors. The first is *the needs of the population and aid organizations on the ground*. Are people dying of

privation or through violence? The second is *the objectives of the intervention*. Do the objectives match the needs on the ground, or are interveners feeding people when they really ought to be providing protection, for example? The third is *the strategy employed by the intervener*. Strategy brings into play the motives and capabilities of the intervener as well as those of the local belligerents. If the objective is to coerce the perpetrators, does the intervener use compellence or does it use an inappropriate strategy of deterrence and does it have what it takes to pursue a difficult strategy?

This argument is carried through the next four thematic chapters. Chapter 4 presents the requirements for successful intervention to provide aid to people in need. It then uses evidence from the cases presented in this chapter to illustrate the theoretical argument and closes with a discussion of the advantages and disadvantages of the first type of humanitarian intervention. Chapter 5 follows the same structure to analyse intervention to protect aid operations. In similar fashion, chapter 6 looks at intervention to protect the victims of violence and chapter 7 looks at intervention to defeat the perpetrators of violence.

4. Helping to deliver emergency aid

The most common form of military intervention in complex humanitarian emergencies is helping aid organizations deliver emergency aid to people who have been displaced by war and violence. Sometimes military personnel deliver aid directly, for example, with airdrops, and sometimes they help indirectly by improving logistics and transport systems. Logistical assistance and direct provision of aid played an important role in all six of the countries or territories reviewed in chapter 3, sometimes as the sole objective of the intervention and sometimes as an afterthought. Military help in delivering emergency aid has saved many lives. It has also caused many problems.

The professional humanitarian aid community insists that its work is politically neutral and impartial. Armies, in contrast, are not neutral or impartial. When soldiers provide aid they do it often to win the allegiance of the population. A good example is the PRT concept developed in Afghanistan in 2003–2005. The joint military–civilian PRTs combine reconstruction assistance, a stabilizing military presence and political representation for the national government. This highly political approach to aid seriously divides military and humanitarian organizations and creates a great deal of friction between soldiers and aid workers. Although soldiers and humanitarian workers recognize that they have to work together, the tension between them has ebbed and flowed since the beginning of the 1990s without being resolved.

Logistics and aid provision constitute the easiest type of humanitarian military intervention, but, as the following discussion makes clear, even this type of intervention is subject to numerous theoretical and practical constraints. Like any military operation, the outcome of logistical assistance and aid provision depends on the political–military environment in which the operation takes place, the inherent demands of the intervener’s strategy and various practical considerations that affect operations on the ground.

This chapter addresses a set of questions about when and how this type of intervention can work and identifies some of the issues that policymakers should consider when contemplating military intervention to help aid organizations. Section I sets out the logic of the provision of logistical assistance and direct aid by the military, including the political–military conditions for intervention, the linkages between military action and lives saved, and practical considerations that arise. When is the provision of logistical assistance or direct aid a viable option? What kind of commitment does this ‘easy’ type of intervention require from the intervener? What are the various operational manifestations of this strategy and what obstacles does it face? Section II then looks at the historical record, comparing the six core cases from the 1990s. Why was this type of intervention more successful in some cases than in others? Under what conditions is military help to deliver humanitarian aid most likely to suc-

ceed? Section III discusses the advantages and disadvantages of military help to deliver humanitarian aid, drawing on the cases reviewed and examples from other intervention experiences. What are the advantages of using military assets to do humanitarian work? What are the disadvantages of ‘militarizing’ the delivery of aid? Section IV offers concluding remarks.

I. Strategies for delivering aid

The need for logistical assistance and provision of aid arises when war and violence have left a civilian population without access to the basic necessities of life. Warfare often drives people from their homes for fear of forced conscription, death, rape and other cruelties. Deprived of shelter, ready access to food and water, and their source of livelihood—whether it is in a farm field, a factory or an office building—displaced people are acutely vulnerable to fatal diseases, exposure and hunger. They depend on their own resourcefulness and the kindness of strangers.

Local communities and governments are the first line of assistance; they provide far more aid than is usually acknowledged. These local sources of support, however, are easily overwhelmed by large influxes of people, particularly in conflict zones where they are already under pressures similar to those that forced the displaced people to leave their homes and all their immovable assets. UN agencies and international NGOs step in to fill the unmet needs of the displaced (and sometimes of the host community), but they are often not able by themselves to provide assistance fast enough or in large enough quantity to address the humanitarian crisis fully. In some cases the displaced population, in order to escape the ravages of violence, has fled to remote locations where access is difficult for aid organizations; in other cases continuing fighting or the threat of attack separates aid organizations from the needy population; and in other cases aid organizations simply do not have on hand the quantity of goods and transport capacity needed to attend to a sudden large population movement. Aid operations often confront a combination of these barriers to quick and sustained aid delivery.

Strategic considerations

The objective of humanitarian intervention in these circumstances is to save lives by helping UN agencies and international NGOs to provide the basic necessities of life on an emergency basis. To achieve this objective the intervening force pursues a *strategy of avoidance*; that is, it expects to help the population while avoiding confrontations with local belligerents. Five strategic considerations that guide the avoidance strategy are consent, mandate, political will, timing and capabilities, each of which is discussed below. Within the confines of the strategy and environmental constraints the intervener commits

transport and communication assets, engineering capacity and expertise, relief supplies and specialized personnel.

The foremost consideration for an avoidance strategy is whether or not the parties to the conflict—usually the national government and one or more rebel movements—give their *consent* to the intervention. Bearing in mind that consent is often a matter of degree rather than a simple ‘yes or no’ choice, particularly for rebel groups with weak command and control structures, the greater the degree of consent for the assistance operation the easier it will be for the intervening forces to avoid confrontation. If the parties give their consent, then avoidance can be achieved by mutual agreement about where and when international forces will operate. In cases when an intervener pursues an avoidance strategy even though one or more local actors do not consent to the intervention, or if local actors cannot control all their military units, then the intervener must avoid confrontation by circumventing the belligerent parties.

Circumvention can achieve the short-term goal of getting humanitarian aid to people in need, but it can also exacerbate the military conflict by stimulating the circumvented party to act more aggressively, either to stop the delivery of aid or to punish the recipients. Circumvention can make the political resolution of the conflict more difficult or easier, depending on the circumvented party’s perception of the overall situation. If it continues to believe that it can gain its objectives on the battlefield and sees humanitarian aid as a challenge to those objectives, it is likely to be less amenable to political settlement. If it believes that the provision of aid, despite its attempts to block it, puts it at a disadvantage that cannot be overcome on the battlefield, it is more likely to negotiate an end to the conflict.

A second consideration is whether or not the action is *authorized* by the UN Security Council or a regional organization such as the African Union. An international mandate gives the intervention legitimacy. In addition to the normative and legal advantages of ‘right authority’ (to use just war language), there are two great practical advantages. First, the belligerents are more likely to give their consent to the intervention if it has behind it the weight of international consensus conferred by a mandate. This is particularly true for the government, whose sovereign standing depends, in part, on its adherence to accepted international norms and procedures. Second, UN agencies and international NGOs will not interact with an intervention force that does not have an international stamp of approval. Since military units must work closely with aid organizations if they are to provide effective logistical assistance or fill in the gaps by providing aid directly, an international mandate is a requirement.

An avoidance strategy requires relatively little *political will* to succeed, which makes it the easiest type of humanitarian intervention. The intervener has to be sufficiently motivated to take action in dangerous and uncertain circumstances, but in most cases it can avoid a contest of wills with local parties. This is because keeping people alive is not a direct challenge to the objectives of the warring parties (with the exception of those bent on committing genocide) and

in some cases helps them achieve their goals. Even belligerents who have deliberately expelled a population from a certain location do not object if outsiders keep those people alive in a new location. It is when outsiders attempt to create the conditions under which displaced people can return home that they set up a contest of wills. Avoiding a contest of wills removes the need for the intervener to dominate one or more armed parties, which in turn reduces the risks and capability requirements of the operation. As the following chapters show, strong political will becomes more important when progressing through the four types of intervention, from the provision of assistance to coercing the perpetrators.

Concerning domestic politics within the intervening states, it might be reasonable to expect that an avoidance strategy would require a relatively small expenditure of political capital (or will), but experience has shown otherwise. An avoidance strategy should be easy for a political leader to 'sell' to the public because an operation to feed people is unlikely to result in the deaths of soldiers involved in the operation and can make a noticeable difference in the images of suffering shown on television news programmes. That has not been the case, however, since the experience in the early 1990s in Somalia, where an intervention that began as a feeding operation ended up as a deadly confrontation with the county's most powerful warlord. Any commitment of troops to a zone of conflict, even just to deliver assistance, is a very serious political decision. If and when troops are deployed, on the other hand, the avoidance strategy can be a viable way to save lives while minimizing political and military risks.

The length of *time* that elapses between the onset of a disaster and the intervener's response plays an important role in the success of this type of humanitarian intervention. People who do not have access to clean water, food and shelter are highly vulnerable to disease, sickness and (eventually) starvation. The sooner aid agencies and military units can provide civilians with the essentials of life, the more lives they can potentially save. To the extent that a non-threatening avoidance strategy makes consent more likely, it can facilitate quick access to needy people by removing political barriers to access as well as physical barriers such as roadblocks. If consent is not forthcoming, then an avoidance strategy is likely to extend the response time as potential interveners negotiate for access or devise a way to circumvent the recalcitrant parties. Circumvention, such as airdrops or choosing longer routes by road, takes more time and often results in smaller amounts of aid being delivered.

The *capabilities* required for logistical assistance and the direct provision of aid are quite specialized. The first priority of military officers deployed outside their country is to protect their soldiers from harm (known in military terms as force protection). The avoidance strategy achieves force protection through consent or circumvention and therefore allows an intervener to arrive in-theatre with much less armour and weaponry than strategies that potentially involve military engagement. At the same time, this type of intervention can require transport capabilities that are beyond the ability of most national militaries to

provide. Airlift capacity is particularly useful because it is fast and can carry supplies over rugged terrain and insecure territory. Communications specialists and engineers are valuable assets for organizing emergency responses and repairing damaged infrastructure.

The ability or inability of military organizations to interact with civilian organizations is a capability worth special mention. Perhaps the most challenging demand when an intervention force provides logistical assistance or direct aid is coordinating the plans and actions of military and humanitarian organizations. Coordination, which is difficult even among compatible organizations, is especially so for military and humanitarian organizations because of their very dissimilar organizational cultures and modes of operation, not to mention the divergent perspectives of soldiers trained in warfare and aid workers trained in charity. A cadre of civil affairs officers can bridge the divide if they operate within an institutional structure that both soldiers and aid workers respect. Civil–military information centres (CIMICs) have proved to be an effective forum for military and humanitarian organizations to exchange information about what needs exist where and how each organization plans to address the needs. A more integrated and effective, but also more difficult, kind of coordination mechanism is a civil–military operation centre (CMOC) that moves beyond information exchange to joint operational planning in an effort to make the most effective possible use of each organization’s comparative strengths.¹

To summarize, an avoidance strategy works best when the parties to the conflict consent to a foreign military presence and when the intervention is mandated by an international body. Political leaders do not have to exert much willpower to pursue an avoidance strategy since it is relatively safe. At the same time, logistics and aid operations work best when they are undertaken quickly. Quick action requires politicians to overcome possible domestic and international political opposition and requires military organizations to mobilize rapidly. Rapid mobilization is facilitated by the relatively light capabilities needed for an avoidance strategy, although logistical assistance requires rather specialized skills that many national militaries possess only in small amounts, if at all.

The five factors of consent, mandate, will, timing and capabilities are to one extent or another within the control of the intervener. Even the consent of the belligerents is subject to influence through diplomacy, as Robert Oakley demonstrated in Somalia when he convinced General Muhammad Farah Aidid and Ali Mahdi Muhammad not to challenge the arrival of US troops. Similarly, President Bacharuddin Jusuf Habibie of Indonesia consented to the intervention in East Timor under intense international pressure, thus avoiding direct confrontation between the Australian-led INTERFET and the Indonesian Army.

¹ Seiple, C., *The U.S. Military/NGO Relationship in Humanitarian Interventions* (United States Army Peacekeeping Institute: Carlisle, Pa., 1996).

Practical constraints

In addition to the five strategic considerations there are several practical constraints which have to be contended with by military intervention to help emergency aid delivery. Geography, infrastructure, the population's pre-crisis health and the magnitude of the crisis all present challenges that are beyond the control of the intervener, but they can be partially overcome by a rapid and capable intervention.

A country's *geography* has a great influence on how easy or difficult it is for aid organizations and military forces to reach a needy population. People in mountainous regions or deserts are not only difficult to reach but also especially vulnerable to the natural elements; yet it is to just such places that people sometimes flee in search of safety. One of the main reasons why Operation Provide Comfort acted so quickly to move Kurds from the Turkish border down to the high plains of northern Iraq was the impossibility of providing sustained assistance in the mountains.

The difficulty of delivering aid is also determined by a country's *transport infrastructure*. Aid agencies need seaports, airports, roads and railways to import and distribute food and other supplies. Unfortunately, civil wars usually occur in poor countries where the transport infrastructure is underdeveloped. Already inadequate ports, roads and bridges, as well as water systems and power grids, become even less adequate during wartime because of neglect and sabotage. Under these circumstances the need for airlift and engineering capabilities is acute.

The third constraint is the *health of the population* prior to the onset of the crisis. People who are well fed and in relatively good health before they suffer the ravages of war are less vulnerable to malnutrition and disease. Initially good public health does not mean that aid organizations can or should react more slowly, but it does mean that the mortality rate is likely to be lower during the early days of an emergency before the relief system is fully functional, when military organizations can often do the most good.

Perhaps the most obvious constraint, or demand, is the *magnitude of the crisis*. A large number of people is more difficult to assist than a small number because the amount of supplies that must be transported increases proportionately to the population. A large displaced population is also more likely to generate the conditions in which epidemics of disease occur because of its intensive use of water and sanitation resources. The *speed* with which a crisis develops is as important as the size of the affected population. Sudden relocation of people places more urgent demands on aid organizations and militaries than gradual relocation because it gives them less time to respond before the mortality rate rises.

Variations of direct aid and logistical assistance

Within the parameters set by an avoidance strategy, several distinct schematic plans of action connect military intervention with lower civilian mortality rates. Military forces can provide assistance directly to a civilian population by dropping supplies from the air, constructing camps for refugees and IDPs, and distributing food, water and medical supplies. They can also provide logistical assistance to aid organizations in the form of transport assets and infrastructure repair. Inevitably, a military force engaged in this type of intervention follows more than one scheme of action at the same time. The following paragraphs identify the causal connections and the assumptions that underlie each scheme.

All the variants except airdrops assume that the area of operations is secure. (That is not to say that it is safe by normal standards, since complex humanitarian emergencies by definition occur in violent and unstable places.) Military confrontation will be unlikely, since political leaders are highly unlikely to put troops into a dangerous environment and tell them to pursue a strategy of avoidance.

The most dramatic way to deliver humanitarian supplies is to drop them from *the air*. This form of direct assistance begins with cargo aircraft dropping supplies such as food, soap and the material for building shelters near to concentrated groups of displaced people. The people gather the supplies and take care of themselves, and can thus stay alive until more substantial help arrives. Airdrops were used to supply the Kurds in 1991, when rugged mountain terrain and Iraqi troops prevented easy access on the ground. They were also used to supply the Bosnian safe areas in 1993 and 1994 when Serb militia blocked deliveries by road.

Several assumptions underlie this scenario. The first is that there is no viable alternative way to deliver supplies while avoiding confrontation. Airdrops are more expensive than ground transport and usually cannot deliver the same volume of goods. If roads exist and are passable, and if the security situation is permissive, then airdrops make little sense. The second assumption is that outsiders can drop supplies into a conflict zone without increasing the level of violence. Food and medicine are as valuable to gunmen as they are to civilians. Militiamen and soldiers often use intimidation or outright violence to get the supplies and, if they do get them, sustain themselves while they carry on their battle. The likelihood that airdrops to civilians will raise the level of violence depends on the distance that separates the needy population from the fighters and on whether or not there is a force on the ground to keep predatory gunmen at bay.² The third assumption is that the most needy people will benefit from the aid. Even if gunmen do not get the supplies, in desperate situations the strongest among the displaced population tend to look after themselves first, at the

² Aid workers can also dissuade fighters from taking supplies by controlling delivery and distribution and by calling international attention to theft. However, in situations that require an airdrop, there are no or very few aid workers on the ground.

expense of the weaker members, such as the elderly and children, who are the most vulnerable to disease and hunger. The fourth and final assumption underlying this form of direct assistance is that a small amount of supplies will help keep people alive.

These assumptions make airdrops a controversial option. Aid organizations support the use of airdrops only in the most extreme circumstances because they believe that humanitarian assistance is effective only when the right supplies go to the people who need them most. Airdrops, they argue, are not sustainable over time and often make things worse by inadvertently feeding combatants and raising the level of violence. Government policymakers and military officers, in contrast, like airdrops because they avoid risk to military personnel, usually generate favourable media coverage and, they argue, do more good than harm.

The second form of direct aid provision by military forces is the *construction of camps* to provide temporary shelter for refugees and IDPs. The line of thought for this scenario is simple. Military personnel construct large tent villages with basic amenities; people are then transported to the site or arrive spontaneously. The camp provides shelter and is a centralized location for the delivery of other humanitarian services, which keep people alive. British and US troops, under the supervision of the UNHCR, constructed transit camps for Kurds who descended from the mountains on their way back to their towns and villages. In 1994 military engineers helped to dig latrines and graves in the lava fields of eastern Zaire when hundreds of thousands of people fled Rwanda.

One main assumption underlies this scheme: that military units know how to construct a refugee camp. Humanitarian organizations have developed a set of minimum criteria for camp construction, based on experience and evaluative studies, including the amount of space between tents, the number and location of latrines, the amount of water per person, and so on.³ Military engineers are rarely aware of these guidelines, so they build camps that, for example, increase the chance of epidemics due to overcrowding and insufficient water supply or that put women at risk of assault because latrines are in remote locations. The best way to overcome the problem is for military units to work under the direction of the UNHCR, which has primary responsibility for refugee camps within the aid community. There was a noticeable difference, for example, in Albania and the FYROM between camps constructed by NATO military units with UNHCR advice and those constructed without that advice.⁴ The UNHCR and NGOs usually rely on private contractors to construct camps, but if military

³ Sphere Project, *Humanitarian Charter and Minimum Standards in Disaster Response*, rev. edn (Sphere Project: Geneva, 2004), URL <<http://www.sphereproject.org/handbook>>.

⁴ Minear, L., van Baarda, T. and Sommers, M., *NATO and Humanitarian Action in the Kosovo Crisis*, Occasional Paper no. 36 (Thomas J. Watson Jr Institute for International Studies, Brown University and the Humanitarian Law Consultancy: Providence, R.I., 2000), p. 35.

engineers and soldiers are available they often can complete the job more quickly and with less oversight.⁵

The third form of direct assistance is the *administration of aid by military personnel*. The line of thought, once again, is simple. Troops who are in direct contact with civilians in need give them food, water, medical attention and so on in a sustained way, that is, by doing more than tossing packaged meals from passing vehicles. Aid reduces the level of privation and, in the case of medical aid, treats wounds inflicted by violence, thereby saving lives. Soldiers provided assistance to civilians in Iraq, Bosnia and Herzegovina, Rwanda, Kosovo and East Timor.

This scenario assumes that aid organizations are not able to provide enough assistance on their own. UN agencies and NGOs may need their efforts to be supplemented because they do not have their programmes up and running in the early days of a crisis, because the number of people who need help is vast or they are widely dispersed, or because the environment is too insecure. The scenario also assumes that militaries provide aid that is responsive to the demands of the crisis. All too often military units that are designed for war are not prepared to deliver aid to civilians. Their field hospitals, for example, are designed to treat traumatic injuries sustained by healthy young men in combat, not to provide public health services to people weakened by dehydration and disease. The third assumption is that military units provide aid in places where NGOs are not operating, or they provide a kind of aid that NGOs do not. The best way to prevent soldiers from competing with aid workers is to establish one or more coordination mechanisms, such as a CIMIC or CMOC.

In addition to directly assisting people in need, militaries can give two forms of *logistical support* to aid organizations. The more common, which occurred in all the six countries or territories under study here, is transport assistance: military units help humanitarian organizations to deliver supplies by providing delivery capacity—using equipment such as helicopters, cargo aircraft and lorries—or by managing airports and seaports, or by doing both. Logistical assistance increases the flow of supplies, which are distributed by aid organizations to prevent people from dying. In Somalia, for example, Operation Provide Relief used military aircraft to deliver supplies from northern Kenya to southern Somalia, and Operation Restore Hope managed Mogadishu's seaport and airport. In Bosnia and Herzegovina, military trucks carried humanitarian supplies to Sarajevo over treacherous Mount Igman when the Serbs closed down the airport in 1995.

The first assumption underlying this scheme is that aid organizations cannot transport enough material by themselves. The WFP, by far the largest transporter of humanitarian aid, and large international NGOs are usually able to move enough supplies fast enough not to need military assistance. In some cases, however, they are confronted by especially fast-developing crises or

⁵ Wolff, McK., Head of the UNHCR office in Rwanda, Personal interview, Kigali, 25 Sep. 1996.

large population movements, by rugged terrain or by lack of security. The second assumption is that when military organizations manage ports and move supplies they facilitate the delivery of humanitarian goods, not just military materiel. Aid organizations sometimes complain that military managers of airports give priority to military cargo. However, while it is true that military management of air and seaports leads to an increased flow of military materiel, it is also the case that it leads to an increased flow of humanitarian supplies, particularly after initial military supplies have arrived. The third assumption is that military and humanitarian organizations coordinate their activities. Since the idea behind this form of assistance is to provide NGOs and UN agencies with supplies, there must, at a minimum, be communication from aid organizations about what they need, where and when, and from military organizations about what is being transported, to which locations and when it is expected to arrive. Preferably, the level of coordination goes beyond this simple exchange of information to include joint planning for the delivery of supplies.

The final scheme of action is the *repair and maintenance of infrastructure*. This form of assistance to aid organizations usually focuses on transport infrastructure but also applies to infrastructure for public utilities such as electric power generation and water distribution. Military repair of infrastructure facilitates humanitarian workers' access to those in need and the movement of supplies. This allows them to provide more aid in a timely fashion and thereby save lives. Infrastructure repair also makes it easier for displaced people to return home, if and when security and economic conditions allow. When people return home they regain access to their traditional sources of food, water, shelter and income, although they often have to rebuild their livelihoods in the wake of violence. In Somalia in 1992, US troops overhauled the seaport at Mogadishu, which had fallen into such disrepair that it could hardly function. In Albania in 1999, NATO troops repaired and reinforced roads leading to Kosovo.⁶ In East Timor in 1999, Australian troops made initial repairs to the Dili water system which made it possible for people to return.

In this scenario it is assumed that military use of the transport infrastructure, particularly the road network, does not do more damage than military engineers repair. Roadways and bridges in war-torn countries are often weak and neglected. Military vehicles, such as armoured personnel carriers, are heavy and place the weak infrastructure under significant stress. If the military simply repairs what it breaks, then it does not improve the ability of people to move or the ability of aid organizations to transport goods. It also has to be assumed that the infrastructure improvements do not just benefit the military. An airfield with night landing lights and a long runway will not have a humanitarian benefit if it is reserved for military use.

⁶ The action served a military purpose, too. If President Slobodan Milosevic had held out against NATO bombing and the alliance had eventually decided to resort to a ground invasion, NATO armies would have used the reinforced roads to move troops and equipment.

Table 4.1. Variations of direct aid and logistical assistance

Form	Use	Examples
<i>Direct aid</i>		
Air drops	Circumvent geography or hostile actors	Northern Iraq, Bosnia and Herzegovina
Camp construction	Cope with sudden population influx	Northern Iraq, Kosovo
Administration of aid	Help when aid organizations are not able	Kosovo, East Timor
<i>Logistical assistance</i>		
Transport	Move supplies in dangerous or difficult situations	Somalia, Bosnia and Herzegovina
Infrastructure	Repair badly deteriorated transport network	Somalia, Kosovo

The final assumption for people returning home is that there is something to return to. The finest bridge in the world will not entice people to cross it if the danger of violence remains high or if the local economic base is so destroyed that people think they will suffer less privation by staying in a refugee camp.

Table 4.1 summarizes the forms of direct aid and logistical assistance.

In sum, there are a number of analytically distinct ways to connect military operations to the policy objective of saving lives while keeping within the limits set by the strategy of avoidance. Each variant addresses a different problem in the delivery of aid. Airdrops are useful for circumventing difficult terrain and uncooperative belligerents; the construction of camps can help aid organizations cope with sudden influxes of displaced people; direct administration of aid is best done when aid organizations do not yet have their operations up and running; transport assistance is most useful when aid organizations cannot move supplies fast enough to meet demand; and infrastructure repair does the most good in places with badly deteriorated transport or water systems. The schemes are not mutually exclusive and in practice an intervention force usually follows more than one at the same time or in rapid succession. A military force that repairs the lighting at an airport and extends the runway, for example, might stay on to run flight and offloading operations.⁷

II. Direct aid and logistics provision in the 1990s

Efforts to provide aid to civilians and give logistical assistance to humanitarian organizations were integral to international military action in all six of the countries or territories studied here. The degree of success enjoyed by a particular operation depended on: (a) the environmental demands of the situation; (b) whether the operation conformed to the requirements of an avoidance strategy; (c) whether all the logical connections of the plan of action were present;

⁷ The change from infrastructure repair to transport assistance is not always a simple matter. It requires the intervener to bring in new equipment and personnel with different skills.

and (d) whether the conditions necessary for the plan to work were met. Comparison of the theoretical framework developed above with evidence from the key cases of the 1990s reveals why some interventions to provide direct aid and logistical assistance were more successful than others.

Iraq

As pointed out in chapter 3, Operation Provide Comfort saved the lives of thousands of Kurdish civilians who were displaced in the mountains on the Iraq–Turkey border. The intervention force consisted of two separate components organized as joint task forces.⁸ Joint Task Force (JTF) Alpha was responsible for assisting displaced people, working with relief organizations and preparing for the transit of people back to Iraq. Joint Task Force Bravo carved out a security zone on the ground in Iraq, using a much more aggressive type of intervention, which is described in subsequent chapters. JTF Alpha succeeded because military forces improved sanitation and access to clean water to reduce the incidence of disease, distributed tents and blankets to reduce exposure to the elements, distributed food to prevent malnutrition and treated injuries that people sustained when fleeing from the Iraqi military. To accomplish these tasks the soldiers and airmen of JTF Alpha engaged in several forms of non-combat intervention simultaneously. They ran a logistical operation from an airport in Turkey; they dropped supplies from the air; they transported additional supplies by helicopter and lorry; and they worked with Kurdish leaders in makeshift camps to administer aid. The conditions necessary for these plans of action to work were largely met. Moreover, Operation Provide Comfort in its first phase, from early April to mid-May 1991, conformed to the strategic requirements of avoidance.

The UN Security Council passed Resolution 688 on 5 April 1991, condemning Iraq's repression of its civilian population, characterizing the refugee flows that resulted from the repression as a threat to international peace and security, demanding that Iraq end the repression, insisting that Iraq allow immediate access to people in need of assistance, and appealing to member states to contribute to the relief efforts of the Secretary-General and humanitarian organizations. The resolution did not specifically authorize a military deployment, but in a path-breaking argument the United States, the United Kingdom and France convinced a number of other governments and many NGOs that they had a mandate for humanitarian intervention. The regime of Saddam Hussein flatly rejected the argument, did not consent to the intervention and opposed all suggestions of international protection for the Kurds. When Operation Provide Comfort began, Saddam denounced it as interference in Iraq's internal affairs—

⁸ The joint task forces became combined task forces when US troops were joined by soldiers from France, Germany, Italy, Spain and the UK.

a position supported by then UN Secretary-General Javier Perez de Cuellar.⁹ The governments that had just defeated Iraq in war faced a choice between taking on the Iraqi military again in order to make space for relief operations or attempting to help the Kurds while avoiding direct confrontation. They initially chose avoidance.

The UK, the USA and their allies declared that their objective was to give emergency assistance to civilians along the Iraq–Turkey border and, at the operational level, the militaries’ actions lent truth to the claim. JTF Alpha provided direct assistance to refugees and displaced persons, worked closely with humanitarian organizations and did not conduct combat operations. At the strategic level, however, there is little doubt that the intervention was driven by political objectives. The UK and the USA, in particular, did not want the crisis to put further pressure on the government of Turkey, which had been fighting its own Kurdish separatist movement for years. Turkey had already taken a political risk by siding with the West against a fellow Muslim country in the 1991 Gulf War and had made a significant financial sacrifice by agreeing to an embargo on Iraq. On the domestic political front in the Western countries, media commentators had made unflattering comparisons between the Western governments’ readiness to fight for oil and their apparent inability to help the helpless. In addition, the US Government had encouraged the Kurds to rebel, so, many people argued, it had a moral responsibility to respond.

Joint Task Force Alpha, headquartered at the airbase in Incirlik, Turkey, under the command of US Brigadier General Richard Potter, consisted of the US 10th Special Forces Group (the Green Berets), the British 40th Battalion of the 3rd Commando (Royal Marines) and the US 39th Special Operations Wing. Activated on 6 April 1991, a day after UN Resolution 688 was passed, troops immediately began to locate places where people had congregated, identify their needs and prepare for the delivery of emergency assistance. By the third day of the mission, US aircraft had dropped 27 tonnes of supplies at several locations. The rapid response was possible because US forces were already forward-deployed at Incirlik during the Gulf War as an emergency personnel recovery force in support of US Air Force units. They had the necessary equipment, were familiar with the terrain and knew many of the Kurdish leaders.¹⁰

Over the course of three and a half months, until JTF Alpha was stood down, allied aircraft dropped 5594 tonnes of food, blankets, shelter material and medicines. In addition to airdrops, Operation Provide Comfort delivered 5683 tonnes

⁹ Stromseth, J., ‘Iraq’s repression of its civilian population: collective responses and continuing challenges’, ed. L. F. Damrosch, *Enforcing Restraint: Collective Intervention in Internal Conflicts* (Council on Foreign Relations Press: New York, 1993), p. 90. The UNHCR and other UN relief agencies therefore could not operate in northern Iraq until they secured permission from Baghdad.

¹⁰ Forster, L. M., ‘Operation Provide Comfort: a shield for humanitarian intervention in Iraqi Kurdistan’, Center for International Affairs, Harvard University, 20 Apr. 1996 (unpublished), pp. 16–17, 19, 23; Cavanaugh, J. P., *Operation Provide Comfort: A Model for Future NATO Operations*, Monograph AOSF AY 91-92 (United States Army Command and General Staff College, School of Advanced Military Studies: Fort Leavenworth, Kans., May 1992), p. 8; and Seiple (note 1), pp. 38, 40–41.

of supplies by helicopter and 4015 tonnes by truck, for a total of 15 292 tonnes (or an average of 139 tonnes per day for 110 days).¹¹ The scale of this accomplishment emerges when it is compared to the UNHCR's airlift to help the Kurds who had fled to Iran and whose number was over twice that of the Kurds who fled to Turkey. During one of its most ambitious airlifts ever, the UN refugee agency delivered 6091 tonnes of supplies (or an average of 111 tonnes per day for 55 days).¹² Airdrops and transport of supplies were made possible by logistical expertise and infrastructure projects at Incirlik and in the mountains. A top priority for JTF Alpha was to find out what was happening at 43 different locations with concentrations of displaced people. Once troops had assessed the terrain surrounding the displaced groups, they developed a support structure for aid delivery, including a communication system and landing zones or drop zones. Most donated relief supplies were received in a large central warehouse at Incirlik airbase, where military personnel worked with relief organizations to inventory, store, prioritize and distribute materials. Operation Provide Comfort personnel controlled air operations at Incirlik and in the area of the camps.¹³ The Turkish Government also made significant contributions to the aid effort in the form of road building and the provision of water and electricity in the border area.¹⁴

The impact of the intervention could be seen in the fulfilment of basic needs, as well as in the rates of morbidity and mortality. For example, at the camp at Cukurca, water from protected sources was available at a rate of 7 litres per person per day before 17 April. A week later each person was receiving 15 litres per day.¹⁵ As clean water became available the number of people needing to be treated for life-threatening diarrhoea fell rapidly.¹⁶ Three weeks after Operation Provide Comfort began, the crude mortality rate had dropped from over 5.7 deaths per 10 000 people per day to 2.2 deaths per 10 000 per day. Military relief efforts continued to reduce the mortality rate as NGOs worked to get their operations up and running.

When NGOs began to arrive one by one, two very different organizational cultures came into close contact. It was critically important that military and humanitarian personnel coordinate their work, but the initial impression each

¹¹ 'Combined Task Force Provide Comfort', Incirlik Air Base history, URL <http://www.incirlik.af.mil/history/CTF_PC.htm>.

¹² United Nations High Commissioner for Refugees, *State of the World's Refugees 1993* (Penguin Books: New York, 1993), p. 84.

¹³ Seiple (note 1), p. 38; Cavanaugh (note 10), p. 9; and Sharp, T. W., Yip, R. and Malone, J. D., 'US military forces and emergency international humanitarian assistance: observations and recommendations from three recent missions', *Journal of the American Medical Association*, vol. 272, no. 5 (3 Aug. 1994), p. 387.

¹⁴ Fidaner, C., Letter to the editor, *The Lancet*, vol. 338 (20 July 1991), p. 190.

¹⁵ Pecoul, B. and Malfait, P., Letter to the editor, *The Lancet*, vol. 338 (20 July 1991), p. 190. The UNHCR recommends that refugees get 20 litres per person per day for drinking, cooking and washing.

¹⁶ Centers for Disease Control, 'Famine-affected, refugee, and displaced populations: recommendations for public health issues', *Morbidity and Mortality Weekly Report, Recommendations and Reports*, vol. 41, no. RR-13 (24 July 1992), p. 19, figure 10.

had of the other was negative. In the view of military personnel, NGO 'disaster junkies' went wherever they wanted and did whatever they pleased without regard for the territorial sectors established by the military. For their part, many humanitarian personnel viewed soldiers as being trained to kill, not save lives.¹⁷ Although some humanitarian organizations kept their distance from the military, most soon developed constructive and mutually respectful relationships through interaction between people with a common goal. The team leader for CARE (the Cooperative for Assistance and Relief Everywhere), for instance, said that humanitarian personnel had a lot to learn from the military. He credited the presence of 'crack troops' with improving the overall behaviour of NGO personnel.¹⁸ Similarly, military personnel came to respect the emergency relief expertise of NGOs and the dedication of their staff.¹⁹

The mechanism for coordination at the field level was highly decentralized and consisted primarily of information exchange at daily meetings where attendance was voluntary. Meetings were attended by a constantly shifting selection of people who announced what they were doing and where they were working, without engaging in any joint planning.²⁰ Moving up from the grass roots to operational hubs at Zakho, Iraq, and Diyarbakır, Turkey, and to Operation Provide Comfort headquarters at Incirlik, coordination mechanisms became more coherent. Operation Provide Comfort was the first mission in which a CMOC was used to manage the interface between military and humanitarian organizations. There were informal CMOCs at Zakho, through which most NGOs entered Iraq, and at Diyarbakır, which was located halfway between Incirlik and Zakho and became a major staging area for the humanitarian supply operation.²¹ The CMOCs consisted of one civil affairs officer who attended the NGO daily coordinating meetings to exchange information and interpretations of what was going on. The arrangement worked because the military and humanitarian sides had similar objectives and both felt that they benefited from a mutual exchange.²² The CMOC at Incirlik was larger and focused on the throughput of available material based on the needs communicated from the field. Finally, effective military-humanitarian interaction received critically important help from a civilian disaster assistance response team (DART) from the US Agency for International Development (USAID) Office of US Foreign Disaster Assistance (OFDA).²³

¹⁷ Seiple (note 1), p. 39. Quote from interviews conducted by Seiple.

¹⁸ Roome, R., CARE team leader, Personal interview, Kigali, Rwanda, 27 Sep. 1996.

¹⁹ Henderson, C. R. (Brig. Gen.), a US Army commander in northern Iraq, Personal interview, Cambridge, Mass., 14 Apr. 1997; and Forster, L. (Col.), a US Army commander in northern Iraq, Personal interview, Cambridge, Mass., 25 Apr. 1996.

²⁰ Seiple (note 1), p. 40.

²¹ Forster (note 19).

²² Seiple (note 1), pp. 41–44.

²³ The small team (ranging between 12 and 30 over time) were recognized by NGO personnel as experts in their field and were respected for their past efforts. The military felt comfortable with them because DART personnel understood military procedures. Their expertise, self-sustainment capacities and

Joint Task Force Alpha was deactivated on 8 June 1991, the day after it had transferred responsibility to the UNHCR.²⁴ By that time JTF Bravo had cleared Iraqi troops out of northern Iraq (see below), most of the displaced people had descended from the mountains, and UN agencies and large NGOs had established a strong presence in the area.

Summary

Operation Provide Comfort saved lives during its early stage because it conformed to the requirements of an avoidance strategy and because the necessary conditions for effective aid delivery and logistical assistance were present. Despite Iraq's opposition to the intervention, JTF Alpha avoided confrontation with Iraqi forces by operating from neighbouring Turkey and staying in the mountainous region where there were no Iraqi troops. Although there was disagreement over the existence of a mandate to act, allied governments convinced international NGOs of their good intentions and developed an effective working relationship. Quickly deployed, highly capable troops with access to sophisticated communications and transport equipment overcame demanding geographical and infrastructural conditions to deliver aid to nearly inaccessible locations. Since the crisis happened in the context of the end of the Gulf War, foreign governments had the political will to move quickly and dedicate top-quality troops to the effort. Joint Task Force Alpha engaged simultaneously in airdrops, direct aid administration, and transport and logistical work. These forms of humanitarian intervention were effective because aid organizations were unable to meet the demands of the situation themselves, the aid provided was responsive to the people's needs, civilians had access to the supplies without interference from Iraqi troops, and military and humanitarian personnel worked out a mutually beneficial way to interact.

Somalia

Two operations in Somalia focused on transport and logistics. One was an airlift (Operation Provide Relief) and the other a major intervention (Operation Restore Hope, also called UNITAF). Comparison of the two is instructive because their schemes of action were very different, but their outcomes were similar in terms of reducing the short-term mortality rate.²⁵

ability to grant funds to NGOs on the spot went a long way towards oiling the gears of a complicated and confusing multi-organizational humanitarian response. Seiple (note 1), p. 35.

²⁴ Forster (note 10), pp. 19, 23.

²⁵ Each operation saved the lives of about 10 000 people. For the rationale and data that lead to the estimates see chapter 3 in this volume. It is possible to argue that their political impact was similar as well: neither operation moved to resolve the political problems in Somalia at all. On the other hand, it can also be argued that Restore Hope had a significant political impact by inadvertently strengthening the hand of General Aidid. The first and second UN operations in Somalia, UNOSOM I and II, did not engage in this type of intervention to any noticeable degree.

Operation Provide Relief had the straightforward objective of delivering humanitarian supplies for aid organizations to distribute. It succeeded because it followed a simple avoidance strategy while filling a gap in the transport capacity of the humanitarian community. Operation Restore Hope presented a much more complex picture. To achieve its goal of enabling aid organizations to deliver assistance, its foremost objective was to protect aid organizations (which is discussed in detail in the following chapter). Nested within the bigger intervention, some military units of Operation Restore Hope provided logistical assistance, primarily in the form of infrastructure repair and maintenance. Although they avoided direct confrontation with Somali fighters, it would be misleading to describe the engineering and logistics units of Restore Hope as following an avoidance strategy, since they worked within the deterrence strategy of the larger operation. While infrastructure repairs served military ends, they also vastly increased the capacity to handle humanitarian supplies and undoubtedly helped the delivery of aid. The main reason why the big intervention saved no more lives than the small airlift was timing. The airlift took place first, when the famine was acute; Operation Restore Hope took place after the worst crisis had passed.

Operation Provide Relief

On 27 July 1992 the UN Security Council passed Resolution 767, authorizing member states to use military assets to facilitate the delivery of humanitarian aid by UN agencies and international NGOs in Somalia. The US military and its allies interpreted their mission to be an airlift of food and other supplies to Somalia from neighbouring Kenya. It took nearly a month to gather the necessary personnel and get diplomatic clearances to use Kenyan port and airport facilities for the transshipment of supplies.²⁶ Once it was up and running, the operation flew supplies daily to the towns of Baydhuba, Baardheere, Beledweyne and Xoddur in the hard-hit interior of southern Somalia. There was no government in Mogadishu to give or refuse consent to the intervention, but it was clear from the behaviour of militiamen along the coast that Somalia's warlords would oppose any effort to bypass them with food and medical supplies. Under these circumstances, Operation Provide Relief military personnel were not stationed in Somalia, thus minimizing the risk that they would encounter hostile actors. Military aircraft were prohibited from flying into Somalia unless NGO personnel at designated landing strips assured them that landing conditions were safe.²⁷

At its height in late 1992, Operation Provide Relief had a combined civilian and military staff of 600–800, most of whom were in Kenya, and a fleet of

²⁶ Sommer, J. G., *Hope Restored? Humanitarian Aid in Somalia, 1990–1994* (Refugee Policy Group: Washington, DC, 1994), p. 23.

²⁷ Sommer (note 26), p. 24; and Allard, K., *Somalia Operations: Lessons Learned* (National Defense University Press: Washington, DC, 1995), pp. 14–15.

21 cargo aircraft from four countries. A US (civilian) DART acted as the coordination link between the military and the relief organizations, as one had done in Iraq a few months earlier. It enabled NGOs to request cargo flights and military planners to verify security conditions with NGO workers.²⁸ The operation delivered over 28 000 tonnes of supplies, averaging 140 tonnes per day for 200 days, and conducting an average of 20 sorties per day until it came to a close in late February 1993.²⁹ Although the volume of supplies was small compared to the need, the number of people benefiting from aid increased markedly, as did the proportion of people saved from imminent death, as compared to the period before Operation Provide Relief.³⁰

Clearly, however, more aid was needed if the famine was to be relieved. CARE estimated in mid-1992 that combating the famine required the delivery to feeding centres of 35 000 tonnes of food per month.³¹ Only a fraction of that amount arrived throughout the year. By far the most active aid organization at the time was the ICRC, which expanded its operations continually during 1992 and by the end of the year had delivered 180 000 tonnes of relief supplies—more than all other organizations combined.³² Yet this astounding effort delivered less than half of what CARE estimated was needed. Constant, large-scale aid operations were necessary, but that required security and logistical capacity, both of which were absent.

Operation Restore Hope

Operation Restore Hope was mandated by UN Security Council Resolution 794 on 3 December 1992 ‘to establish as soon as possible a secure environment for humanitarian relief operations in Somalia’. Somalia’s warlords grudgingly consented to the US-led operation after brief negotiations with US envoy Robert Oakley, who wielded the threat of engagement with the USA’s military if they did not cooperate. By the time the UN resolution was adopted, the USA’s will to intervene was already fully engaged and many countries eagerly joined in with contributions of their own. The sudden interest in a humanitarian intervention in Somalia was curious because governments and the UN had

²⁸ Sommer (note 26), p. 24.

²⁹ The USA provided 14 C-130 and 1 C-12 cargo aircraft; Canada 3 C-130s; Germany 2 C-160s; and Belgium 1 C-130. Allard (note 27), p. 15; Sommer (note 26), p. 24; Hodges, A., ‘Command and control in peace operations: a case of US military operations in Somalia’, Master’s thesis, Naval Postgraduate School, Monterey, Calif., 1995, p. 63; and Hirsch, J. and Oakley, R., *Somalia and Operation Restore Hope: Reflections on Peacemaking and Peacekeeping* (United States Institute of Peace Press: Washington, DC, 1995), p. 25.

³⁰ However, the absolute number of lives saved did not rise, since fewer people would have lost their lives during this period than during the previous one. The famine had already killed the weakest members of society. Hansch, S. et al., *Lives Lost, Lives Saved: Excess Mortality and the Impact of Health Interventions in the Somalia Emergency* (Refugee Policy Group: Washington, DC, 1994), p. 14.

³¹ Johnston, P., *Somalia Diary* (Longstreet Press: Atlanta, Ga., 1994).

³² De Waal, A., ‘Dangerous precedents? Famine relief in Somalia 1991–93’, eds J. Macrae and A. Zwi, *War and Hunger: Rethinking Institutional Responses to Complex Emergencies* (Zed Books and Save the Children Fund UK: London, 1994), pp. 144–45, 149.

ignored the conflict for a long time, preoccupied as they were with the collapse of the Soviet Union and the beginning of the war in the former Yugoslavia.³³ The delay probably cost the lives of tens of thousands of Somalis who might have benefited from an earlier intervention. Once the UN resolution was passed, however, the speed of the intervention was surprising. The first UNITAF soldiers landed on the beaches of Somalia six days after passage of the authorizing resolution. In January 1993 UNITAF reached its peak strength of more than 38 000 troops from 21 countries.³⁴

It was apparent even before the intervention began that a large humanitarian effort would require more from the military than security. The physical condition of Somalia's seaports, airports and roadways was abysmal. 'Trash and excrement covered the piers and warehouse floors. . . . Derelict cranes, forklifts, and vehicles littered the operating areas. Warehouses were half full of bags of grain and half full of litter.'³⁵ Even so, despite the poor condition of the seaport, the basic infrastructure was good enough to support a high operating rate after basic repairs, including the removal of a sunken ship from the harbour.³⁶ The story at Mogadishu airport was similar. The runway could accommodate any type of aircraft, labour was available and the road leading to the airport was in good shape,³⁷ but air traffic capacity was severely hampered because there were no landing lights, no air traffic control system and no perimeter fencing.³⁸ Beyond the major points of entry, the road and bridge system was in critical disrepair. Bridges were destroyed, surfaces had disintegrated, and many roads contained anti-tank and anti-personnel mines.³⁹ The road between Mogadishu and Baydhabo, one of the major routes in the country, is 248 km long and took between 8 and 10 hours to traverse. The vast majority of roads were no more than dirt tracks that could not support even that rate of progress.⁴⁰

UNITAF was well equipped to take on the challenges of improving the transport infrastructure, controlling air traffic and managing port operations. Of the roughly 25 000 US troops committed, three-quarters were dedicated to logistics. The engineering complement alone was 7000 strong.⁴¹ In the first 35 days,

³³ The questions of why the US Government felt compelled to act and the strength of its political will are taken up in chapter 6 in this volume, where political will is a more important variable.

³⁴ On the troop-contributing countries see chapter 3, note 34.

³⁵ Zvijac, D. and McGrady, K. A. W., *Operation Restore Hope: Summary Report* (Center for Naval Analysis: Alexandria, Va., 1994), p. 38.

³⁶ United Nations, Consolidated inter-agency 90-day plan of action for emergency humanitarian assistance to Somalia, UN document S/23839/Add. 1, 21 Apr. 1992, annex, paras 1-4; and Zvijac and McGrady (note 35), p. 40.

³⁷ United Nations (note 36), annex, para. 6.

³⁸ Johnston (note 31), p. 47.

³⁹ Zvijac and McGrady (note 35), pp. 47, 53; and McGrady, K. A. W., *The Joint Task Force in Operation Restore Hope*, CRM 93-114 (Center for Naval Analysis: Alexandria, Va., 1994), pp. 23, 63.

⁴⁰ Johnston (note 31), p. 41.

⁴¹ Sommer (note 26), p. 31. Prior to UNITAF's arrival, Mogadishu port was operating at 10% of capacity. In less than a month it was the busiest port in Africa. Zvijac and McGrady (note 35), p. 25; and Hirsch and Oakley (note 29), p. 59. On the proportion of the effort devoted to military operations see chapter 3 in this volume, note 38.

100 000 tonnes of military equipment, including 6668 vehicles and 96 helicopters, were offloaded from 48 ships. Over 3 million litres of water and 19 million litres of fuel were pumped ashore.⁴² Between 10 December and 20 January, 13 vessels with humanitarian supplies berthed at Mogadishu. Approximately 40 000 tonnes of food, drugs, seeds and tools were delivered through the port and the main airport.⁴³ The seaport at Kismaayo, Somalia's second-largest coastal town, had been closed for four months, since September 1992, but extensive salvage operations revived it and a ship delivered grain at the end of January 1993.⁴⁴

Airfields were important to Operation Restore Hope's military and humanitarian operations, so military engineers upgraded eight airfields during the first two months and subsequently maintained them.⁴⁵ At Mogadishu airport UNITAF rapidly installed a new control tower, electric lighting, communications equipment and air traffic control capabilities so that operations could continue round the clock.⁴⁶ Many of the inland airfields were overgrown with vegetation and some had runways that required upgrading to accommodate heavy aircraft and frequent use.⁴⁷

By late January, soldiers were in the process of improving 11 separate land routes. The road to Kismaayo, for example, was reopened when a bridge was reinstalled. Journeys along major supply routes from Baardheere to Baydhabo and from Baydhabo to Baledogle took half as long as they had done before the repairs.⁴⁸ By the end of the intervention, military engineers had repaired or built 2500 km of roads, which allowed the rapid distribution of goods brought into the seaports and airports.⁴⁹ These and other engineering feats achieved by the soldiers of Operation Restore Hope went a long way towards overcoming the constraints of poor infrastructure and allowed humanitarian organizations to deliver more aid to people in need.

Summary

The differences between operations Provide Relief and Restore Hope demonstrate the flexibility of intervention designed to deliver aid and logistical assistance. Both interventions were mandated by the UN and had highly capable,

⁴² Hirsch and Oakley (note 29), p. 59.

⁴³ United Nations, Progress report of the Secretary-General on the situation in Somalia, UN document S/25168, 26 Jan. 1993, para. 24.

⁴⁴ United Nations (note 43), paras 25 and 31.

⁴⁵ They were located at Mogadishu, Baardheere, Baledogle, Baydhoba, Beledweyne, Jalalaqsi, Kismaayo and Xoddur.

⁴⁶ Somalia had no air traffic control authorities or facilities of its own. Air space was managed from US Navy ships offshore. McGrady (note 39), p. 56; United Nations (note 43), para. 26; and Hirsch and Oakley (note 29), p. 59.

⁴⁷ McGrady (note 39), p. 65. C-5 and C-141 aircraft are used for strategic (long-distance, large load) airlift. The smaller C-130 is used for theatre airlift.

⁴⁸ McGrady (note 39), p. 64.

⁴⁹ Hirsch and Oakley (note 29), p. 67.

well-equipped troops who worked with humanitarian personnel. Both interventions saved lives.

Here the similarities end. Operation Provide Relief was designed only to deliver supplies, while Operation Restore Hope combined logistical assistance with protection of aid operations (see chapter 5). The Operation Provide Relief airlift was characterized by a low degree of political will, its low public profile indicating a desire not to raise public objections in the intervening countries. Operation Restore Hope, like any full-blown intervention, showed a high level of political will. Operation Provide Relief did not have the consent of Somalia's warlords and therefore adhered strictly to an avoidance strategy. Operation Restore Hope had the warlords' grudging consent, which allowed the engineers and logistics experts to improve the country's infrastructure within the protective deterrence strategy of the larger mission. Operation Provide Relief took place first, when the humanitarian need was greater, so it saved as many lives as the much larger effort that followed.

Bosnia and Herzegovina

Throughout the Bosnian conflict, Serbs, Croats and Bosniaks alike used deprivation as a weapon of war. The Bosniaks, the weakest group, suffered the most. In response, international humanitarian agencies and NGOs worked hard to deliver food, medical supplies, blankets and so on to civilians on all sides. Their efforts saved many lives. Foreign military forces assisted the relief effort in three ways. National militaries operating outside the UN command structure delivered assistance directly with an airdrop operation. UNPROFOR ran Sarajevo airport during an extended airlift that kept the city alive. UNPROFOR also provided escorts for humanitarian convoys throughout Bosnia and Herzegovina. The airdrop and logistics efforts are discussed below; the convoy escorts are discussed in chapter 5, on protecting aid operations.

Airdrops

In February 1993 the UNHCR suspended its humanitarian convoy operations in eastern Bosnia and Herzegovina because Serb troops consistently refused to let supplies through to embattled Bosniak enclaves (which the UN would soon declare 'safe areas'). The Bosniak government in Sarajevo then refused to accept humanitarian aid in any location until the eastern enclaves were relieved. The UNHCR was unable to negotiate access and Western governments were unwilling to fight their way through, so France, Germany and the USA circumvented the Serbs by dropping supplies from the air.⁵⁰

Military C-130 cargo aircraft, flying from Ramstein, Germany, flew over 2700 sorties that delivered more than 18 000 tonnes of humanitarian supplies

⁵⁰ Gow, J., *Triumph of the Lack of Will: International Diplomacy and the Yugoslav War* (Hurst & Co.: London, 1997), pp. 131, 132.

between February 1993 and August 1994.⁵¹ Flying at night to protect themselves from Serb anti-aircraft fire, aircraft dropped 450-kg bundles attached to parachutes into Bihać, Goražde, Srebrenica and Žepa, and other isolated areas. Sometimes the intended recipients recovered 100 per cent of the supplies, but at other times the recovery rate was as low as 20 per cent. Whether the besieged civilians got the supplies depended on the accuracy of the drop and people's ability to scavenge under fire. Serb troops took the supplies that civilians could not recover.⁵² The airdrop programme ended in August 1994 because of security threats.⁵³

Airdrops were not the preferred method for delivering humanitarian supplies. They were expensive, delivered less tonnage for the amount of effort expended than overland delivery and exposed the intended recipients to danger. Overall, however, the airdrops did successfully deliver food to desperate people who could not be reached by land. The operation succeeded because the air forces involved had the technical capability to move cargo over a great distance and deliver it with relatively good accuracy. The participating governments were willing to pay the costs as long as the level of risk to their airmen remained low. In fact, for the USA, airdrops were a way to participate without the far more risky commitment of ground forces. If political leaders had been willing to take greater risks, delivery flights could have been flown during daylight, which would have made the drops more accurate so that civilians on the ground could have recovered more supplies with less danger.

The Sarajevo airlift

The humanitarian airlift into Sarajevo, from 30 June 1992 until 5 January 1996, was the longest-running humanitarian air bridge in history.⁵⁴ The siege of Sarajevo began in April 1992. As with the other isolated enclaves in Bosnia and Herzegovina, living conditions during the siege were extremely harsh. Medical supplies, food, water, electricity and fuel were in short supply. Constant shelling and sniping at civilian targets (including hospitals and schools) placed a great burden on the well-being and health of the population. The crude mortality rate in the city rose from approximately 9 deaths per 1000 people per year before the war to 15.3 per 1000 per year by the end of 1993. While two-thirds of the deaths were due to violence, the mortality rate due to non-violent causes

⁵¹ United Nations, Report of the Secretary-General: the fall of Srebrenica, UN document A/54/549, 15 Nov. 1999, para. 23.

⁵² Atkinson, R., 'Feeding Bosnia by air: one program that worked', *International Herald Tribune*, 18 Mar. 1994.

⁵³ United Nations (note 51), para. 23.

⁵⁴ While the Sarajevo airlift was remarkable, the overall tonnage delivered in three and a half years was about the same as the average delivered each month in the Berlin airlift of 1948–49. Roberts, A., International Institute for Strategic Studies, *Humanitarian Action in War: Aid, Protection and Impartiality in a Policy Vacuum*, Adelphi Paper no. 305 (Oxford University Press: Oxford, 1996), p. 36.

was unnaturally high.⁵⁵ Among adults who did not die from hypothermia or disease, average weight loss at the beginning of the siege was 10–14 kg.⁵⁶ But for an extraordinary humanitarian effort, many more people would have died from privation. UNPROFOR played a vital role.

On 5 June 1992 UNPROFOR brokered a deal with the Bosnian Serb military to allow it to reopen the airport for humanitarian purposes. The deal became a reality after French President François Mitterrand made an unexpected visit to Sarajevo airport at the end of June 1992. At the beginning of July Bosnian Serb forces withdrew from the airport and UNPROFOR moved in.⁵⁷ The UNHCR coordinated the airlift from its headquarters in Geneva and the Ancona airbase in Italy, in close cooperation with UNPROFOR and 20 countries, most prominently Canada, France, Germany, the UK and the USA.⁵⁸

The airport was flanked on one side by the besieged city and on the other by low mountains held by Bosnian Serbs and bristling with their guns. Its highly vulnerable position made it too hazardous for civilians to run. UNPROFOR stepped into the breach under the authority of Security Council resolutions 758, 761 and 770, which extended the mandate and number of UN troops to ensure the functioning and security of the airport and to assist the delivery of humanitarian aid.⁵⁹ Military personnel controlled air traffic and ran ground operations. The UN mission did not have its own cargo aircraft, which were provided by participating governments outside the UNPROFOR command structure but in coordination with the UNHCR.⁶⁰

Over three and a half years, 12 951 cargo flights delivered 160 677 tonnes of aid. Military aircraft also evacuated more than 1100 persons for medical reasons.⁶¹ The airlift was not the only source of relief supplies during the siege. Convoys of lorries delivered as much tonnage during the first year of the siege, but ground access became more and more restricted as the Serbs tightened their stranglehold on the capital.⁶² By August 1993 they controlled all major access routes and could block relief convoys at will.⁶³

⁵⁵ Jalovic, D. and Davis, A., 'Health, water and heating in Sarajevo: a report of a household survey (II)', Médecins sans Frontières, Amsterdam, Dec. 1993, p. 5.

⁵⁶ Carballo, M., Simic, S. and Zeric, D., 'Health in countries torn by conflict: lessons from Sarajevo', *The Lancet*, vol. 348 (28 Sep. 1996), pp. 872–74.

⁵⁷ Cohen, B. and Stamkoski, G. (eds), *With No Peace to Keep . . . United Nations Peacekeeping and the War in the former Yugoslavia* (Grainpress Ltd: London, 1995), p. 78.

⁵⁸ United Nations High Commissioner for Refugees (UNHCR), 'Emergency food assistance to returnees, refugees, displaced persons and other war affected populations in Bosnia and Herzegovina', *UNHCR/WFP Joint Evaluation Mission Full Report* (UNHCR: Geneva, Nov. 1997), p. 4.

⁵⁹ UN Security Council resolutions 758, 8 June 1992; 761, 29 June 1992; and 770, 13 Aug. 1992.

⁶⁰ United Nations High Commissioner for Refugees, *The State of the World's Refugees 1995* (Oxford University Press: New York, 1995), p. 126; United Nations High Commissioner for Refugees (note 58), p. 4; and United Nations, Department of Public Information, 'The UN and the situation in the former Yugoslavia', Reference Paper DPI/1312/Rev.4 - July 1995 - 10M, p. 64.

⁶¹ Roberts (note 54), p. 36; and United Nations High Commissioner for Refugees (note 58), p. 4.

⁶² World Health Organization (WHO), 'Threat of starvation in Bosnia and Herzegovina', Press Release WHO/62, 5 Oct. 1992.

⁶³ United Nations (note 51), para. 113.

Under these conditions, the airlift became increasingly important as time went on. Yet, because UNPROFOR was operating within an avoidance strategy, it could maintain the safety and functioning of the airport only with Bosnian Serb consent. The UN mission was negotiating from a position of weakness and had to make significant concessions to the Bosnian Serbs. To keep the airport open, UNPROFOR agreed to maintain the siege around Sarajevo by preventing Sarajevans from using the airport as a connecting route to Bosniak-held territory.⁶⁴ In addition, the Serbs insisted that the UNCHR provide a proportion of the airlifted supplies to Bosnian Serb areas around Sarajevo. Accordingly, the UNHCR agreed that one-quarter of all food brought into Sarajevo airport would be delivered to the Bosnian Serbs.⁶⁵

Despite the concessions, the airport was frequently closed when the Serbs fired on aircraft or refused to guarantee flight security. The frequency of the closures increased as time went by. The airport was closed for 15 days in 1992, for 38 days in 1993, and for 104 days in 1994; and in 1995 it was closed for 161 consecutive days, from early April until Operation Deliberate Force managed to reopen it on 16 September.⁶⁶

Summary

The UNPROFOR and national militaries enabled the UNHCR-run airlift to function by providing equipment and personnel in conditions where civilians could not work. The coordinated effort, begun soon after the siege set in, significantly increased the amount of humanitarian supplies delivered to Sarajevo and its environs. While effective, the airlift was severely constrained by the avoidance strategy dictated by UNPROFOR's peacekeeping rules of engagement.⁶⁷ Since the intervening governments were not willing to engage in fighting, there was no viable alternative to relying on the consent of all the parties. The political cost of compromising with the dominant side was considerable. The airlift was a humanitarian success, but it helped to stalemate the war and reduced foreign governments' incentive to take the difficult actions needed to end the war.

Rwanda

The Rwandan Hutu extremists who were responsible for the murder of 800 000 people, mostly Tutsi, committed the additional crime of forcing hundreds of thousands of Hutu to flee Rwanda and seek refuge in Tanzania and Zaire in

⁶⁴ Maass, P., *Love Thy Neighbour: A Story of War* (Vintage Books: New York, 1996), pp. 168–69.

⁶⁵ Cutts, M., 'The humanitarian operation in Bosnia, 1992–1995: dilemmas of negotiating humanitarian access', *New Issues in Refugee Research*, Working Paper no. 8, UNHCR Policy Research Unit, Geneva, May 1999, pp. 19–21, URL <<http://www.jha.ac/unhcr.htm>>.

⁶⁶ Cohen and Stamkoski (note 57), pp. 83–84.

⁶⁷ On the rules of engagement see Findlay, T., SIPRI, *The Use of Force in UN Peace Operations* (Oxford University Press: Oxford, 2002), pp. 139–40 and *passim*.

July 1994.⁶⁸ The refugee crisis in Tanzania was acute, but the UNHCR, a handful of international NGOs and the Tanzanian Government handled it well. The crisis in Zaire was a different matter. The exceptional demands of close to 1 million refugees who suddenly occupied inhospitable and remote territory in far eastern Zaire utterly overwhelmed the UN agencies and humanitarian NGOs. As noted in chapter 3, the mortality rate skyrocketed due to outbreaks of disease. UN relief agencies and international NGOs worked heroically to respond as quickly and with as much capacity as possible. A number of national militaries played small roles in the initial effort. One of them, the US Operation Support Hope, ran from 24 July to 31 August 1994 and was spread across the Great Lakes region of Africa.⁶⁹

The mission statement given to the commander of Operation Support Hope identified six objectives: (a) to 'stop the dying' by providing assistance to humanitarian agencies; (b) to provide immediate assistance for water purification and distribution in Goma, Zaire; (c) to establish air operations at Entebbe, Uganda; (d) to provide airfield support at Goma and Kigali, Rwanda; (e) to establish the management of logistics for relief materials; and (f) to protect the force.⁷⁰ The US military presence was clearly not intended to protect aid organizations or civilians. At its height, Operation Support Hope had approximately 3600 troops in the region, mostly in Uganda, with small units in Goma and Kigali that operated completely outside the UN authority structure.⁷¹

Since waterborne diseases were the main cause of death in the refugee camps, US troops focused on water purification and sanitation operations.⁷² They also provided airlift capacity and logistical assistance, and attempted to increase the flow of information between organizations in the Great Lakes region. In the water sector, where the lead organization was the NGO Oxfam, Operation Support Hope initially provided sophisticated purification units that produced small quantities of high-quality water (of the sort US soldiers expect). What the refugee population needed was pathogen-free water in massive quantities, so a military cargo aircraft transported a high-capacity pump from California to Goma. It could pump 3.5 million litres per day out of Lake Kivu straight into tankers that were then injected with chlorine before driving out to the camps. As this

⁶⁸ Tens of thousands of people would have fled the advancing rebel army anyway. Yet a large proportion, possibly a majority, of people would not have chosen to leave their farms if the extremists had not forced them to flee. The killers hoped to delegitimize the RPF's military victory by depopulating the country. They also planned to use the uprooted population as a foundation to invade Rwanda and regain power.

⁶⁹ The first and largest national military presence in Goma was France's Operation Turquoise. A small Israeli medical contingent was present from 22 July to 5 Sep. A Dutch contingent was present in Goma from 1 Aug. until the first week of Oct., when a Japanese contingent arrived and stayed until the second half of Dec. Borton, J., Brusset, E. and Hallam, A., *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, Study no. 3, *Humanitarian Aid and Effects* (Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda: [Copenhagen], 1996), p. 53.

⁷⁰ US Army, 'Operation Support Hope after action review', US European Command, Stuttgart, 1994, p. 10.

⁷¹ US Army (note 70), pp. 13, 16.

⁷² US Army (note 70), p. 11.

and other systems came online, estimated daily mortality dropped from 6500 on 27 July to less than 500 on 6 August.⁷³

Military contributions to sanitation efforts were not impressive. The ground in the Goma area is volcanic rock, so heavy machinery was required to build access roads, improve camp layout, dig pit latrines and bury thousands of corpses. Since heavy engineering equipment was in very short supply locally, it had to be brought in. The French contingent greatly increased the body collection and burial capacity early on, using a military bulldozer and trucks, but then abruptly withdrew from this task. The US military maintained an adequate supply of equipment in Europe but the request for it to be transferred was given low priority and was not acted on for some time. A British NGO eventually supplied and operated the necessary equipment, but by then the worst of the crisis was over.⁷⁴

Operation Support Hope's airlift was useful, especially during its opening weeks when the situation was most desperate and before aid organizations had established their own transport systems. In addition to high-profile contributions such as flying in a large pump and delivering medical samples to laboratories (see chapter 3), the US Air Force delivered 15 331 tonnes of supplies to the region and helped to distribute them to Goma and Kigali. (A portion of the cargo was for the US force.) Operation Support Hope did not carry food for the refugees. That was under the purview of the WFP, which ran an overland supply operation.⁷⁵ Yet this aspect of the US intervention had drawbacks, too. The start-up of air operations in Goma was chaotic and inefficient due to lack of ground handling equipment, coordination and information on incoming flights, and general insecurity. At Kigali airport US personnel set up cargo operations that substantially overlapped with work already being done by Canadian troops under UNAMIR command.⁷⁶ Furthermore, the airlift continued long past the time when land routes were in use that could move far more material at much less cost.⁷⁷

Rapid and accurate communications are essential when nearly 1 million people need help, tens of thousands are dying and hundreds of organizations arrive to work. The UN established coordination offices and procedures in Rwanda and Zaire, which Operation Support Hope supplemented with its own CMOCs in Entebbe, Goma and Kigali.⁷⁸ NGOs did not request assistance directly from the military. Instead requests were routed through the UNHCR (in Zaire) or the United Nations Rwanda Emergency Office (UNREO) in Rwanda. The CMOCs' function was to receive requests already prioritized by the UN

⁷³ US Army (note 70), p. 14.

⁷⁴ Borton, Brusset and Hallam (note 69), pp. 58, 72–73.

⁷⁵ Borton, Brusset and Hallam (note 69), p. 58.

⁷⁶ Seiple (note 1), p. 255; and Borton, Brusset and Hallam (note 69), p. 59.

⁷⁷ Borton, Brusset and Hallam (note 69), pp. 58, 98–103.

⁷⁸ Separate from the military operation, a DART sent by USAID provided technical assistance to the UN Rwanda Emergency Office (UNREO) and the UNHCR (the 2 UN coordination bodies) and to individual relief organizations.

coordination agencies and provide logistical assistance accordingly. The CMOCs also provided information such as aerial photography of population movements to inform aid agency planning and a map of known landmines around Kigali.⁷⁹

Summary

Overall, Operation Support Hope helped the humanitarian cause in Goma because it provided transport and direct assistance at a time when humanitarian organizations did not have adequate capacity of their own. It could have done more. Several factors prevented it from making a bigger contribution. While officers in the CMOC interacted well with their civilian counterparts, the relationship between humanitarian workers and US soldiers was never an easy one.⁸⁰ There were too few CMOC personnel and too little time to overcome the distrust, which was exacerbated by very slow military responses to requests for help, despite the urgency of many situations. For example, clean water was a priority need in Kigali and tankers were important for making it available. At a time when distribution was a key problem, the US military had water trucks parked at Kigali airport but would not let them be used.⁸¹ In addition to coordination problems and distrust, the extreme US sensitivity to casualties among US forces one year after the disaster in Mogadishu also hampered effective action.⁸²

It could be argued that Operation Support Hope's biggest problem was its exclusively humanitarian character. What aid organizations needed most was security in and around the camps. It was obvious by the end of July that the refugee camps in Tanzania and Zaire were controlled by the same extremists who had perpetrated the genocide. They benefited from the humanitarian aid entering the camps, they prevented refugees from returning to Rwanda, and they used the camps as staging grounds for cross-border guerrilla attacks aimed at destabilizing the new Rwandan Government and continuing the genocide. Zairean President Mobutu Sese Seko was unwilling to provide security.⁸³ The UN Secretary-General and the High Commissioner for Refugees repeatedly asked foreign governments to separate the killers from the legitimate refugees. Separation would have protected the refugees, increased security for aid organizations and weakened the extremists' ability to destabilize the region. There

⁷⁹ Seiple (note 1), p. 242.

⁸⁰ Seiple (note 1), p. 236. E.g. Oxfam played a central role in the water sector but had trouble working with the military personnel running the US water purification units. Borton, Brusset and Hallam (note 69), p. 66, note 18.

⁸¹ Connaughton, R. M., 'Military support and protection for humanitarian assistance, Rwanda: April–December 1994', Overseas Development Institute, London, 1995, p. 25; and Seiple (note 1), p. 240.

⁸² Borton, Brusset and Hallam (note 69), p. 59.

⁸³ The UNHCR eventually paid the Zairean Army to provide security for the camps, so Mobutu could have fulfilled his country's responsibility to control violence. The paid security arrangement worked for a while but collapsed under the weight of corruption: Hutu extremists bought off Zairean soldiers. Borton, Brusset and Hallam (note 69), p. 52.

was no positive response, even though some countries, such as France and the USA, had troops on the ground. Governments criticized aid agencies for feeding the killers but offered no alternative.⁸⁴

The consequences of ignoring the security crisis were disastrous. In the years that followed, the unchecked presence of the *génocidaires* in Zaire and the new Rwandan Government's efforts to eliminate them led to two wars that overthrew the Zairean Government, drew in eight other countries and killed over 3 million people.⁸⁵

Controlling the *génocidaires* would have required intervention that used strategies of compellence and deterrence, with a heavy dose of policing to keep the killers out of the civilian population. The extremists were militarily weak and could certainly have been controlled. Such an operation, however, would have been very difficult in the fluid environment of the camps and would have been open-ended. Governments with the ability to mount a protection operation did not perceive it to be in their political interests to take the risks to make it work and pay the cost. Instead they chose a simple humanitarian operation and an avoidance strategy.

Kosovo

The intervention in Kosovo that began on 24 March 1999 was entirely different in character from that in Rwanda five years earlier. Kosovo was a politically driven compellence campaign in which the humanitarian effort, while substantial, was incidental. The main military contributions to emergency humanitarian assistance in the Kosovo conflict happened during NATO's bombing, before foreign troops entered the province.⁸⁶ NATO troops constructed refugee camps, participated in the administration of aid, provided logistics help and improved transport infrastructure in Albania and the FYROM.

The strategy of FRY President Slobodan Milosevic leading up to and throughout the war was to drive a wedge between NATO governments so that the alliance would be unable to begin, or continue, its military operations.⁸⁷ One

⁸⁴ MSF-France and CARE withdrew from the Goma camps instead of continuing to participate in the feeding of *génocidaires*. Their hope that the move would force governments to take security action was dashed when other relief organizations quickly replaced them.

⁸⁵ Seybolt, T., 'The war in the Democratic Republic of Congo', *SIPRI Yearbook 2000: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2000), pp. 59–78. Most of the deaths were due to disease epidemics brought on by displacement and the collapse of local economies and health services. International Rescue Committee, 'Mortality in the Democratic Republic of Congo: results from a nationwide survey', International Rescue Committee, New York, Apr. 2003.

⁸⁶ KFOR, which entered Kosovo after the bombing, supported the overall relief and reconstruction effort in the devastated province but its role was to provide protection more than aid. KFOR's contribution is discussed in chapter 5.

⁸⁷ According to NATO's statute, the alliance can only engage in military action if all its members consent.

way in which he did this was to expel most of the province's population.⁸⁸ By the time the Rambouillet talks failed in February 1999, Serbian security forces had already driven between 300 000 and 400 000 Albanian Kosovars from their homes.⁸⁹ By the end of the war Serbian actions had generated approximately 863 000 refugees and 590 000 IDPs—90 per cent of the population.⁹⁰ Almost all the refugees fled west to Albania or east to the FYROM. Despite their number and the speed of their exodus, morbidity and mortality rates were relatively low, for several reasons. Most people were in fairly good physical condition when they fled, many found shelter with host families, they were able to return home after a few months and conditions in the camps were unusually good.⁹¹ Military contributions to the relief effort had a lot to do with the good standard of the refugee camps.

Humanitarian organizations were underprepared for the refugee crisis. The UNHCR, the lead refugee agency, anticipated 200 000 people, not 800 000. It took most UN agencies and international NGOs between three and five weeks to adjust to the magnitude of the crisis.⁹² Aid organizations would soon receive large amounts of funding from involved governments and use it to provide assistance far in excess of what many populations in need get. In the meantime, the governments of Albania and the FYROM asked NATO to step in and meet the need. For political, military and humanitarian reasons, NATO willingly took on the humanitarian challenge. It already had troops in both countries, allowing for a fast response.

Although Operation Allied Harbor, the humanitarian operation for Albania, was not up and running until 16 April 1999, three weeks after the air war began, soldiers from countries such as Austria, Greece and Turkey provided humanitarian aid much earlier. An Italian-led multinational force, still present after responding to a political crisis in Albania in 1997, initiated one of the largest efforts, called Operation Rainbow. The operation involved 3000 personnel who constructed 19 refugee camps that could hold 32 000 refugees. They also established an air and naval bridge to shuttle supplies across the Adriatic. Unfortu-

⁸⁸ See chapter 6 in this volume, on saving the victims of violence, for an assessment of the displacement campaign and military responses to it.

⁸⁹ Weller, M., 'The crisis in Kosovo 1989–1999: from the dissolution of Yugoslavia to Rambouillet and the outbreak of hostilities', *International Documents and Analysis*, vol. 1 (Documents and Analysis Publishing, Ltd: Cambridge, 1999), p. 251; and Independent International Commission on Kosovo, *The Kosovo Report: Conflict, International Response, Lessons Learned* (Oxford University Press: Oxford, 2000), pp. 74, 82.

⁹⁰ Independent International Commission on Kosovo (note 89), p. 90. The bombing had little impact on displacement. The expulsions occurred in response to actions by Serbian security forces. Ball, P. et al., *Killings and Refugee Flow in Kosovo, March–June 1999: A Report to the International Criminal Tribunal for the Former Yugoslavia* (American Association for the Advancement of Science/American Bar Association Central and East European Law Initiative: Washington, DC, 2002).

⁹¹ International Committee of the Red Cross (ICRC), *World Disasters Report 2000* (ICRC: Geneva, 2000), p. 112.

⁹² Independent International Commission on Kosovo (note 89), p. lxxxiv, para. 213; and Minear, van Baarda and Sommers (note 4), p. 15.

nately, the early camps were built without consultation with the UNHCR, and did not measure up to normal standards.⁹³

Operation Allied Harbor was mandated to 'provide humanitarian assistance in support of, and in close coordination with, the UNHCR and Albanian civil and military authorities'. To that end it incorporated medical, engineering, transport and security personnel from 25 countries.⁹⁴ Operation Allied Harbor explicitly recognized the authority of the UNHCR and consulted it on camp construction and other matters. Using military personnel and contracted civilians, it soon built three camps of good quality that could hold a total of 60 000 people. The US military later claimed to the US Congress that 'This humanitarian assistance effort was successful at saving tens of thousands of lives'.⁹⁵ The claim is absurd in the light of what is known about civilian mortality during complex emergencies and the fact that most Kosovars who never lived in camps survived, but it is interesting because it reveals the highly political nature of the assistance effort and the military's lack of basic understanding about civilian vulnerabilities in complex emergencies. Even so, it is true that the camps did a great deal of good. In all, Operation Allied Harbor constructed 21 camps that could accommodate 129 050 people.⁹⁶

In the FYROM there were approximately 12 000 NATO soldiers who had been part of the Kosovo Verification Mission or of the emergency extraction force put in place to get the KVM observers out in case of an emergency.⁹⁷ When the expulsion campaign began, the FYROM Government refused to let Kosovars cross the border, fearing that an influx of ethnic Albanians would destabilize the country. Nor would the government allow humanitarian organizations to enter the country to prepare a humanitarian response. The NATO troops, in contrast, were welcomed, partly because of the political aspirations of the FYROM Government with regard to future membership of both NATO and the European Union.⁹⁸ These considerations and the FYROM's initial refusal to provide assistance meant that, when the government relented in the first week of April and allowed refugees in, NATO forces were the only available implementers of humanitarian aid. Soldiers quickly built a number of refugee camps and delivered relief supplies. They then worked with humanitarian organizations which were permitted to enter when the Kosovar refugees were eventually allowed across the border, but the soldiers were constrained by the government

⁹³ Suhrke, A. et al., *The Kosovo Refugee Crisis: An Independent Evaluation of UNHCR's Emergency Preparedness and Response*, EPAU/2000/001 (UNHCR Evaluation and Policy Analysis Unit: Geneva, Feb. 2000), p. 8, para. 1; and Minear, van Baarda and Sommers (note 4), p. 35.

⁹⁴ Allied Joint Force Command Naples, 'NATO's humanitarian mission to Albania: AFOR', URL <<http://www.afsouth.nato.int/operations/harbour/>>.

⁹⁵ US Department of Defense, 'Kosovo/Operation Allied Force: after action report', Report to the US Congress, US Department of Defense, 31 Jan. 2000, p. 104.

⁹⁶ Allied Joint Force Command Naples (note 94).

⁹⁷ Minear, van Baarda and Sommers (note 4), p. 6.

⁹⁸ Minear, van Baarda and Sommers (note 4), p. 79.

in where they were allowed to work and how. Not until the end of May did NGOs take over most of the assistance effort.⁹⁹

Operation Allied Harbor soldiers in Albania also engaged in the direct delivery of aid and other humanitarian tasks. For example, when the refugee situation in the town of Kukës, on the Albania–Kosovo border, became overcrowded and potentially violent in mid-April, a coordinating group that included humanitarian, military and Albanian Government members decided to relocate refugees to camps recently built by the military in western and southern parts of Albania. Operation Allied Harbor and NGOs jointly organized a plan to move refugees and their possessions by road, rail and air with midway stations that provided food, shelter and medical services. However, because the KLA was recruiting soldiers and trying to keep the refugees around Kukës, the UNHCR had difficulty persuading refugees to move south. Operation Allied Harbor developed an information campaign and several other methods to persuade people to move.¹⁰⁰

NATO also provided logistical assistance and infrastructure repair. In the FYROM, NATO troops worked with the UNHCR, the British Department for International Development and the Danish Refugee Council to run the logistical effort. Thanks to this cooperation and to the FYROM's reasonably good infrastructure, the delivery of supplies worked well. The transport infrastructure in Albania was rudimentary at best, making it difficult to import and distribute aid supplies to a dispersed refugee population.¹⁰¹ NATO engineering units made significant improvements to the main airport and seaport and to roads in much of the country. For example, US Air Force engineers made critical improvements to the airfield at Tirana, Albania, while both air force and army engineers made major improvements to 189 km of road to enable movement of equipment and supplies.¹⁰² In addition, NATO troops ran the seaport and airport, including traffic control and cargo handling.

Yet the interventions were not free of problems. At one point military commanders designated a Marine Air Ground Task Force—a combat unit that happened to be available—to act as a humanitarian assessment team. The troops had minimal relevant knowledge and little familiarity with the humanitarian personnel in the area. The consequent lack of cooperation and useful information led to the early departure of the task force from its assessment mission.¹⁰³

In addition, NATO's simultaneous combat and humanitarian operations created conflicts. Tirana airport, for example, was the operational base for the US Air Force's humanitarian contribution and for a combat task force. Their

⁹⁹ Minear, van Baarda and Sommers (note 4), p. 24.

¹⁰⁰ Allied Joint Force Command Naples (note 94).

¹⁰¹ Suhrke et al. (note 93), p. 54, paras 267, 268.

¹⁰² US Department of Defense (note 95), pp. 102–103; and Allied Joint Force Command Naples (note 94).

¹⁰³ US Department of Defense (note 95), pp. 104–105.

presence side by side at a small facility led to competition for landing spaces, ground transport, support assets, communications equipment and even linguists. Humanitarian organizations said that the military gave insufficient attention to humanitarian needs—a claim the military denied.¹⁰⁴

At a broader level, a plethora of coordination mechanisms did not overcome basic communication failures. During the run-up to the war there was little communication and no joint contingency planning between humanitarian and military organizations.¹⁰⁵ As events progressed, coordination improved, but humanitarian organizations, with the notable exception of the UNHCR, wanted to avoid undermining their image of neutrality and impartiality by associating themselves with NATO, one of the combatants in the war.¹⁰⁶ The highly political nature of the intervention contributed to coordination problems in another way. Most governments chose to provide relief funds directly to their own national agencies and NGOs, rather than (as is the normal practice) funnelling them through the UNHCR. As a result there were many instances of overlapping aid and unfilled gaps.¹⁰⁷ The problem was not as severe as it would have been in most crises, however, because the high political profile of the Kosovo war and the refugee crisis meant that governments offered nearly unlimited amounts of aid. Humanitarian organizations did not seem to mind having their neutrality undermined in that way.

Summary

Despite problems with assistance, coordination and politicization, the military response to the refugee crises in Albania and the FYROM saved many lives. Humanitarian and military personnel believed that if the emergency response had been left in the hands of humanitarian agencies it would have been a ‘recipe for disaster and death’.¹⁰⁸ NATO responded to the refugee crisis faster than UN agencies and NGOs operated with the consent of the Albanian and FYROM governments, brought engineering and other specialized capabilities to bear on the problem, and coordinated to some extent with humanitarian organizations. Political interests were a complicating factor, but if governments had not been politically engaged they might not have tried so hard to solve the humanitarian problem that their military action in Kosovo had created.

East Timor

The physical damage in East Timor was extensive following the rampage by anti-independence militia and the Indonesian Army in September 1999. Aerial

¹⁰⁴ US Department of Defense (note 95), p. 105.

¹⁰⁵ Minear, van Baarda and Sommers (note 4), p. 5.

¹⁰⁶ Independent International Commission on Kosovo (note 89), p. 208.

¹⁰⁷ Independent International Commission on Kosovo (note 89), pp. 213, 214.

¹⁰⁸ Minear, van Baarda and Sommers (note 4), p. 18.

assessments conducted by the UN Office for the Coordination of Humanitarian Affairs (OCHA) with logistical assistance from INTERFET revealed that 60–70 per cent of homes in the western region were destroyed—up to 95 per cent in some towns and villages.¹⁰⁹ Most homes were looted, as were two hospitals in the capital, Dili.¹¹⁰ Livestock and crop damage was significant. Water and power utilities were heavily vandalized and did not work.¹¹¹

International humanitarian organizations were not in a position to respond immediately because the island was too dangerous. Although the Indonesian Government had formally consented to a UN-authorized military presence to facilitate aid delivery, local militias strongly opposed any international military or humanitarian presence. At the end of September the only international NGOs in Dili were the ICRC, Médecins du Monde, Médecins sans Frontières (MSF) and World Vision. The UN humanitarian agencies maintained no more than a minimal presence in the capital during September.¹¹² Security concerns severely restricted relief workers' movement. Even if it had been safe to travel, there were only 15 lorries available in Dili in late September—nowhere near enough to distribute aid throughout the territory.¹¹³

Military units helped to fill the gap. The UN Security Council resolution that authorized INTERFET called on the intervention force to restore peace and security, protect UN personnel and facilitate humanitarian assistance operations.¹¹⁴ Although focused on security, the intervention force realized early on that, unless it and other international actors quickly established efficient and creditable humanitarian operations, the population would suffer severe privation and desperation might make the situation even more violent than it already was.¹¹⁵ Foreign troops, working with UN and NGO personnel, made humanitarian assistance a priority by directly administering aid, providing transport assistance and repairing infrastructure.¹¹⁶ The major UN agencies established operations as soon as INTERFET was on the ground and dozens of

¹⁰⁹ US Agency for International Development (USAID), 'Indonesia: Complex Emergency Fact Sheet no. 7', 28 Sep. 1999.

¹¹⁰ United Nations, Office for the Coordination of Humanitarian Affairs, 'United Nations inter-agency and non-governmental organisation preliminary assessment of needs for humanitarian assistance for East Timorese', Oct. 1999, URL <<http://www.reliefweb.int>>.

¹¹¹ United Nations, Report of the International Commission of Inquiry on East Timor to the Secretary-General, UN document A/54/726, S/2000/59, 31 Jan. 2000, para. 130.

¹¹² Mack, A., 'Intervention in East Timor—from the ground', *RUSI Journal*, vol. 144, no. 6 (Dec. 1999), pp. 20–26; and United Nations, Report of the Secretary-General on the United Nations Transitional Administration in East Timor, UN document S/2000/53, 26 Jan. 2000, para. 30.

¹¹³ US Agency for International Development (note 109).

¹¹⁴ UN Security Council Resolution 1264, 15 Sep. 1999.

¹¹⁵ Mack (note 112), pp. 20–26.

¹¹⁶ There was an airdrop operation, but it was run by the WFP with minimal military involvement. Stewart, C., Deputy Director of Political Affairs with UNTAET, Telephone interview by research assistant Emma Kay, 14 Feb. 2001; and United Nations, Office for the Coordination of Humanitarian Affairs, 'East Timor: Humanitarian response, external review', May 2000, p. 9.

NGOs soon followed, so the military's direct role in humanitarian assistance was short-lived.¹¹⁷

During the initial emergency phase, the delivery of humanitarian aid was a joint military–humanitarian effort. INTERFET personnel helped to set up emergency feeding centres and encouraged the return of displaced people. Military and humanitarian personnel shared information, warehouse security, convoy protection and food distribution activities. The interdependence built trust between the parties and improved the overall response.¹¹⁸

INTERFET's indirect role in helping to deliver humanitarian aid was more substantial. Its transport assistance began before any troops arrived in East Timor. In mid-September, while planners were setting up the intervention, military aircraft brought 300 000 humanitarian daily rations (emergency meals) to Darwin, Australia, for UN agencies to transport to East Timor.¹¹⁹ The first place that Australian, British and New Zealand troops secured upon arrival in East Timor was the airport at Dili. The next day they were in control of the capital city's seaport. Within a few days INTERFET dispatched a unit to secure the airport in Baucau, an important entry point for supplies.¹²⁰ The airports and seaports were a critical bottleneck because of their limited capacity and overall state of disrepair. INTERFET was able to get them running, but the lack of capacity remained a problem even after the intervention force left.¹²¹ Nevertheless, aid organizations initially depended heavily on the military logistical infrastructure, which some of them used long after the WFP had developed a large logistical and communications network specifically for the delivery of humanitarian assistance.

The intervention force, which included engineering teams from Australia, the Philippines, Thailand and the UK, played an important role in the successful effort to prevent epidemics in a population that was highly vulnerable to outbreaks of deadly diseases.¹²² The destruction of water and power utilities meant that most people did not have access to clean water even after they returned home. By mid-October 1999, INTERFET had managed to re-establish basic water, electrical and medical facilities in Dili.¹²³ Yet in July 2000 power cuts in

¹¹⁷ Stewart (note 116).

¹¹⁸ United Nations (note 116), pp. 6–9.

¹¹⁹ Garamone, J., 'Hundreds of service members destined for East Timor', *American Forces Press Service*, 15 Sep. 1999.

¹²⁰ Associated Press, 'Peacekeepers take control of East Timor capital', *New York Times*, 20 Sep. 1999, URL <<http://www.nytimes.com/yt/mo/day/late/ap-timor-rdp.html>>; and Mydans, S., 'Tense encounters as Indonesian troops begin withdrawal', *New York Times*, 24 Sep. 1999, URL <<http://www.nytimes.com/library/world/asia/092499timor-rdp.html>>.

¹²¹ United Nations, Report of the Secretary-General on the United Nations Transitional Administration in East Timor, UN document S/2000/738, 26 July 2000, para. 30.

¹²² Malaria, tuberculosis, dengue fever, diarrhoea and other communicable diseases were endemic to East Timor. World Health Organization (WHO), 'East Timor: as soon as the arms are laid down, reconstruction of the health system must begin', Press Release WHO/47, 17 Sep. 1999. Endemic diseases often become epidemic diseases when people do not have access to clean water, sanitation, soap, sufficient calorie intake and shelter. To make matters worse, Timor's rainy season began in Oct.

¹²³ US Agency for International Development (USAID), 'East Timor Fact Sheet 11', 18 Oct. 1999.

East Timor were still frequent and the United Nations Development Programme (UNDP), together with several governments, undertook intensive efforts to restore the electricity grid in the capital and elsewhere.¹²⁴ INTERFET also repaired and maintained roads and bridges, enabling humanitarian organizations to distribute aid, including the timely delivery of seeds so that farmers (who make up 80 per cent of the population) could plant in time for the next season.¹²⁵ By the time it ended, however, INTERFET may have done as much damage as repair to the transport infrastructure. It did not improve the seaport or airports, and heavy traffic on the roads during a prolonged rainy season exacerbated their already poor condition.¹²⁶

All three ways in which the intervention force helped to deliver humanitarian aid—direct administration, transport and infrastructure repair—benefited from good coordination between humanitarian and military organizations. The central coordinating body on the humanitarian side was the OCHA, which took a strong leadership role and set clear humanitarian priorities.¹²⁷ Learning from past experience, the OCHA initiated a complex round of meetings and briefings to share information and plan responses. In early October, NGOs and UN agencies agreed to establish and fund a humanitarian information and coordination office in Dili.¹²⁸ On the military side, the Australians had clear control and unity of command, in contrast to the pattern in UN operations, where each troop-contributing country has proportional representation on the headquarters staff.¹²⁹ Australia, the UK and the USA contributed civil–military affairs officers who established a CMOC to interact with the humanitarian organizations in weekly meetings devoted to each aid ‘sector’ (water, shelter, food, etc.) in larger inter-agency meetings and in regular security briefings.¹³⁰

Summary

East Timor’s need for assistance was huge and INTERFET was able to play a useful role in meeting that need. It had a mandate to do humanitarian work; it arrived fast, before aid organizations had programmes up and running; and it had logistical and engineering capabilities that were useful. The important factor of consent was tenuous at best, but it must be kept in mind that the assistance effort was a small part of a larger security operation which the Australian Government had the political will to pursue. Helping with humanitarian assist-

¹²⁴ United Nations (note 121), para, 31.

¹²⁵ United Nations (note 116), p. 8.

¹²⁶ United Nations (note 116), paras 29–30.

¹²⁷ United Nations (note 116), p. 1.

¹²⁸ US Agency for International Development (USAID), ‘East Timor Fact Sheet 3’, 5 Oct. 1999.

¹²⁹ Ryan, A., ‘The strong lead-nation model in an ad hoc coalition of the willing: Operation Stabilize in East Timor’, *International Peacekeeping*, vol. 9, no. 1 (spring 2002), p. 36. Operation Stabilize was the Australian Department of Defence’s code name for INTERFET.

¹³⁰ Turner, B., Personal interview by research assistant Emma Kay, OCHA offices, Geneva, 8 Nov. 2000.

ance was important but it was secondary to the military's main task of protecting the population and humanitarian operations (see chapter 6). While INTERFET might have done more in the humanitarian sphere if it had been larger, the balance between aid and security was about right—a modest amount of humanitarian assistance when it was needed most and a heavy dose of military security work that no other organization could provide.

III. Advantages and disadvantages of military intervention to help provide aid

Military intervention to help aid organizations is an attractive response to large-scale humanitarian emergencies for several reasons. In the first place, it helps to save lives—sometimes a great many. In Iraq, Bosnia and Herzegovina, Somalia, Zaire (Rwanda), Albania and the FYROM (Kosovo), and East Timor, national and UN militaries provided personnel, equipment and expertise that were instrumental in reducing the civilian mortality rate or preventing it from rising. Usually, they were most helpful in the early days of the international response, before UN agencies and NGOs had established programmes that were large enough to cope with the need. Military units from powerful countries were able to respond quickly because they maintain a large surge capacity in the form of active-duty personnel with equipment and the means to transport supplies over long distances. The US military is particularly good at moving large quantities of supplies to remote places within a matter of days. This capacity is beyond the budget constraints of most aid organizations, which rely heavily on case-by-case funding.

Second, helping to provide aid is attractive to policymakers because it is relatively easy. It takes heroic efforts to keep masses of people alive when they cannot provide for themselves, especially in the remote and inhospitable places to which displaced people often flee. Understanding a crisis requires considerable skill; responding requires skill and stamina. Nevertheless, offering humanitarian assistance in a permissive environment, where national government and local authorities consent to a foreign military presence, is far easier than sending troops where they are not welcome. In some places, as in Bosnia and Herzegovina and early on in Somalia, the people in power did not consent. The intervention force then had to find ways to circumvent the belligerents, usually with airdrops. While airdrops require rare expertise, they are easier than engaging in combat.

A third attraction of this type of intervention is its low risk compared to the other types of humanitarian military intervention. Governments, particularly Western governments, are loath to get their soldiers killed, not least because their citizens (i.e. voters) will react negatively to it. An intervening country's soldiers are much less likely to be killed while saving the lives of strangers if they are following an avoidance strategy than if they are pursuing strategies of deterrence, defence or compellence. This type of humanitarian intervention is

the most common because political leaders do not have to invest as much time and political capital in getting and maintaining domestic political support for the action. It is an easier choice to help people when the expected costs are low. From a humanitarian perspective, this political attraction has the benefit of making intervention to help deliver aid more likely.

Finally, intervention to help deliver aid has the ethical advantage that it meets most of the criteria for just war. When military personnel seek to save lives, the cause is just and the intention is right. Using non-lethal skills and equipment to pursue an avoidance strategy is well within the limits of proportional response. In almost all cases this type of intervention has been carried out with the right authority, that is, with the consent of the UN, the host government or both. As the cases from the 1990s show, the prospects of success in saving lives with this kind of intervention are good. The only just war principle that military intervention to help deliver aid does not match is that of military intervention as a last resort.

The faster outsiders respond, the more lives they will save. Going against this principle is not a problem when host governments give their consent.

These advantages are balanced by several disadvantages. First, although military assistance can save lives, humanitarian workers are better at helping people than soldiers are. The competition and complexity that come with military involvement in the delivery of aid sometimes make the emergency response less instead of more efficient. Furthermore, when military personnel administer aid directly they can create problems that could easily be avoided, for example, by constructing camps in a way that causes personal safety problems. Having military personnel make humanitarian assessments is a mistake, partly because they are not trained to make them and partly because humanitarian organizations are unlikely to take the assessments seriously even if they are done well. As a general rule, military organizations should play to their comparative advantage and let humanitarian organizations do the same. In all but the worst, fastest developing emergencies this means that humanitarian organizations should provide aid and military organizations should provide security, if they are involved at all.

Military involvement in humanitarian crisis response has the additional disadvantage of politicizing aid. This is an overwhelming concern for NGOs. When aid workers are seen working side by side with soldiers, their bedrock principles of impartiality and neutrality are called into question. At one level, this is an odd complaint for most NGOs to make because the majority of their funding comes from governments. Since governments give them money to work in specified places, those NGOs are not as independent as they may claim to be. At another level, however, the politicization of aid is a serious problem. Aid organizations claim that the increasing politicization of aid since the end of the cold war, largely caused by military involvement, is the reason why more and more aid workers are killed in the line of duty each year. In addition, politicization creates confusion about the objectives of an intervention. What was the

purpose of military assistance to Kosovar refugees, for example? More seriously, politicization can lead to aid programmes that fulfil a political objective but do not serve the humanitarian cause well.

A third disadvantage, somewhat the opposite of the politicization of aid, is that this type of intervention treats political events from a humanitarian perspective only. Displaced people are symptomatic of a larger problem, and that larger problem is invariably political. If political leaders use humanitarian aid in place of political or military action to address the cause of the violence, the humanitarian need will persist and might get worse. Aid can feed a war; refugee camps can serve as recruiting grounds for rival armed factions; and helping desperate people can placate the public in donor countries so that they do not put pressure on their leaders to take more meaningful action. These problems can be overcome if military assistance to aid organizations is part of a larger diplomatic (and possibly military) effort to deal with both the effects and the causes of suffering.

Last but not least, military intervention to help deliver aid can be the first step on a slippery slope towards war. Once soldiers are on the ground, they and their governments can get drawn in much more deeply than anticipated in several ways. The commitment of troops raises expectations that the troop-contributing countries are interested in the conflict. It is difficult for a country to be interested and materially involved in a conflict and not try to win it or find a negotiated resolution. Soldiers delivering aid can also be captured. Troop-contributing governments might then decide to escalate by building up their presence or sending in an aggressive rescue force. Of course, events can progress in the opposite direction, too. When an aid mission turns dangerous, the contributing governments can leave.

IV. Summary

This chapter shows that military intervention to help deliver humanitarian aid is useful in a wide range of settings. To return to the arguments made in the opening chapter, this type of intervention is comparatively easy. It is also comparatively apolitical and it often conforms to the principles of just war. While the logistical engineering demands of helping to deliver aid are beyond the capabilities of most of the world's militaries, the avoidance strategy places few demands on a professional military's fighting ability. It also does not require politicians to take high-risk decisions. As noted, all humanitarian assistance takes place in a political environment and has political effects. This type of intervention, however, is less overtly political than the other three types, all of which involve military confrontation of one sort or another. To say that this type of intervention conforms to just war principles is slightly misleading since it does not involve the use of force, that is, it is not war. Given these considerations, military intervention to help deliver aid should be expected to succeed most of the time, and indeed it has succeeded.

The flexibility of this type of humanitarian intervention means that it can be used in both hostile and permissive environments to do tasks as varied as building roads, purifying water, running airports and dropping supplies from the air. Humanitarian organizations have legitimate concerns about military involvement in their business, yet even the most doctrinaire of them see a role for military personnel in the rare cases when no humanitarian organizations are present or when the security environment is too dangerous for civilians.

From the point of view of political leaders, who decide whether to send troops or not, the advantages of helping to deliver aid often outweigh the disadvantages. For that reason, there will certainly be more of this type of intervention in the future. The people and organizations who do the actual work are not likely to be happy about the politicians' choices. Humanitarian organizations see more disadvantages than advantages, and military organizations do not like to do 'social work'. One of the main arguments this book makes supports the humanitarian workers and soldiers against the politicians: military involvement in humanitarian responses to violent conflicts should focus on providing security in conflict zones, which is the main thing aid organizations cannot do.

The next three chapters investigate different ways of doing that.

5. Protecting humanitarian aid operations

Humanitarian relief includes commodities over which warring parties and independent militia fight. Food and medical supplies keep armies on their feet; when civilians are targets, denying them access to the necessities of life is an effective weapon. In such an environment, aid operations are under constant threat. Aid organizations frequently operate in conflict zones where they negotiate safe passage without physical protection. Often that safe passage comes at the price of losing a certain percentage of their supplies to the warring factions, which inadvertently helps to sustain the conflict. An obvious remedy is to protect aid operations with military force. Military protection of aid, however, raises thorny issues of principle and practice.

Protecting aid organizations during conflict is a more difficult type of intervention than providing aid and logistical assistance. Military protection involves the threat of force and sometimes its actual use, in contrast to the avoidance of force required for assisting aid delivery. When troops are put in harm's way military risks go up, foreign soldiers are often killed, political calculations become more complex, and independent action by aid organizations becomes more problematic. Intervention to protect aid operations not only presents strategic and operational challenges; it also raises political questions and highlights tensions in the way humanitarian work is carried out.

Nine of the 17 military operations studied in this book attempted to protect humanitarian aid, occasionally as the primary mission objective but often as one of several objectives.¹ Despite the seeming simplicity of aid protection, these operations failed as often as they succeeded. This chapter investigates when and how this type of intervention can work and why it fails; it also identifies some of the key issues that policymakers should consider when contemplating military intervention to protect aid operations.

Section I lays out the logic of military protection for aid operations, including the political–military conditions for intervention, the linkages between military action and lives saved, and practical considerations that arise. When is aid protection a viable option? What kind of commitment does this type of intervention require from the intervener? What are the various possible operational manifestations of this strategy and what barriers do they face? Section II compares the historical record from the 1990s across five countries where the protection of aid was one of the primary objectives of the military operation.² Why was

¹ The 9 interventions are Operation Provide Comfort and the UNGCI in northern Iraq; UNOSOM I, UNITAF and UNOSOM II in Somalia; UNAMIR and Operation Turquoise in Rwanda; UNPROFOR in Bosnia and Herzegovina; and INTERFET in East Timor.

² The intervention in Kosovo is not discussed in this chapter because it did not include aid protection as an objective. Rather, aid organizations took advantage of the security created by protecting civilians and rebuilding the territory after the war.

this type of intervention more successful in some cases than in others? Under what conditions is protection most likely to succeed? Section III addresses two other questions. What are the advantages and disadvantages of using military assets to protect humanitarian work? What is the political impact of this type of intervention? Section IV summarizes the conclusions.

I. Strategies for protecting aid operations

Humanitarian workers in complex emergencies have long spoken of creating ‘humanitarian space’ in order to carry out their aid work in relative security and with the minimum of interference from local factions.³ To create humanitarian space, aid organizations negotiate safe passage with local power holders, ranging from the government to rebels, warlords and militiamen. When convincing power holders to allow safe passage, they rely heavily on their reputations as politically impartial, independent organizations that do not intend to sway the local balance of power one way or another. True to their word, most aid organizations do not comment publicly on the political situation where they work or point the finger of blame at the worst human rights offenders.⁴ If they placed blame or criticized the political actions of the parties who allow them to operate, the argument goes, they would lose access and their personnel would be put at increased risk of attack. They are, no doubt, usually right. At the same time, it must be acknowledged that the idea of humanitarian space is not as innocent as it sounds. Aid organizations bring in supplies that are as useful to soldiers and militiamen as they are to civilians. Most organizations publicly denied for years the importance of the material benefit fighters get from the presence of aid operations. They now embrace ‘best practices’ for minimizing this particular unintended negative consequence of aid, with variable success.⁵

The concept of humanitarian space fails when a civilian population is in desperate condition and urgently in need of assistance, and humanitarian aid workers are unable to negotiate access or the agreements they make are not respected by all factions. This is increasingly true in an era when warring factions define a portion of the population as the enemy, based on their ethnic or religious identity, and use food as a weapon. Under such circumstances,

³ Bruderlein, C., *Towards a New Strategic Approach to Humanitarian Protection and the Use of Protected Areas* (UN Office for the Coordination of Humanitarian Affairs: New York, 2000).

⁴ Humanitarian aid organizations differ sharply from human rights organizations in this regard. Over the course of the 1990s and in the first years of the 21st century, the ethic of silence in the face of massive human rights abuses has eroded somewhat. A clear break came in Zaire in 1994 when several aid organizations left the refugee camps because the camps were under the control of *génocidaires*. Other organizations quickly filled the gaps, however. The language of criticism remains elliptical, as evidenced by the way in which humanitarian organizations spoke publicly of events in Darfur, Sudan. Most said nothing about the political causes of the suffering they witnessed and treated. They left the role of assigning blame for the atrocities to governments, the UN and human rights organizations.

⁵ Sphere Project, *Humanitarian Charter and Minimum Standards in Disaster Response*, rev. edn (Sphere Project: Geneva, 2004), URL <<http://www.sphereproject.org/handbook>>.

humanitarian workers find themselves ever more often the targets of attack.⁶ The problem can arise from a condition of general war where access is simply too dangerous, from a stalemated conflict where an organized army blocks aid from reaching certain communities or from a situation of anarchy where gunmen do as they wish. In Rwanda aid organizations fled the country when large-scale violence broke out. In Bosnia and Herzegovina the Bosnian Serb military regularly turned back aid convoys at checkpoints, despite agreement by the Serb leadership to allow the delivery of humanitarian supplies. In Somalia organizations found it impossible to create humanitarian space in a conflict environment characterized by multiple factions and independent bandits. In these and similar situations, military protection of aid operations is a possible solution to the immediate humanitarian problem.⁷

Strategic considerations

The objective of protecting aid operations is to help civilians by allowing aid organizations to do their life-saving work. Saving the lives of aid workers is not the objective, although soldiers do that incidentally in the course of protecting aid operations. With few exceptions, soldiers do not guard the offices or the homes of aid workers. (Aid organizations would not allow so close an association with the military even if the military wanted to provide it.⁸) Soldiers do protect warehouses, aid convoys and pieces of territory. To achieve this objective, an intervening force can employ a strategy of *deterrence*, a strategy of *defence*, or a *combination* of the two. Crucially, if deterrence fails, the intervener must be prepared to mount a defence.

An intervener might engage in compellence to protect aid operations.⁹ One can imagine foreign troops pushing local armed forces out of an area populated by civilians so that humanitarian organizations can operate in a safer environment. However, compellence is very difficult and requires strong political will. If an intervener has the will to engage in compellence, then it is likely to pursue ambitious objectives such as protecting the population, forcing a negotiated end to the war, or defeating the perpetrators. To be sure, when an intervention force uses compellence to create a safe zone, as it did in northern Iraq, or to pacify a territory, as it did in Kosovo, aid organizations take advantage of the situation

⁶ United Nations, Inter-Agency Standing Committee, 'Use of military or armed escorts for humanitarian convoys', Discussion paper and non-binding guidelines, Sep. 2001, URL <<http://new.reliefweb.int/rw/lib.nsf/db900SID/LHON-5W4LBU>>.

⁷ In some cases an intervention force can create conditions that are so dangerous that aid organizations have to leave places where they had previously worked in safety. The war in Iraq, although not a humanitarian intervention, is a case in point. The ICRC had worked in Iraq for 23 years before the US invasion only to have a suicide bomber explode a vehicle outside its Baghdad headquarters as part of an insurgent campaign against all foreigners. Kapp, C., 'Humanitarian community stunned by Red Cross attack in Iraq', *The Lancet*, vol. 362 (1 Nov. 2003), p. 1461.

⁸ The exception that proves the rule came in Kigali, Rwanda, during the 1994 genocide when a few UN humanitarian coordinators shared quarters with UNAMIR soldiers under siege conditions.

⁹ On the meaning of the term compellence see chapter 2 in this volume, note 22.

to expand their operations. The protection they enjoy is, however, a happy by-product of, not the reason for, coercive action. For these reasons, compellence is discussed in detail in chapter 6, which analyses intervention to protect civilians.

It is established in chapter 2 that deterrence is the threat to use force as a punishment if an opponent takes a specified action. In this case, the specified action is disruption of critical aspects of humanitarian aid operations intended to prevent the administration of aid, to steal supplies, or to do both. The disruption does not need to be an actual attack on an aid operation. It can be a threat to use violence: typical is a roadblock where the price of passage is a percentage of the goods being transported. An intervener often finds it difficult to make a credible deterrent threat because the stakes in these 'optional interventions' are so much higher for the indigenous party than they are for the intervener. The credibility of the deterrent threat is dependent on the intervener's ability to communicate its intentions clearly, to back its words with actions, to increase the visible costs to itself of backing down from the threat, to demonstrate a willingness to accept risks and costs, and to enhance its military capabilities.¹⁰ It is worth reviewing in detail the factors that contribute to credibility and how they are manifested in this type of intervention.

Clear communication of intent is perhaps the simplest task for an intervener. The figurative line that must not be crossed is easy to define—attacks on and overt disruption of humanitarian work. Since foreign aid workers and their activities have a high profile, the prohibition is very visible. Transmission of the threat can be achieved even in places with primitive communication systems, through existing chains of command, radio broadcasts, leaflets, word of mouth and so on. The most difficult aspect is to indicate clearly the consequences of crossing the line. A threat cannot be a deterrent unless the party being deterred knows the price it might pay for not cooperating. Will the intervener treat each incident in isolation and, for instance, fire at a marauding group of militiamen and leave it at that? Or will it treat any incident as symptomatic of a larger problem and destroy a militia leader's arms cache if his followers hold up an aid convoy? Local actors usually probe the seriousness of the threat with repeated small actions to see what kind of response they elicit, if any.

For deterrence to work, the intervener must respond to these probes with action, not just more threats. Repeated threats, or protests at the local actors' probing activities, soon ring hollow if they are only words. The party that is the object of deterrence learns quickly that it cannot cross the line with few or no negative consequences. Over time the transgressions are likely to grow in number and scope until the intervener faces the choice of abandoning its strategy or launching a large-scale response to demonstrate its resolve. This dynamic was apparent in Bosnia and Herzegovina, where repeated Serb transgressions around the designated safe areas were met only with diplomatic pro-

¹⁰ Schelling, T. C., *Arms and Influence* (Yale University Press: New Haven, Conn., 1966), pp. 35–55.

tests and, occasionally, ‘pinprick’ air strikes against one or two isolated tanks or artillery tubes.

An intervener pursuing a deterrent strategy usually wants to avoid engaging in a large-scale military action because it is dangerous and expensive, and disrupts the humanitarian operations the military force is meant to protect. An intervention force, therefore, should be ready to use limited force early in response to minor transgressions by the parties being deterred, as the United States did in Somalia when it first arrived.

The cost to the intervener of backing down from its threat to act is usually low relative to the cost to the local party of complying with the deterrent threat. The intervener rarely has a vital interest in the outcome of the conflict, but the local parties have to live (or die) with the consequences. This is one of the main reasons why deterrence is a difficult strategy for humanitarian intervention. The blockage of aid that gives rise to the need to protect aid is not an accident but a tactic used to achieve a larger objective, such as feeding an army or starving a population. The intervener has to make the local party believe that the deterrent threat is credible enough to make it worth the cost of abandoning or modifying its tactics or its objectives. A deterrent threat is more credible when the deterring party would have to pay a price for not making good on the threat. In other words, the intervener can serve its own interests by raising the stakes and making it difficult for itself to back down. If an intervener publicly and officially states a commitment to remain in the country until the objectives of the intervention are met, this has the effect of raising the costs to the intervener of abandoning the deterrent threat.¹¹ It helps a great deal in this regard if the intervener has a political as well as humanitarian interest in the outcome of the conflict. An intervener who has only humanitarian interests at stake and faces stiff local opposition can easily withdraw with the excuse ‘They don’t want any help’. This was the case for most countries that intervened in Somalia. An intervener with political interests has a more obvious price to pay if it withdraws, and therefore will work, and fight, harder to make the deterrent work.

The obverse of an intervener raising the cost to itself of abandoning deterrence is the need to demonstrate a willingness to bear the cost of maintaining the deterrent. This, too, is difficult, for the reason that the relative stakes (but not necessarily the level of effort) for the intervener—the deterring party—are low compared to the stakes for the local parties—the parties being deterred. As with the cost of backing down, the intervener’s stakes are raised when its political interests are engaged, and it is easier to demonstrate acceptance of risk because the intervening governments are actually more willing to pay a price to achieve their objectives.

The demonstration of the acceptance of risks and costs is usually at its highest when a military force first arrives in a country. Governments have clearly shown a willingness to put their troops in harm’s way and local actors have not

¹¹ An intervention with an established withdrawal date, rather than an identified set of conditions for withdrawal, is unlikely to have a lasting impact.

Table 5.1. Various forms of military protection of aid operations

Form	Use	Examples
<i>Point protection</i>		
Guard duty	Protect key buildings from militiamen and soldiers	Somalia, East Timor
Convoy escort	Protect convoys from bandits and militiamen	Somalia, Bosnia and Herzegovina
<i>Area protection</i>		
Small safe areas	Protect aid workers from militia and conflict	Bosnia and Herzegovina
Large safe zones	Protect aid workers from war	Northern Iraq, Rwanda

had a chance to test their fortitude. Unless the foreign troops react strongly and swiftly to probing by local parties, they will gain a reputation for being unwilling to take risks. Moreover, reputations for risk acceptance and aversion are built up over time and from one country to the next. A government that precipitously withdraws its military from one country after suffering losses will have a more difficult time deterring belligerents in another country.¹² Deterrence during humanitarian operations is made more difficult by intervening countries' occasional demonstration that they are not willing to pay for humanitarian action with their soldiers' lives.¹³

An intervention force can partly overcome these difficulties by arriving with substantial military capabilities and reinforcing those capabilities if necessary. A force that enjoys the strength and mobility that come with armoured vehicles, helicopters, aircraft, trained troops, and a robust command and control system can more easily enforce a deterrent threat with minimal risk to itself than can a force that is badly equipped and trained. To protect aid operations, an intervention force does not need to be as large in number as the local belligerent forces but it should be obviously stronger and at least as well protected in the locations where it operates.

Deterrence often melds into defence unless the object of deterrence is held entirely at bay. A defensive strategy uses force to protect something or someone from action that an opponent is taking. Analytically, defence can be divided into two types: pure defence, designed to deny an attacker success through brute force; and deterrent defence, designed to induce an attacker to stop because the costs are too high. For both kinds of defence the factors that determine success or failure are, first, the local balance of power between attacker and defender and, second, environmental variables such as terrain, vegetation,

¹² This is sometimes called the 'past actions theory' of credibility and is the standard interpretation of how credibility is attained. An alternative view is the 'current calculus theory' that focuses on the balance of power and the interests at stake. These sources of credibility are not mutually exclusive. Press, D. G., 'The credibility of power: assessing threats during the "appeasement" crisis of the 1930s', *International Security*, vol. 29, no. 3 (winter 2004/2005), pp. 136–69.

¹³ E.g. the USA left Somalia after it lost 18 soldiers in a single battle, but France stayed in Bosnia and Herzegovina despite losing more than 100 soldiers.

distance and infrastructure. Deterrent defence is additionally dependent on the balances of will and of power on each side.

The local balance of power depends on the number of fighters on each side, their skill and their equipment. It can shift over time as the sides lose or bring in people and supplies. The outcome of extended defensive actions, therefore, is less certain than the outcome of short battles. The allegiance of the local population matters as well. The side that enjoys the support of the people has advantages in terms of intelligence gathering, mobility of small units, and the ability to resupply itself. One of the significant changes in Somalia that doomed the interventions there was the loss of popular fear of and respect for foreign troops.

Even a superior military force will have to struggle to defend a place if environmental factors work against it. It is generally easier to defend mountainous terrain and urban landscapes where there are ample hiding places from which to fight. Making a defensive stand on open ground is far more difficult, unless the defender has superior air power and can hit the attackers as they advance. Possession of infrastructure such as roads and airfields is necessary for mobility and resupply operations. Distance usually helps the defender because it affords the possibilities of multiple lines of defence and of tactical retreat.

Deterrent defence can be mounted with either a small or a large force. When this is done with a small force, the intervener makes one or more assumptions. It might believe that the local belligerent is weak in military terms, as is sometimes the case with militia; it might think that the adversary will back down after suffering small losses; or it might be willing to suffer potentially significant losses itself if the attacker is not easily deterred. Because the balance of will is almost always weighted against the intervener, deterrent defence with a small force often fails, but not always.

Various forms of intervention to protect aid operations

Within the strategic parameters of deterrence and defence there are several different schematic plans of action to protect aid operations. Military forces can (a) guard specific buildings or installations, (b) escort humanitarian convoys, (c) protect small safe areas, or (d) protect large safe zones. Often a military force follows more than one scheme of action at the same time. The most important distinction is between the variants that involve ‘point protection’—guarding buildings and convoys—and variants that require ‘area protection’—small safe areas and large safe zones (see table 5.1). Point and area protection address different threats, involve different military requirements and require different levels of coordination with humanitarian organizations. All the variants assume that consent for the delivery and administration of aid is absent, tenuous or inconsistent. If consent were clear and consistent, there would be no need for military protection. In addition to this overall assumption, each scheme

operates under its own set of assumptions, or conditions, which strongly influence whether it succeeds or fails.

The first form of point protection is guarding specific buildings and installations to prevent vandalism and theft. The simple line of reasoning for this scheme begins with an environment characterized by general violence where the rule of law is not respected. Soldiers are posted as armed guards to deter looters and vandals, thereby ensuring that humanitarian supplies are not stolen before they are delivered to civilians in need. In Somalia UNITAF troops guarded the seaport at Mogadishu and its warehouses so that gunmen would not help themselves to food as it arrived in the country. In East Timor INTERFET and humanitarian organizations shared responsibility for warehouse security.

Guard duty assumes that the problem to be addressed is theft by small groups or individuals. A few soldiers can stand up to a handful of men with guns or an unarmed thief. They can even deter an organized attack by a small military unit if that unit believes that attacking the warehouse would bring retaliation on a larger scale. If the problem is high-level violence, however, a few guards are unlikely to deter attack by an army in search of supplies. Guard duty also assumes that the intervention force has the capability to present a challenge that is powerful enough to deter small groups of gunmen. The military requirements of small-scale point protection are minimal, so this assumption is usually not problematic. Difficulties arise, as in the case of the UN Guard Contingent in Iraq, when the intervention force is very weak and the local belligerents are formidable. Finally, guard duty assumes that aid organizations are willing to work closely with the military. Unless the military are in charge of humanitarian aid—a rare event—aid organizations will have to coordinate with military planners the locations to be guarded, who has access and the timing of activities at the location. This implies the need for a coordination mechanism, such as a CMOC, where military civil affairs officers work with aid organization liaisons to optimize (or at least remove any incompatibility in) their responses.

The second variant of point protection is escorting humanitarian aid convoys in order to deter attacks on them and to protect drivers if necessary.¹⁴ This form of aid protection begins with the need to transport humanitarian supplies through dangerous territory. One or more military vehicles are assigned to travel with a convoy of lorries and aid vehicles. The convoy passes safely through danger points and roadblocks, or it is fired upon but does not stop, or its passage is barred. If it is attacked or blocked, soldiers can fire back, provide refuge to aid workers in armoured vehicles, give in to the attackers' demands, or some combination of the three. UNITAF troops who escorted convoys in Somalia took an aggressive stance against bandits. Convoys accompanied by UNPROFOR troops in Bosnia and Herzegovina, in contrast, often came under

¹⁴ Although convoys are mobile, not a fixed point, from a military point of view they present a kind of point protection because the thing to be protected is tightly circumscribed, not dispersed over an area.

fire, had to hand over part of their cargo at Bosnian Serb militia roadblocks or were turned back.

Provision of a military escort assumes that aid workers are unable to circumvent or negotiate their way past danger points. Humanitarian personnel are practised at 'front-line diplomacy', which they use successfully in most cases to get their work done. They recognize that the price of safe passage is sometimes a 'tax' on their goods by the local strongman, yet they strongly prefer not to associate themselves closely with an intervention force, so they will agree to military escort only when the alternative is not to deliver supplies at all. Like guard duty, convoy escort assumes that the foreign military force has the wherewithal to be a deterrent, including mobile firepower and armour. Coordination with aid organizations is even more important for convoy protection than for guard duty. Aid workers and soldiers have to agree on where and when to travel and who will be allowed to go. The demands of military tasking orders make this a fairly formal process of aid organization request, military response and planning. There is also the issue of what procedures to follow if the convoy is stopped or attacked. Will aid workers be allowed into military vehicles? Will soldiers fire only if fired upon? Will they shoot even then?

The two area protection variants of military intervention to protect aid operations share the same logic, differing primarily in the size of the territory to be protected. The need for small safe areas and large safe zones is predicated on the need to protect a range of aid activities, from needs assessment to transport to the administration of aid. To provide wide-ranging protection an intervener must define the boundaries of a safe area or zone and declare it off-limits. It must then back up its declaration by deploying troops within the area or by demonstrably protecting the area from the air. Potential attackers will either be deterred or attack. If they attack, then the intervener must fight to defend the area. Aid operations, thus protected, ought to be able to continue. The only time small safe areas have been established was in Bosnia and Herzegovina, where the six UN-designated areas experienced a wide variety of fates. The US-led coalition established a large safe zone in northern Iraq and the French-led Operation Turquoise set up a large safe zone in south-western Rwanda.

Safe areas and safe zones assume that the danger to aid operations comes from a war or from large military units.¹⁵ On the one hand, a foreign military protecting a wide area can hold back the front line of combat, if there is a front line, and with adequate intelligence and mobility it can prevent large armed groups from moving within the area. On the other hand, foreign troops have difficulty controlling bandits and small militia groups in a safe area because detecting and engaging them is akin to policing and requires a high level of manpower. The problem is particularly acute in larger zones. Small-scale enforcement and policing can be done by indigenous forces if they are allied with the intervener. Local forces, however, will focus on the major threat first,

¹⁵ The term 'safe haven' is avoided here, since it has a specific legal meaning, notwithstanding its usage to describe the zone in northern Iraq.

just like foreign forces will. In addition, there is a possible political danger in empowering local forces in a large safe zone, particularly if the occupants of the zone are a distinct ethnic group. Leaving a crucial aspect of territorial security to local forces can be a step in the direction of de facto secession, as it was for the Kurds of Iraq.¹⁶

A second assumption underlying area protection is that the intervener can clearly communicate to adversaries the boundaries of a no-go area. Letting belligerents know about the existence of a safe area or zone is not difficult, but establishing its limits leaves ample room for uncertainty unless there are clear physical markers such as rivers. This uncertainty invites testing by the party being deterred. Placing troops in a safe area assumes that the intervener is willing to accept the risk that those troops will engage in combat. If it is unwilling to take that risk, it can attempt to deter attacks with air power, for example, with regular overflights.

In the scenario where deterrence works, the final assumption is that aid organizations are willing and able to work in the designated area. If aid workers do not feel that the area is safe, despite the protection offered, or if they do not trust the intervening party, they will not avail themselves of the protection offered.

In the scenario where deterrence fails and defence is required, several other assumptions pertain. First, the intervener has to be willing to fight, which is not always the case. Second, if the intervener is willing to fight, the balance of forces has to allow the defender to stand its ground until reinforcements arrive or the attacker is discouraged. Third, the success of the defence depends on whether the environmental variables favour defence or offence. Even a small force can prevail if it can call in air strikes on an exposed attacker. Conversely, a brave and sizeable force will be in for a hard fight if it is surrounded and has no room to manoeuvre.

The size difference between small safe areas and large safe zones raises practical considerations that are important. Protection of a small area is very demanding militarily. Small areas are more difficult to resupply because they can be surrounded, unless they are located immediately on a national border. If roads are blocked, an airlift is possible but the volume of material that can be moved will be limited and cargo aircraft will be vulnerable to hostile fire. Small areas also do not allow a defender to take advantage of distance to manoeuvre or set up multiple lines of defence. Protection of a large zone is easier in these ways, but it also involves the monitoring of longer borders and more territory, which makes it more difficult to detect and prevent the movement of small units. Aid organizations have as much trouble resupplying a small safe area as military organizations do. Large safe zones also have two other advantages

¹⁶ Posen, B. R., 'Military responses to refugee disasters', *International Security*, vol. 21, no. 1 (summer 1996), pp. 72–111; and Stromseth, J., 'Iraq's repression of its civilian population: collective responses and continuing challenges', ed. L. F. Damrosch, *Enforcing Restraint: Collective Intervention in Internal Conflicts* (Council on Foreign Relations Press: New York, 1993), pp. 76–117.

from a humanitarian point of view: (a) they do not require as close an association with military forces, simply because there is more room to move and set up independent operations; and (b) they allow more people to remain in, or return to, their homes, where they can sustain themselves, they place fewer demands on humanitarian workers and they minimize the dangers of disease that come with life in crowded camps and overpopulated safe areas.

To summarize, there are four analytically distinct ways for an intervention force to protect aid operations during a conflict using strategies of deterrence and defence. The variants address different problems, have slightly different logical connections and involve a variety of assumptions. Guard duty is a simple way to protect against theft and requires a small amount of coordination with aid organizations. Convoy escort seeks to deter banditry and confiscation on the road and is more demanding in terms of capabilities and coordination. Small safe areas can protect against militia activity but are difficult to defend if attacked. Large safe zones can protect against large-scale attack, but it is difficult to control small-scale action in the territory. These various forms of aid protection can be used in combination.

II. Protecting aid operations in the 1990s

Military protection for aid operations was attempted, with varying degrees of success, many times between 1991 and 1999, in five of the six countries or territories under study.¹⁷ It was carried out by UN missions, large coalitions, and operations dominated by a single country. Three operations—one in Iraq and two in Somalia—had aid protection as their primary mission. In the other cases it was a secondary or tertiary concern. This diversity provides fertile empirical ground for applying the analytical framework outlined above to test its usefulness and to explain why protection as a route to saving lives worked better in some cases than in others.

Iraq

In April 1991 aid organizations and members of the US-led coalition agreed that displaced Kurds could not remain for long in the inhospitable mountains that divide Iraq and Turkey.¹⁸ Turkey refused to grant them asylum, so coalition governments decided to carve out a zone in northern Iraq, secure from the Iraqi Army, to allow people to descend to the plains, where they could be cared for more easily in camps or possibly return home.¹⁹ Creating the safe zone in north-

¹⁷ These 5 are northern Iraq, Somalia, Bosnia and Herzegovina, Rwanda, and East Timor.

¹⁸ Some humanitarian organizations worried that the rapid repatriation amounted to betraying the Kurds, but there was general agreement that it was not feasible to maintain the mountain camps in the long term. Roome, R., CARE team leader, Personal interview, Kigali, 27 Sep. 1996.

¹⁹ For an account of military provision of humanitarian assistance in the mountains see chapter 4 in this volume.

ern Iraq required a strategy of compellence, which is discussed in chapter 6 as a case of protecting the population. Once UN agencies and NGOs entered the secure zone, Operation Provide Comfort provided area protection, with considerable success, and the UNGCI provided point protection, with minor success.

Operation Provide Comfort entered its second phase with the formation of Joint Task Force Bravo on 18 April 1991. The motivations of political leaders in troop-contributing states for the dramatic shift from delivering aid to creating a safe zone were both humanitarian and political.²⁰ The US-led task force established a secure zone by late May.²¹ Once displaced people were certain that they would be protected, nearly all of them quickly descended from the high mountain passes, and humanitarian organizations followed. By 13 May the UN had taken formal control of the town of Zakho, the main transition site between the Kurds in the mountains and their homes. CARE took over food distribution from the military on 1 June.

Operation Provide Comfort protected UN and NGO activities by using ground troops and air power to deter attacks from the Iraqi Army over a wide area. It is important to note, however, that the region of Iraq with a majority Kurdish population, the no-fly zone and the ground security zone were not coterminous. This meant that the intervening force provided three levels of protection based on geographic location. The Kurdish-populated region of Iraq extends from Iraq's northern border with Turkey to the east and south along the border with Iran, and includes Dahuk, Arbil and As Sulaymaniyah governorates and parts of Ninawa, At-Ta'min and Diyala governorates (see map 1). The coalition governments declared a no-fly zone north of the 36th parallel that incorporated roughly one-half of the Kurdish region, as well as an area that is not occupied primarily by Kurds. The security zone on the ground covered an area only 160 km from west to east and 60 km from north to south (approximately one-quarter of the Kurdish area). It was possible to drive the whole length of it in three hours.²² The Iraqi Government was not permitted to have any troops in the ground security zone or to fly over it with helicopters or fixed-wing aircraft; it could have ground forces but no aircraft in the no-fly zone; and

²⁰ Political concerns were threefold. First, as a US diplomat said, 'Our main concern [was that] refugee concentrations in Turkey were threatening to become semi-permanent locations for the Kurds that could spell political and economic headache for Ankara for years to come'. Quoted in Stromseth (note 16), p. 109, note 84. Second, leaders faced a domestic political backlash for encouraging the Kurdish rebellion that led to the humanitarian crisis after the Iraqi military routed the Kurds, so they needed to provide something more than short-term humanitarian aid. Third, leaders did not want the first 2 considerations to push them into military occupation of any part of Iraq. This concern became evident in the decision not to take military control of the provincial capital, Dahuk, even though it was home to many of the people who had fled to Turkey and a militarily important location. A diplomatic agreement led to a lightly armed presence by the Iraqi Government, the Kurds and the UN, with Iraq providing the civilian administration. Cavanaugh, J. P., *Operation Provide Comfort: A Model for Future NATO Operations*, Monograph AOSF AY 91-92 (United States Army Command and General Staff College, School of Advanced Military Studies: Fort Leavenworth, Kans., May 1992), pp. 24, 27, 29.

²¹ Cavanaugh (note 20), p. 24.

²² Roome (note 18).

it was unrestricted in the Kurdish region that lay outside the no-fly zone. Kurdish fighters were not allowed to enter the ground security zone with weapons, but were otherwise unrestricted.

Operation Provide Comfort set up a Military Coordination Centre in Zakho to facilitate communication between coalition forces, the Iraqi military and the Kurdish leaders. The centre included a senior Iraqi officer who had the authority to command troops in the region. The arrangement proved an effective means of making coalition demands and threats as clear as possible to the Iraqis. It also helped to defuse tensions with Kurds who had their weapons confiscated at checkpoints. Joint Task Force Bravo backed up the coalition's demands with combat power equivalent to a light division comprising troops from seven countries.²³ The ground troops could call on support from combat aircraft stationed in Turkey, which gave them a substantial advantage over Iraqi troops who could not get air support due to the no-fly zone restriction. The task force's rules of engagement allowed it to use force if necessary to protect humanitarian relief programmes.²⁴ This local balance of power in favour of the coalition was reinforced by the coalition's rout of the Iraqi Army during the Gulf War in the preceding months. Despite operating in their own country, the Iraqis were in no position to seriously challenge the interveners. As a result of the military power and communication mechanism employed by Operation Provide Comfort, aid operations inside the ground security zone were well protected until Operation Provide Comfort ground troops withdrew from Iraqi territory on 15 July.²⁵

From that point on, Operation Provide Comfort relied on air power and the Military Coordination Centre to protect the Kurdish population and aid operations in the large area north of the 36th parallel. Kurdish fighters also played a role in keeping Iraqi forces out of the safe zone, although they were less interested in, and less effective at, protecting aid operations from bandits. Saddam Hussein regularly used his troops to test the coalition's commitment to protecting the safe zone. The first big test was in April 1992, when government troops skirmished with Kurds along the Kurdish–Iraqi ceasefire line and the Iraqis brought up surface-to-air missiles and radar tracking equipment. They removed the weapons after a strong warning from France, the United Kingdom and the USA.²⁶ Iraq requested an end to military-to-military talks at the Military Coord-

²³ The troop-contributing countries were France, Italy, Luxembourg, the Netherlands, Spain, the UK and the USA. Forster, L. M., 'Operation Provide Comfort: a shield for humanitarian intervention in Iraqi Kurdistan', Harvard University, Center for International Affairs, 20 Apr. 1996 (unpublished), pp. 19–20.

²⁴ Todd, M., *Army Tactical Requirements for Peace Support Operations*, Monograph AY93-94 (United States Army Command and General Staff College, School of Advanced Military Studies: Fort Leavenworth, Kans., Dec. 1993), pp. 19, 21; and Cavanaugh (note 20), pp. 16, 26.

²⁵ Although coalition ground troops withdrew a mere 2 months after they established the ground security zone, there were still no Iraqi soldiers in the zone in the spring of 1997, 6 years later. Henderson, C. R. (Brig. Gen.), a US Army commander in northern Iraq, Personal interview, Cambridge, Mass., 14 Apr. 1997. This was due in part to the presence of Kurdish fighters who defended the zone.

²⁶ Those 3 countries and Turkey were the only remaining members of the coalition by that time. O'Balance, E., *The Kurdish Struggle, 1920–94* (St Martin's Press: New York, 1996), p. 198.

ination Centre in 1993. Subsequent Iraqi challenges were met with isolated air strikes on military sites, but not a widespread retaliatory attack, even after the Iraqi Army made a full assault on the city of Arbil inside the security zone in September 1996. The Military Coordination Centre, which had become a communications link between military and humanitarian organizations, was subsequently withdrawn. Operation Provide Comfort officially ended on the last day of 1996 when France withdrew from the coalition, arguing that without the coordination centre the connection between humanitarian and military action was broken, so the operation was no longer humanitarian in nature. The UK and the USA then provided air cover under a restructured operation known as Operation Northern Watch.²⁷

During the height of Operation Provide Comfort's protection activities, and in anticipation of the rapid withdrawal of coalition ground troops, the United Nations reached an agreement with the Iraqi Government in late May 1991 for deployment of the UNGCI.²⁸ The UNGCI arrived in Iraq in June 1991 with the express purpose of protecting UN aid personnel and property in the north of the country from small-scale attacks. It used a strategy of deterrence to guard UN property, warehouses and offices; it also provided numerous escorts for aid convoys.²⁹ This was very different from the general area protection provided by the coalition ground and air forces.

The UN Department of Humanitarian Affairs reported that the UNGCI played an 'instrumental' role in protecting aid operations from isolated attacks.³⁰ They were not always successful, however, as humanitarian agencies had to endure hazards such as bombs placed under vehicles, grenades thrown into staff areas and automatic weapon fire. While it is likely that their presence deterred some banditry and terrorist attacks, it is clear that they did not have the ability to protect against serious violence. When Iraqi Government forces shelled two towns on the edge of the Kurdish autonomous region, the lightly armed guards fled.³¹

The main reasons why the ability of the UNGCI to protect aid operations, even from small-scale attacks, was marginal were its small size and limited military capability. It was authorized to have up to 500 personnel but it rarely enjoyed that level of staffing. In 1993 there were 300 soldiers, located mainly at Arbil, where the majority of relief organizations were located, but at a low

²⁷ Seiple, C., *The U.S. Military/NGO Relationship in Humanitarian Interventions* (US Army Peacekeeping Institute: Carlisle, Pa., 1996), pp. 21, 32. See also Forster (note 23); and 'Combined Task Force Provide Comfort', Incirlik Air Base history, URL <http://www.incirlik.af.mil/history/CTF_PC.htm>.

²⁸ The agreement came within the framework of the 18 Apr. memorandum of understanding that allowed UN humanitarian relief agencies to work in Iraq with the consent of the regime in Baghdad.

²⁹ United Nations, Department of Humanitarian Affairs, 'Iraq: humanitarian assistance continued in 1993', *DHA News, 1993 in Review*, no. 7, special edn (Jan./Feb. 1994), p. 29.

³⁰ United Nations (note 29), p. 29.

³¹ Keen, D., 'Short term interventions and long term problems: the case of the Kurds in Iraq', ed. J. Harris, *The Politics of Humanitarian Intervention* (Pinter and Save the Children Fund: London, 1995), pp. 171–72.

point, in October 1992, there were only 30 guards in northern Iraq.³² It was simply not possible for so few soldiers to protect aid operations over a wide area, even if their deterrent threat had been highly credible, which it was not. Credibility was a problem because the UN Guards had only light arms and showed themselves unable or unwilling to respond strongly to attacks.

To summarize, whereas the UNGCI's ability to provide point deterrence for aid operations was very limited, and its ability to provide defence was practically nil, Operation Provide Comfort was able to provide area deterrence because a highly capable ground and air force was allowed by political leaders to take considerable risks to force Iraqi troops to remain at bay. For several years an innovative military-to-military coordination mechanism helped prevent confrontations from escalating to battle. Full protection, however, only extended to the limits of the ground security zone (and only for a short time). Long-term enforcement of the no-fly zone prevented a large-scale invasion but, as solely an air operation, it was inherently unable to address the regular life-threatening harassment suffered by aid workers. The primary reasons why it deterred a major military advance were its proven capacity to destroy military assets and a demonstrated continued willingness to use that capacity against a weakened Iraqi force.

Somalia

Somalia's fundamental problem in 1992 was that it had no government. The first and second UN operations in Somalia (UNOSOM I and UNOSOM II) sought to address this problem, first with diplomacy and then with force. Most governments and international public attention, however, focused on the tragedy of the famine that was a result of civil war and drought. Consequently, UNOSOM I and II and the multinational UNITAF which served between the two UN operations expended a great deal of effort protecting aid operations.³³ UNOSOM I attempted to provide point protection and failed completely; UNITAF gave aid organizations a great deal of point and area protection, but for a limited time; and UNOSOM II provided progressively less point and area protection the longer the operation endured. They are reviewed here in turn.

The first UN Operation in Somalia (UNOSOM I)

The UN Security Council established UNOSOM I in April 1992, following a March ceasefire agreement negotiated by the Under-Secretary-General for Political Affairs, James Jonah, but the force did not become operational until September because member states were reluctant to commit troops and equipment. The peacekeeping force had a mandate to monitor the ceasefire in the

³² United Nations (note 29), pp. 27, 29; and Keen (note 31), p. 171.

³³ Chapter 4 provides a detailed account of the logistic and other assistance provided by various intervention forces in Somalia.

capital, Mogadishu, and to provide security for humanitarian operations in the Mogadishu area. Fifty unarmed military observers were to fulfil the first objective and an armed unit of 500 soldiers was tasked with protecting UN personnel, equipment and supplies at the seaport and airport in Mogadishu, and escorting the delivery of humanitarian supplies in the vicinity of Mogadishu.³⁴

The need for protection was evident and became more acute over time. The humanitarian relief effort expanded rapidly during the ceasefire period, partly in response to the more stable environment and partly because organizations had had time to plan and prepare. By November 1992, the price of food throughout the country had plummeted, indicating a greater supply. By the end of 1992 there were more than 1000 feeding centres across the country. The good news was that mortality rates due to the famine were declining steeply.³⁵ The bad news was that looting and banditry continued to be rampant throughout the country, getting worse rather than better as more food arrived.³⁶ Somali Red Crescent Society workers estimated that half of what the ICRC brought in was stolen, diverted or extorted, although publicly the ICRC claimed that it lost no more than 20 per cent.³⁷ Even though the volume of food entering the country increased significantly in the autumn of 1992, the proportion actually reaching the intended beneficiaries fell by 40 per cent.³⁸

UNOSOM I nominally sought to address this problem in the Mogadishu area by giving aid operations point protection, but in fact did almost nothing. Aid workers continued to be threatened and supplies continued to be stolen. When deterrence failed, UN troops never attempted active defence. As a result, bandits and gunmen under the command of one warlord or another continued to steal supplies with impunity.

A major reason why UNOSOM I never effectively protected humanitarian operations was General Muhammad Farah Aidid's opposition to it. Aidid was the strongest warlord in Somalia and controlled most of Mogadishu. By the time the Pakistani security personnel arrived, an agreement between Aidid and the SRSF, Mohamed Sahnoun, severely limited what the soldiers were permitted to do and where they were allowed to go.³⁹ At first, the light infantry unit

³⁴ UN Security Council Resolution 721, 24 Apr. 1992; and United Nations, Report of the Secretary-General, UN document S/23829, 21 Apr. 1992, paras 24–29.

³⁵ Hansch, S. et al., *Lives Lost, Lives Saved: Excess Mortality and the Impact of Health Interventions in the Somalia Emergency* (Refugee Policy Group: Washington, DC, 1994), pp. 30–31.

³⁶ United Nations, Letter dated 5 June 1992 from the Secretary-General to the president of the Security Council (not issued as a UN document), available in United Nations, *The United Nations and Somalia, 1992–1996*, United Nations Blue Book Series vol. 8 (United Nations: New York, 1996), p. 168.

³⁷ De Waal, A., 'Dangerous precedents? Famine relief in Somalia 1991–93', eds J. Macrae and A. Zwi, *War and Hunger: Rethinking International Responses to Complex Emergencies* (Zed Books and Save the Children Fund (UK): London, 1994), p. 146.

³⁸ Hirsch, J. and Oakley, R., *Somalia and Operation Restore Hope: Reflections on Peacemaking and Peacekeeping* (United States Institute of Peace: Washington, DC, 1995), p. 25.

³⁹ Drysdale, J., 'Foreign military intervention in Somalia: the root cause of the shift from UN peacekeeping to peacemaking and its consequences', eds W. Clarke and J. Herbst, *Learning from Somalia: The Lessons of Armed Humanitarian Intervention* (Westview Press: Boulder, Colo., 1997), p. 124.

that was flown in by US aircraft had to encamp outside the perimeter of the airport it was supposed to protect because a faction allied with Aidid refused to give up control of the valuable asset. In addition to UNOSOM's negotiated weakness, it suffered physical weakness. Cognizant of the need for additional strength, the Security Council authorized an additional 3000 troops, but UNOSOM was not briefed about the move before the decision was made. Feeling that he had been sidelined, Sahnoun resigned and Aidid blocked the new deployments. In the end the operation's maximum strength was 893 lightly armed troops.⁴⁰

The operation's mandate itself prevented effective protection of aid operations. Under Chapter VI of the UN charter, soldiers were allowed to fire their weapons only in self-defence. The UN force interpreted the self-defence rule of engagement narrowly, rendering soldiers helpless onlookers when bandits threatened to shoot but did not actually do so. Valuing their lives more than food rations, drivers would yield their cargo when threatened.

Operation Restore Hope (UNITAF)

The US-led intervention in December 1992 utterly eclipsed the small peace-keeping force, which carried on nevertheless until March 1993.⁴¹ UNITAF was mandated by the UN Security Council 'to establish as soon as possible a secure environment for humanitarian relief operations in Somalia'.⁴² The US military, and consequently all the other members of the multinational force, interpreted their mission to be the temporary protection of aid operations in southern Somalia, particularly Mogadishu. The UN Secretary-General argued strenuously, but to no avail, for a more comprehensive interpretation of the mandate to include disarmament of the Somali factions and progress towards peace throughout the country. UNITAF left those ill-fated objectives for the second UN Operation in Somalia.

Under the civilian leadership of Ambassador Robert Oakley and the military leadership of Lieutenant General Robert Johnston, UNITAF soldiers guarded the airport, seaport, warehouses and distribution points in Mogadishu. They provided convoy escorts within the city and from the city to points inland. Forces stationed inland guarded warehouses and distribution points and provided escorts for regular forays out of the main towns. In addition, from December 1992 to May 1993 the pervasive foreign presence in Mogadishu provided area protection in the city, although it was never declared a safe area. One of the biggest threats to aid operations came from gunmen in 'technicals' under

⁴⁰ United Nations, *The Blue Helmets: A Review of United Nations Peacekeeping*, 3rd edn (United Nations: New York, 1996), pp. 292, 721. In addition to those provided by Pakistan, soldiers came from Australia, Belgium, Canada, New Zealand and Norway.

⁴¹ The US code name for its part of the intervention was Operation Restore Hope. The entire intervention force was known by its UN name, UNITAF.

⁴² UN Security Council Resolution 794, 3 Dec. 1992, para. 10.

the control of warlords.⁴³ During UNITAF's tenure, the rival warlords Ali Mahdi and Aidid agreed to Oakley's and Johnston's demand that they canton or withdraw all their technicals from Mogadishu.⁴⁴ The removal of the warlords' heavy weapons greatly increased aid organizations' freedom of movement in the city that was the main point of entry for relief supplies and the home of millions of people in need.

Point protection was a dynamic process as UNITAF extended its work inland. The arrival of a foreign military presence in each humanitarian relief sector was carefully choreographed to provide maximum protection to aid organizations and military personnel while avoiding outbreaks of violence. Emphasis on the humanitarian intent of the new military operation was critically important for relations with Somalis and NGO personnel alike. In each new location experienced staff from USAID's OFDA disaster assistance response team and military intelligence personnel visited the area to be occupied, talked to the NGO personnel present and surveyed the site. A day or two later Oakley, accompanied by military and political officers, arrived to explain to NGOs and the Somali people that troops would arrive the next day and that the troops were there to help them. In due course UNITAF troops arrived with emergency relief supplies and left a contingent to guard supplies and provide convoy escorts. The diplomatic preparation and simultaneous arrival of troops and supplies went a long way towards winning over Somalis and NGOs.⁴⁵

Looting and banditry dropped off precipitously once UNITAF established a presence in a particular location. All the food convoys escorted from Mogadishu (some 70 per month) got through to their destinations and only one came under fire.⁴⁶ The absence of banditry and looting where there was a military presence was not coincidental. The ICRC did not participate in the military convoys at first because of its strong prohibition against actions that compromise its impartiality. By late January it had changed its stance in the face of continued assaults, which organizations that accepted military escort were not suffering.⁴⁷ The humanitarian situation in the interior regions that were hit hard-

⁴³ 'Technical vehicles are trucks refitted to carry crew-served weapons.' Adibe, C., *Managing Arms in Peace Processes: Somalia*, United Nations Institute for Disarmament Research, Disarmament and Conflict Resolution Project, UNIDIR/95/30 (United Nations: New York, 1995), p. 74, fn. 9. A crew-served weapon is one that requires more than 1 person to operate. Typically, technicals carry .50 calibre heavy machine guns. 'The term "technical vehicle" came from the humanitarian relief organizations, which sometimes hired gunmen as guards and reported the expense as "technical assistance".' Lorenz, F. M., 'Law and anarchy in Somalia', *Parameters*, vol. 23, no. 4 (winter 1993/94), p. 40, fn. 3.

⁴⁴ Hirsch and Oakley (note 38), p. 57; and Zvijac, D. and McGrady, K. A. W., *Operation Restore Hope: Summary Report* (Center for Naval Analysis: Alexandria, Va., 1994), p. 51.

⁴⁵ Newbold, G. (Brig. Gen.), Personal interview, US Marine Corps Headquarters, Navy Annex, Arlington, Va., 29 Aug. 1997; and Hirsch and Oakley (note 38), pp. 69–71.

⁴⁶ Zvijac and McGrady (note 44), pp. 3, 26.

⁴⁷ Hirsch and Oakley (note 38), pp. 27, 51.

est by famine improved rapidly as emergency relief and rehabilitation programmes moved into high gear.⁴⁸

UNITAF successfully deterred attacks on aid operations because it communicated with the warlords, had military capability far in excess of anything the Somalis possessed, and demonstrated a willingness and an ability to use its power when deterrence was challenged. The Combined Security Committee was an important conduit for information exchange and agenda setting between Somali militia leaders and foreign military commanders. Operation Restore Hope civilian leaders, cognizant of the successful Military Coordination Centre in Iraq, encouraged Somalis to establish and participate in the committee. Composed of senior military leaders from Aidid's and Ali Mahdi's factions, sometimes including the faction heads themselves, the committee regularly involved senior UNITAF military and civilian officers in almost daily meetings between January and April 1993. The meetings facilitated dialogue between Somalis and US troops on specific issues such as the cantonment of heavy weapons, and on more general conflict prevention and resolution. On more than one occasion the Combined Security Committee helped to avoid the kind of confrontation that later engulfed UNOSOM II.⁴⁹

Failures of communication and misunderstandings still occurred, most notably in the second-largest seaport city, Kismaayo. The warlords Colonel Ahmed Omar Jess and General Mohamed Said Hersi Morgan played out their rivalry in and around the city in a series of skirmishes and attacks against each other. The tactics each used and the timing of their attacks resulted in Belgian and US forces allowing the infiltration of Kismaayo by Morgan's forces, followed by the repulsion of Jess's forces, who made a frontal assault. The unstable environment disrupted aid operations to some extent. More importantly, the repulsion of Jess occurred three days after UNOSOM II took over operational command, with ramifications that were highly detrimental for UN relations with General Aidid, who saw a double standard that was disadvantageous to his ally, Colonel Jess.⁵⁰

If communication was not always clear, the intervention force's superior power was. The US Marine Expeditionary Unit that landed in early December 1992 was equipped with armoured vehicles and an array of light weapons, and was supported by attack helicopters based on ships offshore. By the second half of December, the presence in Mogadishu of 10 000 troops from Belgium, Canada, France, Italy and Morocco allowed rapid extension inland.⁵¹ Within a

⁴⁸ Within a couple of days of initial troop arrival a convoy arrived with 80 tonnes of supplies, fulfilling promises made at the meeting a few days earlier. Supply convoys arrived regularly after that. Newbold (note 45).

⁴⁹ Allard, K., *Somalia Operations: Lessons Learned* (National Defense University Press: Washington, DC, 1995), p. 73; and Hirsch and Oakley (note 38), p. 58.

⁵⁰ Hirsch and Oakley (note 38), pp. 76–78; and Zvijac and McGrady (note 44), pp. 59–63.

⁵¹ Aid agencies criticized the military for what they believed was excessively slow movement inland, where the famine was worst. From the military perspective, inland operations took place rapidly, ahead of schedule, in the absence of Somali opposition.

month UNITAF reached its peak strength of more than 38 000 troops from 21 countries, including more than 25 000 from the USA.⁵² As soon as it determined that the security environment was less dangerous than initially feared, the USA drew down its forces so that UNITAF numbered 24 000 by early February 1993.⁵³ UNITAF's rules of engagement emphasized the non-combat nature of the operation and the importance of two fundamental principles of international and humanitarian law with regard to war: proportionality and minimal use of force. At the same time, the rules allowed soldiers to take the initiative in challenging individuals and groups whom they considered threatening and to use deadly force when they or their commanders deemed it appropriate. Each national contingent had its own rules of engagement, but they did not differ significantly. The rules of engagement reference card that each US soldier carried read as follows:

Nothing in these rules of engagement limits your right to take appropriate action to defend yourself and your unit.

A. You have the right to use force to defend yourself against attacks or threats of attack.

B. Hostile fire may be returned effectively and promptly to stop a hostile act.

C. When U.S. forces are attacked by unarmed hostile elements, mobs, and/or rioters, U.S. forces should use the minimum force necessary under the circumstances and proportional to the threat.

D. You may not seize the property of others to accomplish your mission.

E. Detention of civilians is authorized for security reasons or in self-defense.

Remember

1. The United States is not at war.
2. Treat all persons with dignity and respect.
3. Use minimum force to carry out mission.
4. Always be prepared to act in self-defense.⁵⁴

Despite political leaders' strong desire to minimize casualties among their troops, UNITAF, particularly the US units, made a point of using their combat power to demonstrate resolve when gunmen challenged the new rules of the game.⁵⁵ An example from the first few days of the intervention makes the point. 'I believe it was about the second or third day we were there, a Fiat armoured car and a technical vehicle took a couple of random shots at a helicopter, and we speared both vehicles in the streets of southern Mogadishu. From that point forward, the word seemed to get out that these people are here to help, but they

⁵² On the troop-contributing countries see chapter 3 in this volume, note 34.

⁵³ Zvijac and McGrady (note 44), pp. 50–58. See also Stevenson, J., *Losing Mogadishu: Testing US Policy in Somalia* (Naval Institute Press: Annapolis, Md., 1995), p. 57; and Hirsch and Oakley (note 38), p. 75.

⁵⁴ Lorenz (note 43), p. 30.

⁵⁵ Newbold (note 45).

are not going to take any nonsense.⁵⁶ Similarly, in early January, US Marines attacked two of Aidid's weapon storage sites in response to a series of incidents in previous days involving artillery, gunfire and hostile acts against UNITAF.⁵⁷ From then on, attacks on foreign troops and aid operations were unusual for the duration of the UNITAF deployment.

Within this deterrence strategy, military and humanitarian organizations used a number of coordination mechanisms to facilitate point protection. One of Operation Restore Hope's first activities was to collocate its CMOC with the UN Office of the Humanitarian Coordinator, creating the Humanitarian Operation Centre (HOC) in Mogadishu. The staff of the HOC was kept to a minimum to keep it focused on coordination and information exchange, rather than undertaking activities itself.⁵⁸ Inter-organizational meetings within the HOC structure enabled international and Somali actors to exchange information, coordinate plans, overcome problems and develop policy. Frequent meetings took place, from the leadership in Mogadishu down to the implementing units in the field. The CMOC was a functional liaison cell around which most activity was concentrated. Its most important task was to coordinate UNITAF responses to NGO requests for food convoy escorts, the provision of security, 'space-available' flights (NGO representatives could fly on military aircraft if there was space available after the primary mission function was fulfilled)⁵⁹ and technical assistance. Staff would receive and validate requests, and then task UNITAF forces.

The relations between the soldiers of the Mogadishu CMOC and the humanitarian community were good, but the coordination mechanism was not able to overcome the distrustful stereotypes that most soldiers and aid workers held of each other. The main reason for this was that the military and aid communities remained two separate entities, most of whose members hardly interacted with the other side.⁶⁰ In contrast, smaller CMOCs outside Mogadishu were often true civilian–military undertakings. Difficulties were addressed by representatives from both communities together at the same table, rather than one solution being worked out in a humanitarian operations centre and another in a military operations centre.⁶¹

The second UN Operation in Somalia (UNOSOM II)

The deterrence strategy and coordination mechanisms deteriorated rapidly when UNOSOM II took over in early May 1993. The objectives of foreign military

⁵⁶ Quoted in Rosegrant, S. and Watkins, M., 'A "seamless" transition: United States and United Nations operations in Somalia—1992–1993', Part A, Kennedy School of Government Case Program, C09-96-1324.0, Harvard College, Cambridge, Mass., 1996, p. 17.

⁵⁷ Zvijac and McGrady (note 44), p. 52.

⁵⁸ Allard (note 49), p. 70.

⁵⁹ Allard (note 49), p. 68.

⁶⁰ Seiple (note 27), p. 170–75.

⁶¹ Seiple, C., Personal correspondence, 14 May 1997.

involvement reverted to being both political and humanitarian, this time with a strong emphasis on the political. UN Secretary-General Boutros Boutros-Ghali's report asking for a mandate for the new UN operation identified the 'parallel steps' of 'cease-fire and reconciliation mechanisms, disarmament and creation of a civilian peace force, rehabilitation along side political dialogue'. Although the report also called for protection of the personnel, equipment and installations of relief organizations, as well as 'Continued efforts to assist relief activity', humanitarian objectives were clearly secondary.⁶² The humanitarian protection aspect of UNOSOM II is discussed here; the political objectives of the operation are discussed in chapter 6.

Like UNITAF's, UNOSOM II's scheme for protecting aid operations was to provide point and area protection using strategies of deterrence and defence. Since the UN force was not as successful at deterring attacks as the multilateral force was, it was forced to engage in a significant amount of defensive action. It is somewhat misleading, however, to say that UNOSOM II defended aid operations, for in most instances it was defending only itself.

The already sour relationship between the UN and General Aidid that was evident in the Kismaayo incident described above took a serious turn for the worse in June when a contingent of Pakistani troops inspected one of Aidid's strongholds against his wishes. Aidid decided to test the ability and resolve of the UN force and attacked the Pakistani soldiers as they withdrew, killing 24 and wounding 56 of them. The Security Council passed a *de facto* declaration of war against Aidid's faction and the civilian head of UNOSOM II, SRSG Jonathan Howe, with approval from the Secretary-General's office, offered a reward for Aidid's capture.⁶³ From that point on, the political agenda dominated the humanitarian one and the security environment deteriorated rapidly, especially in Mogadishu.⁶⁴

The effect of the political agenda on aid operations was devastating. When the second UN-led operation began in May 1993, relief agencies were doing a good job of providing for the immediate needs of the population and had begun rehabilitation and development efforts to get Somalis back on their feet. As fighting escalated, they had to curtail their activities. By mid-August, the threat of surface-to-air missiles had closed the Mogadishu airport to all except military helicopters. All humanitarian activities in the city and the immediate vicinity were brought to an almost complete standstill until mid-October, when Aidid scored a major victory against US special forces who, acting independ-

⁶² United Nations, Further report of the Secretary-General, UN document S/25354, 3 Mar. 1993, paras 56–88; and UN Security Council Resolution 814, 26 Mar. 1993, para. 5.

⁶³ Howe, J. (Adm.), SRSG in Somalia, Telephone interview, 3 Dec. 1997; and UN Security Council Resolution 837, 6 June 1993, para. 5.

⁶⁴ United Nations, Report of the Commission of Inquiry established pursuant to Resolution 885 (1993) to investigate armed attacks on UNOSOM II personnel, UN document S/1994/653, 1 June 1994, paras 137–42; and United Nations, Report of the Secretary-General on the implementation of Security Council Resolution 837, UN document S/26022, 1 July 1993, paras 25–28.

ently of the UN force, had tried to capture him.⁶⁵ At that point the USA announced its intention to withdraw its troops and the UN pursued its political agenda through diplomacy. The level of violence in Mogadishu subsided.⁶⁶

Aid delivery shortfalls due to the insecure environment continued after the fighting had died down in the capital. As UNOSOM II followed a policy of retrenchment, banditry increased and the transport of supplies became increasingly difficult. The closer to Mogadishu, the greater was the difficulty. It was not unusual for personnel from NGOs, UN relief agencies and UNOSOM to be threatened, attacked or kidnapped. As the last US troops withdrew in February and March 1994, NGO offices were looted in several large towns.⁶⁷ By July 1994, UNOSOM forces were merely endeavouring 'to maintain security at key installations, escort relief convoys and protect personnel',⁶⁸ but this was largely ineffective. Throughout the period of increasing inter-clan fighting and banditry, some of which caused UN military casualties, the UN force stayed out of the way as much as possible.⁶⁹ A number of UN agencies and NGOs suspended their assistance programmes and reduced or withdrew their staff.⁷⁰

Although the situation was bad while UNOSOM was there, it became worse when the military operation ended in March 1995. Mogadishu airport closed. The seaport remained operational, but factional clashes and labour disputes resulted in frequent cessation of operations.⁷¹ Some 40 NGOs and eight UN agencies maintained operations for a while, taking a low-profile regional approach in areas where their personnel were comparatively safe.⁷²

UNOSOM II failed to protect aid operations because its political objective overshadowed its humanitarian one, the intervention force was weak, and probing actions showed the force to be unable to repel Somali attacks while keeping the number of casualties low.⁷³ In sharp contrast to UNITAF's refusal to address the political cause of the Somali people's plight, the UN Security Council mandated the UN operation to control the warlords, disarm them and establish the basis for a new government.⁷⁴ The UNOSOM experience was an

⁶⁵ See chapter 3 in this volume, section II.

⁶⁶ Anderson, G., 'UNOSOM II: not failure, not success', eds D. C. F. Daniel and B. C. Hayes, *Beyond Traditional Peacekeeping* (St Martin's Press: New York, 1995), p. 272.

⁶⁷ Hirsch and Oakley (note 38), p. 144.

⁶⁸ United Nations, Further report of the Secretary-General, UN document S/1994/839, 18 July 1994, para. 24.

⁶⁹ United Nations (note 68), paras 24–27.

⁷⁰ United Nations, Further report of the Secretary-General, UN document S/1994/614, 24 May 1994, para. 64.

⁷¹ United Nations, Report of the Secretary-General, UN document A/50/447, 19 Sep. 1995, para. 50.

⁷² United Nations (note 70), paras 61–62.

⁷³ Better communication would not have helped avoid military clashes since the objectives of the UN and General Aidid were fundamentally opposed.

⁷⁴ It is de rigueur to criticize the UN for bungling a perfectly good humanitarian intervention. The US Administration of President Bill Clinton started the 'blame the UN' bandwagon rolling as a means of deflecting criticism from itself. Yet every member of the Security Council—with the USA in the lead—supported UNOSOM II actions right up to the 3 Oct. firefight that killed 19 US soldiers. The first draft of

early post-cold war lesson on the difficulty of 'regime change' and nation building when powerful actors in the target country oppose the intervener's objective. General Aidid and other faction leaders, who stood to lose political, military and economic power if the UN succeeded in remaking the political landscape, had far more at stake than the governments which contributed troops to UNOSOM II. When the costs of intervention escalated, those governments recognized the imbalance of will power, cut their losses and pulled out.

The UN's ambitious objective was not matched by its diplomatic or military capabilities. When Howe arrived in Mogadishu in March 1993, he was astonished to find no strategy for implementing Security Council Resolution 814, no plans for the operational handover, and necessary personnel and equipment leaving the country rather than coming in.⁷⁵ At the time when it assumed control, UNOSOM II was disgracefully understaffed on the civilian side. It took Howe months to get even 100 people on staff, compared to the authorized level of 800. The extraordinarily slow recruitment of the civilian staff retarded the development of a non-military operational approach. The far larger military component was bound to dominate operational considerations.⁷⁶

Yet the military side of the operation was also under-resourced. UNOSOM II started with 18 000 troops, mostly drawn from Egypt, India and Pakistan.⁷⁷ Troops did not arrive in-country as scheduled and many who did arrive were not adequately equipped. At the end of July 1993, when the UN and Aidid were at war, troop strength was a little over 20 000. They were drawn from 27 different countries, making command and control extremely difficult, and consisted mostly of infantry battalions with a few movement control, aviation, signals, medical and other units.⁷⁸ The way in which troops were deployed further reduced their effectiveness. Tactical deployments tended to be small pockets centred on defensive bases. More than half of the units were concentrated at Mogadishu airport and the UN compound. This was a force that was supposed to exert control over the entire country.⁷⁹

As Aidid and his allies tested and pushed against the UN force, the deterrent threat proved hollow. When attacked by Somali gunmen, some UN units showed themselves to be brave fighters who were willing to take risks and sustain casualties. UNOSOM II lost 151 soldiers while trying to give credibility

Security Council Resolution 814 authorizing the expanded mission of UNOSOM II was written in the Pentagon. eds Clarke and Herbst (note 39), p. 9.

⁷⁵ Howe (note 63).

⁷⁶ Chopra, J., Eknes, Å. and Nordbø, T., *Fighting for Hope in Somalia* (Norwegian Institute of International Affairs: Oslo, 1995), p. 105. Poor-quality personnel also damaged UNOSOM II. Rosegrant and Watkins (note 56), part B, p. 2. Incredibly, no one on the military staff had previous peacekeeping experience: they did not know how to do anything other than treat Aidid as an enemy, even before the 5 June incident.

⁷⁷ Adibe (note 43), p. 64.

⁷⁸ United Nations, Further report of the Secretary-General, UN document S/26317, 17 Aug. 1993, paras 6, 9.

⁷⁹ Chopra, Eknes and Nordbø (note 76), p. 70.

to its mandate and to defend itself and aid operations.⁸⁰ Most national contingents, however, were not willing to engage in combat and no government was willing to lose many soldiers.

Just as the ability to deter attacks and defend against them deteriorated under UNOSOM II, so too did the coordination between military and humanitarian organizations. The leadership of UNOSOM II allowed most of the coordination mechanisms of the previous period to disintegrate, including the all-important CMOCs, at least in part because of severe personnel shortages. In addition to poor civil–military relations, bad feelings between the UN and NGOs came to the fore in the absence of a strong centre of gravity to draw them together, further hindering the objective of aid protection.

Summary

Three foreign military operations in Somalia sought to protect aid operations by guarding fixed locations and providing convoy escorts, with very different results. UNOSOM I was too weak to provide protection and did not enable an expansion of humanitarian operations, but it did not make matters worse. The powerful and well-integrated UNITAF effectively deterred attacks on supplies and convoys for a short period of six months, enabling humanitarian organizations to increase their reach dramatically. Point protection was facilitated by civil–military coordination mechanisms. At the same time, UNITAF utterly ignored the causes of the humanitarian crisis, thus guaranteeing that its positive impact would be short-lived. UNOSOM II was left in the impossible position of having an ambitious political mandate in the face of strong indigenous opposition and resources that were inadequate for the task. It was unable to deter attacks on itself or on aid operations. Its political agenda and its military engagement with Somali factions endangered humanitarian assistance instead of protecting it.

Bosnia and Herzegovina

The war in Bosnia and Herzegovina completely disrupted normal economic and agricultural activity. Bosniaks, Croats and Serbs alike were heavily dependent on outside assistance just to put food on the table. In January 1993, a year after fighting broke out, the WHO reported substantial weight loss in adults and, in some regions, moderate to severe malnutrition in children.⁸¹ Yet death from malnutrition was a rare occurrence throughout the war, for several reasons. People were in relatively good health and well fed before the war began, house-

⁸⁰ The number includes troops who were part of the Quick Reaction Force and Task Force Ranger, which operated under separate command from the main UN force. United Nations, Department of Peacekeeping Operations, 'Totals by nationality and mission', 9 Feb. 2005, URL <<http://www.un.org/Depts/dpko/fatalities/totals.htm>>.

⁸¹ Toole, M., Galson, S. and Brady, W., 'Are war and public health compatible?', *The Lancet*, vol. 341 (8 May 1993), pp. 1193–96.

holds generally had some food reserves, commercial trucks continued to deliver food until April 1993, and the UNHCR ran a massive food distribution programme.⁸²

As time wore on, the efforts of the UNHCR and its partner UN agencies and NGOs increased in importance. Between March 1993 and December 1995, humanitarian organizations delivered over 821 500 tonnes of food to millions of beneficiaries throughout Bosnia and Herzegovina.⁸³ This extraordinary, sustained effort contributed significantly to the survival of large portions of the population. In Sarajevo and other vulnerable areas, the majority of people were entirely dependent on food distributed by humanitarian organizations.⁸⁴ Three-quarters of the aid was delivered overland by truck convoys and the rest was delivered by air.⁸⁵ Truck convoys, however, were highly vulnerable to looting and to being denied access to needy people. Throughout Bosnia and Herzegovina, aid delivery was thwarted by landmines, hostile fire across confrontation lines, hundreds of roadblocks manned by hostile militiamen, and the refusal of the warring parties to cooperate with the humanitarian effort.

In response to the need for protection of aid operations, the UN Security Council passed Resolution 770 on 13 August 1992. It called upon 'states to take nationally or through regional agencies or arrangements all measures necessary to facilitate in co-ordination with the UN the delivery by relevant UN humanitarian organisations and others of humanitarian assistance to Sarajevo and wherever needed in other parts of Bosnia-Herzegovina'. Notably, the language was not at all specific about the need for protection. Furthermore, the resolution authorized states, not the UN Protection Force, to use force.

With a follow-on resolution in September 1992, UNPROFOR's main objective became the protection of the humanitarian effort in Bosnia and Herzegovina. Security Council Resolution 776 of 14 September authorized UNPROFOR to 'support UNHCR's efforts and provide protection where necessary'. However, while the resolution enlarged UNPROFOR's mandate and authorized an increase in the number of troops to protect aid operations, it severely hobbled the UN force by maintaining a consensual peacekeeping approach. The central assumption of the operation was that the mere presence of UN troops would constitute a sufficient deterrent. Aid convoys were to be escorted in a 'benign way' and force was to be used only in self-defence.⁸⁶ In

⁸² Centers for Disease Control, 'Status of public health: Bosnia and Herzegovina, August–September 1993', *Morbidity and Mortality Weekly Report*, vol. 42, no. 50 (24 Dec. 1993), pp. 973, 979–82.

⁸³ United Nations High Commissioner for Refugees (UNCHR), 'Emergency food assistance to returnees, refugees, displaced persons and other war affected populations in Bosnia and Herzegovina', *UNHCR/WFP Joint Evaluation Mission Full Report* (UNHCR: Geneva, Nov. 1997), p. 8.

⁸⁴ World Health Organization (WHO), 'Background information on WHO action in former Yugoslavia', Press Release WHO/21, 25 Mar. 1993.

⁸⁵ United Nations High Commissioner for Refugees (note 83), p. 18.

⁸⁶ Gow, J., *Triumph of the Lack of Will: International Diplomacy and the Yugoslav War* (Hurst & Co.: London, 1997), p. 112.

effect this meant that aid only got through when the warring parties agreed to let it through.

Despite its limitations, UNPROFOR helped humanitarian organizations gain access to previously inaccessible locations. Both at the regional level and at the individual roadblock level, the negotiating position of the UNHCR and the NGOs was strengthened by the military involvement. By mid-1993 aid organizations had become heavily dependent on UNPROFOR for protection. The UN force provided security assessments and was often the body to decide where and when convoys could move; and in the event of a convoy coming under fire civilian drivers could take shelter in the armoured personnel carriers (APCs) that travelled with them.⁸⁷ On a number of occasions, UN troops shot back when fired upon.⁸⁸ The British and Nordic battalions were more forceful than others and for a while were more successful at getting past roadblocks. They rarely shot their way through but instead deterred attacks by demonstrating a willingness to fight on a few occasions and then clearly communicating that safe passage for UN convoys was not up for negotiation.⁸⁹

While the assertiveness of the foreign troops differed considerably from one national contingent to the next, all were constrained by their peacekeeping mandate to use minimal force and only use it in self-defence. The rules of engagement did not allow them to pursue hostile militiamen or permanently dismantle roadblocks.

When UNPROFOR began to use air strikes against Bosnian Serb positions around Sarajevo in April 1994 (see chapter 6), its ability to protect aid operations diminished considerably. In some cases, the presence of UNPROFOR vehicles in a convoy seemed to draw fire rather than deter it, and the UNHCR began to prefer to travel without military escort in some parts of the country that were under Serb control.⁹⁰ Aside from danger during convoy operations, international aid organizations and personnel were increasingly subject to abuse, theft and even rape. The situation became so bad that some NGOs hired armed guards.⁹¹

UNPROFOR reverted completely to reliance on negotiation because it was unable to use force and national governments were unwilling to give it a more

⁸⁷ Ogata, S., 'UNHCR in the Balkans: humanitarian action in the midst of war', eds W. Biermann and M. Vadset, *UN Peacekeeping in Trouble: Lessons Learned from the Former Yugoslavia* (Ashgate: Aldershot, 1999), p. 189; and United Nations High Commissioner for Refugees (UNHCR), 'Working in a war zone: a review of UNHCR's operations in former Yugoslavia', UNHCR, Central Evaluation Section, EVAL/YUG/14, Apr. 1994, para. 242.

⁸⁸ The British battalion in Bosnia and Herzegovina returned fire 67 times between Nov. 1993 and May 1994. Gow (note 86), p. 128.

⁸⁹ Duffield, M., 'An account of relief operations in Bosnia', Relief and Rehabilitation Network, Network Paper no. 3, Overseas Development Institute, London, Mar. 1994, p. 10; and Lloyd, A., 'Universal soldier', *Times Magazine*, 23 Apr. 1994, pp. 8–11. See also Findlay, T., SIPRI, *The Use of Force in UN Peace Operations* (Oxford University Press: Oxford, 2002).

⁹⁰ Ogata (note 87), p. 189; and Cutts, M., 'The humanitarian operation in Bosnia, 1992–1995: dilemmas of negotiating humanitarian access', New Issues in Refugee Research, Working Paper no. 8, UNHCR Policy Research Unit, Geneva, May 1999, p. 9, URL <<http://www.jha.ac/unhcr.htm>>.

⁹¹ Duffield (note 89), p. 10.

assertive mandate or better military capabilities. The Bosnian Serbs were always in a position to set the terms of access because they had the local power advantage.⁹² This meant that the distribution of food was determined by accessibility, not by need, which gave the Serbs a huge advantage in the war.⁹³ The UNHCR found it difficult to plan distribution because of the rapidly changing conditions on the ground and the demands imposed by the warring parties.⁹⁴ In Serb-held areas, for example, the UNHCR had to submit a request to local authorities one week in advance of every convoy, including a list naming every item to be delivered, the names of drivers and vehicle numbers. On some routes convoys were not approved for months. The inability of UNPROFOR to protect aid operations by this point in time was driven home by the need for the UNHCR to support UN troops in the enclaves of Sarajevo and Goražde because UNPROFOR was unable to negotiate access for itself.⁹⁵

As fighting intensified in 1995, humanitarian organizations had very limited access, especially to the so-called safe areas. In a desperate effort to improve the situation, the SRS, Yasushi Akashi, wrote to the Bosnian Serb commanders to suggest that they 'protect' aid convoys that had to travel through Serb territory. Instead, the Serbs looted convoys before they reached the enclaves. The UNHCR had become accustomed to offering the Serbs 23 per cent of the supplies in a convoy, as a form of tax or bribery, but the Serbs began to demand at least 50 per cent.⁹⁶ The High Commissioner for Refugees, Sadako Ogata, made an unusual appeal for greater military involvement in getting aid to its beneficiaries.⁹⁷

Military action soon made a positive difference for humanitarian aid access, but it was an entirely different type of operation from convoy protection. Fighting escalated dramatically as the war in Bosnia and Herzegovina neared its end (see chapter 7 on defeating the perpetrators). The fall of the Srebrenica and Žepa safe areas removed the problem of access in the east because the Serbs no longer needed to block aid to Bosniaks there. The NATO bombing campaign against Bosnian Serb troops besieging Sarajevo succeeded in relieving the stranglehold on the densely populated city. Most importantly, the combined Bosniak–Croat offensive that pushed the Bosnian Serbs out of western and central Bosnia and Herzegovina opened up all that territory to aid organizations. International aid operations resumed in those areas and were soon followed by

⁹² Bosniaks and Croats also manipulated humanitarian assistance when they could, but the Serbs did so the most.

⁹³ Cutts (note 90), pp. 14–25.

⁹⁴ United Nations High Commissioner for Refugees (note 83), para. 36.

⁹⁵ Cutts (note 90), p. 9.

⁹⁶ Cohen, B. and Stankoski, G. (eds), *With No Peace to Keep . . . United Nations Peacekeeping and the War in the Former Yugoslavia* (Grainpress Ltd: London, 1995), p. 84.

⁹⁷ United Nations, Report of the Secretary-General: the fall of Srebrenica, UN document A/54/549, 15 Nov. 1999, para. 261.

commercial traffic.⁹⁸ UNPROFOR did not play a useful role in any of those events.

In sum, while UNPROFOR undoubtedly helped to get aid through dangerous situations for a period of time, it did not offer as much protection as was needed because it was too weak to deter attacks on convoys and was restricted in its ability to defend them. The most important source of weakness was the insistence of the Security Council on maintaining peacekeeping rules of engagement and the consequent reliance on consent. Bosnia and Herzegovina at that time was not a place where the warring sides were inclined to consent to the delivery of aid to their sworn enemies. There were some examples of assertive convoy escorts more successfully getting through roadblocks, but the UN mission overall was vulnerable and did not have enough military capability to defend itself, much less defend aid organizations.⁹⁹

The fundamental problem was that European and US political leaders used humanitarian aid efforts as a substitute for political action. By using a weak UN force to help feed people, government leaders could claim to be doing something to address the terrible situation in the Balkans without having to take serious action to end the war.¹⁰⁰ Many critics at the time charged that aid operations and UNPROFOR's role in protecting them served the additional purpose of containing population movements so that European countries did not have to accept a large number of refugees. Worse still, the inability to keep food and medicine from going directly to gunmen probably helped to prolong the war.¹⁰¹

Rwanda

The genocide in Rwanda began on 6 April 1994, less than six months after the peak of violence in Somalia, led many countries to pull their troops out, leaving behind a weak and timid UN presence. The context of a 'benevolent' intervention in Africa that had gone badly, together with Rwanda's minimal political significance for nearly every powerful country, resulted in a disgraceful failure to respond to the genocide. Nevertheless, two intervention forces did offer some protection to aid operations in Rwanda. UNAMIR maintained a small presence throughout the genocide and the civil war and tried, with limited success, to give point protection to the early intrepid aid presence. The French-led Operation Turquoise, launched near the end of the genocide and civil war, offered area protection for aid operations in part of the country, with very little success.

⁹⁸ United Nations High Commissioner for Refugees (note 83), p. 18.

⁹⁹ E.g. the British battalion in central Bosnia and Herzegovina developed a 'tunnelling system' because of their limited resources. This involved armoured vehicles at 10–15 km intervals along the convoy route. The convoy trucks were counted as they passed each checkpoint through the 'tunnel'. Duffield (note 89), p. 8.

¹⁰⁰ To be fair, a number of high-level diplomatic efforts were made to end the war, but the diplomats had very little to work with since the warring parties were far more willing to engage in brinkmanship than were European governments.

¹⁰¹ United Nations High Commissioner for Refugees (note 83), paras 44–47.

UNAMIR was already in Rwanda when the genocide broke out. It was mandated to observe and verify the peace agreement between the Hutu government and the Tutsi rebels as well as to help the coordination of humanitarian relief activities.¹⁰² Hutu extremists deliberately killed 10 Belgian peacekeepers with the intention of raising the spectre of Somalia among Western governments. The tactic worked: UNAMIR was slashed to a few hundred lightly armed soldiers with a mandate to negotiate a new ceasefire and 'to assist in the resumption of humanitarian relief operations to the extent feasible'.¹⁰³ Under the command of General Roméo Dallaire, the UN force tried to provide aid operations with point protection.

Somewhat surprisingly, UNAMIR made its greatest relative contribution to protecting relief operations when it was at its weakest. At the start of the genocide nearly all international personnel fled the country; the only civilian expatriates who remained were a courageous few working for the ICRC and for MSF France. Members of a UN Advance Humanitarian Team soon joined them. The NGOs remained separate from the UN force, but when UN humanitarian personnel arrived in the capital, Kigali, UNAMIR provided them with work space in its command compound. The compound was the only safe place to be, although it, too, occasionally came under fire.¹⁰⁴ The UN force, however, could not offer protection beyond its compound when the violence was at its peak. It lacked APCs, troops and ammunition.¹⁰⁵ It also suffered from a reputation for withdrawal in the face of small losses, rendering moot any deterrent threat. In the crucible of war and genocide in which it existed, the area it protected was minimal but not insignificant. Had it not been for UNAMIR protection, the Advance Humanitarian Team could not have entered Rwanda as early as it did to prepare the way for later expansion of the humanitarian presence.

After the violence abated in July 1994 and the new Rwandan Government was in place, UNAMIR acted under a new mandate and with more troops. The renewed force was told 'to provide security and support for the distribution of relief supplies and humanitarian relief operations',¹⁰⁶ which expanded rapidly. UNAMIR's expansion was slow but by late 1994 the force was able to operate more effectively and over a larger area. It conducted daily and nightly patrols in vehicles and on foot in several key towns; it provided escorts for NGOs; and it guarded warehouses in several locations.¹⁰⁷ UNAMIR was also on call to provide security for civilian UN personnel. It usually responded, although humanitarian workers sometimes criticized it for not doing more, believing the soldiers

¹⁰² UN Security Council Resolution 872, 5 Oct. 1993.

¹⁰³ UN Security Council Resolution 912, 21 Apr. 1994.

¹⁰⁴ Clark, L., Senior Humanitarian Affairs Officer, UN Department of Humanitarian Affairs, Personal interview, New York, 11 Apr. 1996.

¹⁰⁵ Connaughton, R. M., 'Military support and protection for humanitarian assistance: Rwanda, April–December 1994', Overseas Development Institute, London, 1995, p. 13.

¹⁰⁶ UN Security Council Resolution 918, 17 May 1994. The new mandate was issued in May but UNAMIR did not receive reinforcements for several months.

¹⁰⁷ 'UNAMIR situation report', Nov. 1994 (restricted/internal).

to be operating under guidelines that were too cautious.¹⁰⁸ Risk averseness notwithstanding, the force could offer more protection to aid operations than it could at the height of the genocide because the nature of the danger had changed from concerted attacks to random, small-scale banditry.¹⁰⁹ In addition, UNAMIR was larger and had more equipment, including vehicles.

As with any point protection for aid, coordination was important. General Dallaire had already established a Humanitarian Assistance Cell within the UN force by the time the Advance Humanitarian Team arrived, greatly facilitating information exchange between the military and civilian UN personnel in Kigali.¹¹⁰ As the violence diminished and the humanitarian aid presence grew, UNAMIR's coordinating cell maintained liaison with the civilian humanitarian coordinating body in Rwanda, thereby connecting UNAMIR to the UN relief system through an exchange of information. This coordination mechanism helped to overcome organizational barriers to effective military-humanitarian action when both the UN force and the humanitarian presence were small. According to a participant, the handful of soldiers and aid workers shared a sense of siege in the early days of the crisis. UNAMIR personnel respected the humanitarian workers in Kigali because they took personal risks and did not hide behind the military. Humanitarian aid personnel respected UNAMIR troops for their commitment to save as many people as they could in an impossible situation.¹¹¹ When the size of both UNAMIR and the humanitarian effort grew, however, the tight working relationship fell apart. A number of the NGOs which entered Rwanda had an ingrained distrust of all things military. In addition, as the security situation stabilized and large NGOs and UN agencies established programmes in Rwanda, they became less reliant on the UN military force for protection and information. Coordination between UNAMIR and the humanitarian organizations faded.

Operation Turquoise was entirely different from UNAMIR. Although authorized by the UN Security Council, it was a 'coalition of the willing'—in this case France and Senegal—rather than a UN force. It came in response to the genocide, had a mandate to protect civilians, and possessed significant combat power compared to the other parties in Rwanda.¹¹² Aid protection was not a part of the mandate, but after Operation Turquoise established a safe zone in south-

¹⁰⁸ E.g. near the southern town of Gikongoro a UN civilian employee requested an escort to rescue a Rwandan aid worker and his family who were trapped in their house by marauders. As the APC that accompanied her would not leave the main road, 2 unarmed civilians drove a car to the house to retrieve the family. Isaksen, J., UN humanitarian worker in Rwanda, Personal interview, Nairobi, Kenya, 11 Sep. 1996.

¹⁰⁹ Even the presence of unarmed military observers deterred banditry and theft. Isaksen (note 108).

¹¹⁰ United Nations, Department of Humanitarian Affairs, 'Situation report number 6', 1994.

¹¹¹ Clark (note 104).

¹¹² UN Security Council Resolution 929, 22 June 1994. The resolution was passed with 10 votes in favour and 5 abstentions. A majority of 8 is required. Two of the votes in favour came from France and Rwanda. Rwanda held a rotating seat on the Security Council at the time, which was occupied by a representative of the interim Hutu government. African Rights, *Rwanda: Death, Despair and Defiance*, rev. edn (African Rights: London, 1995), p. 1138.

western Rwanda the French contingent urged relief organizations to work in the safe zone.

The true objectives of the French intervention in Rwanda from June to August 1994 are the subject of considerable disagreement. Officially, France acted to protect displaced persons, refugees and other civilians at risk. Sceptics contend that ulterior motives, ranging from an attempt to rescue the Hutu government, which was an ally of France, to asserting French dominance in francophone Africa, lurked behind the humanitarian window dressing. It is likely that some combination of altruistic and self-interested motives lay behind the decision to launch the intervention.¹¹³

As soon as the Security Council authorized action, pre-positioned French troops began to make incursions into south-western Rwanda, demonstrating the French Government's readiness to take significant military risks.¹¹⁴ Within 12 days Operation Turquoise had established a full-time presence in Rwanda with forward bases at Gikongoro and Kibuye on the outer edge of the safe zone.¹¹⁵ The French commander, General Jean-Claude Lafourcade, formally proposed the 'humanitarian neutral zone' on 2 July, which the rebel RPF formally accepted on 6 July.¹¹⁶ (The Hutu government by this time no longer controlled the country, so its consent was irrelevant.) The Operation Turquoise zone covered approximately 5000 km², one-fifth of the territory of Rwanda.

Operation Turquoise was quite capable of making its area generally safe. It consisted of 2555 French troops, mostly from the Foreign Legion, and 350 soldiers from Senegal. Approximately one-half of the total number remained at a base in Zaire. They were equipped with over 100 armoured vehicles, a battery of mortars, 10 helicopters, eight fighter aircraft and four reconnaissance aircraft.¹¹⁷ Operation Turquoise's firepower, mobility and training deterred nearly all violent confrontations between the intervening force and organized Rwandan forces.¹¹⁸ However, the intervention force was not prepared to police the safe zone to prevent small-scale attacks. It had neither enough troops nor enough trucks and small vehicles to cover the area under its military control. Notoriously, Operation Turquoise troops did not stop genocidal attacks within

¹¹³ Prunier, G., *The Rwanda Crisis: History of a Genocide* (Columbia University Press: New York, 1995), pp. 100–102, 176–78, 281–82; and African Rights (note 112), p. 1139.

¹¹⁴ Borton, J., Brusset, E. and Hallam, A., *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, Study no. 3, *Humanitarian Aid and Effects* (Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda: [Copenhagen], 1996), p. 43. Details about the French operation can be found in chapter 6 in this volume, which looks at intervention to protect civilians.

¹¹⁵ France Inter Radio Network, 4 July 1994, in Foreign Broadcast Information Service, *Daily Report–Africa (FBIS-AFR)*, FBIS-AFR-94-128, 5 July 1994, pp. 7–8.

¹¹⁶ 'UNAMIR situation report', 3 July 1994 (restricted/internal); and 'UNAMIR situation report', 6 July 1994 (restricted/internal).

¹¹⁷ Prunier (note 113), p. 291. See also Borton, Brusset and Hallam (note 114), p. 42.

¹¹⁸ Operation Turquoise troops clashed with RPA soldiers once near Kibuye and another time near Butare. They also had 'a number of unrecorded confrontations' with elements of the Rwandan Armed Forces and Interahamwe as they attempted to disarm them during the later period of the intervention. Borton, Brusset and Hallam (note 114), p. 43.

their safe zone for some time.¹¹⁹ They did, nonetheless, create a stable enough situation for aid organizations to be able to establish programmes.

Area protection of aid operations does not require close coordination of military and humanitarian actions, but in theory it demands a minimum level of interaction and a common set of expectations. Operation Turquoise's ability to interact with humanitarian organizations was very poor, as they almost all doubted France's motives, believing that France intended to help its genocidal erstwhile ally rather than help the victims of genocide. Furthermore, NGOs did not want to appear to compromise their neutrality by associating with a political actor. Operation Turquoise's leaders were aware of the problem and sought to address it by establishing a humanitarian coordination cell that was a civilian-run operation separate from the military operations cell, in contrast to the civil-military operation centres established by US troops and others in earlier interventions.¹²⁰ Relief organizations, which remained distrustful, requested that coordination take place through UNREO. In response, lines of communication were altered in mid-July so that the humanitarian-military linkage passed through UN civilians, rather than directly to Operation Turquoise.¹²¹ The effect was to further distance military and humanitarian organizations from any coherent working relationship. Situation reports from the field show a striking lack of interaction between the French operation and the UN humanitarian agencies.¹²²

Coordination was apparently not necessary, for relief organizations soon found that they were able to operate behind Operation Turquoise lines with fewer constraints on their actions than behind RPA lines.¹²³ The existence within the safe zone of a desperate population, a stable security environment and a military occupier that wanted aid organizations' presence was sufficient. There was a rapid increase in the number of organizations operating in the south-west of the country during August.¹²⁴

To summarize, the UN peacekeeping force's effort to give point protection to aid personnel was minimally successful at first and grew over time, but was always tightly constrained by lack of resources and political resistance to risk taking. Coordination between UN troops and aid agencies became more difficult as the number of people involved increased. The French-dominated coalition established a large safe zone which it took several weeks to secure. The intervention force was well equipped to deter organized military attacks,

¹¹⁹ Quotation from des Forges, A., *Leave None to Tell the Story: Genocide in Rwanda* (Human Rights Watch and International Federation of Human Rights: New York, 1999).

¹²⁰ Connaughton (note 105), p. 20.

¹²¹ Connaughton (note 105), p. 18 and fn. 75.

¹²² United Nations, Department of Humanitarian Affairs, Daily information reports, Situation reports nos 15-31, UNAMIR situation reports, 20 June-21 Aug. 1994; and UNREO-Alpha, -Bravo, -Charlie and -Delta field reports (internal documents obtained by the author).

¹²³ Niland, N., Humanitarian Affairs Officer, UN Department of Humanitarian Affairs, Personal interview, UN Headquarters, New York, 11 Apr. 1996.

¹²⁴ Borton, Brusset and Hallam (note 114), p. 44.

but not to handle small-scale, but no less deadly, attacks on civilians and aid organizations. Once the area was safe, humanitarian organizations were slow to take full advantage of the opportunity because for historical reasons they distrusted France's behaviour in Rwanda and resented the failure of Operation Turquoise to coordinate with aid agencies during the planning and implementation phases.

East Timor

When the first foreign troops arrived in East Timor on 20 September 1999 the tiny and impoverished territory that had just declared its independence from Indonesia was in chaos. The Indonesian Army, the TNI, and numerous militia bands under TNI control had attacked the East Timorese in retribution for the referendum, killing some 1000 people, driving most of the rest from their homes, and damaging or destroying most of the buildings and infrastructure.¹²⁵ The UN had supervised the referendum through the civil–military operation called UNAMET but had left responsibility for security to the TNI. In response to the violence, the Security Council authorized a multinational coalition '(a) to restore peace and security in East Timor; (b) to protect and support UNAMET in carrying out its tasks and, within force capabilities; (c) to facilitate humanitarian assistance operations'.¹²⁶ The multinational operation, INTERFET, led by Australia, facilitated humanitarian assistance by repairing infrastructure and protecting aid operations.¹²⁷

There is no doubt that aid organizations needed protection during the months immediately following the referendum. Because of the violence only a handful of foreign aid organizations remained in the capital, Dili, and they had only skeleton staffs who could not venture beyond the city limits.¹²⁸ People desperate for food helped themselves to rice stocks in government warehouses. In addition, the TNI, which was quartered next to the main warehouses, had a reputation for stealing the food and selling it on at a high price. The TNI even went so far as to stop a WFP convoy and seize two lorry-loads of rice.¹²⁹

¹²⁵ United Nations, Office for the Coordination of Humanitarian Affairs, 'East Timor: humanitarian response, external review', May 2000, p. 8. At the time there were fears that tens of thousands of people had been killed.

¹²⁶ UN Security Council Resolution 1264, 15 Sep. 1999.

¹²⁷ Chapter 4 in this volume discusses INTERFET's role in providing logistical assistance, and chapters 6 and 7 discuss its role in protecting the population and coercing the perpetrators. The Australian Department of Defence code name for the intervention was Operation Stabilize.

¹²⁸ The only NGOs in Dili were the ICRC, Médecins du Monde, Médecins sans Frontières and World Vision. Mack, A., 'Intervention in East Timor—from the ground', *RUSI Journal*, vol. 144, no. 6 (Dec. 1999), pp. 20–26. In addition, the UNHCR, the OCHA and the International Organization for Migration all began operations shortly before or at the same time as INTERFET. Stewart, C., Deputy Director of Political Affairs with UNTAET, Telephone interview by research assistant Emma Kay, 11 Feb. 2001. As security conditions permitted, the ICRC opened offices in other large towns and focused relief activity on remote areas. International Committee of the Red Cross (ICRC), *ICRC Annual Report 1999* (ICRC: Geneva, 2000), p. 196.

¹²⁹ Mack (note 128), pp. 20–26.

INTERFET's methods for dealing with this problem were point protection and some area protection in the form of maintaining high visibility despite limited resources. The first troops to arrive secured the seaport and airport at Dili. Early attention was given to guarding food warehouses, a task that was shared between the intervention force and UN aid agencies that were active on the island.¹³⁰ As INTERFET grew in size during the first two weeks, it secured its immediate operating area, gained ground-level intelligence and began to secure the main roads leading out of the capital to other large towns.¹³¹

The situation remained highly volatile, however, and most areas had no foreign presence at least until October, making aid delivery next to impossible.¹³² To deal with the problem, INTERFET started providing convoy escorts soon after it deployed. According to a UN aid officer, 'In general, no one ventured out without the INTERFET escort'.¹³³ The daily escorts helped significantly to expand the area that aid organizations could reach. On 7 October, for instance, the British Gurkhas escorted an aid convoy to Los Palos, in the eastern tip of East Timor, an area infested with militias.¹³⁴ At times foreign troops had to demonstrate their resolve by fighting off attacks. On 11 October, for example, troops repelled an ambush on a food convoy that left two militiamen dead and two Australian soldiers wounded.¹³⁵ By the end of October militia attacks on aid operations were rare, except along the border with West Timor, where militia groups could encamp beyond the reach of foreign troops.¹³⁶ With the protection INTERFET provided, aid organizations flooded into East Timor.¹³⁷

The key to INTERFET's success was President Habibie's consent to the intervention, despite Indonesia's long insistence that East Timor was sovereign Indonesian territory. Habibie bowed to coercive diplomacy after the USA (Indonesia's main arms supplier) imposed a military embargo and joined many European countries in urging international financial institutions to suspend aid.¹³⁸ The TNI followed orders not to engage the foreign troops. If it had resisted, the relatively small INTERFET force¹³⁹ would have been hard pressed

¹³⁰ United Nations (note 125), p. 9.

¹³¹ Moore, J., 'East Timor and Australia's security', Media release, Australian Department of Defence, 21 Sep. 1999, URL <<http://www.defence.gov.au/>>.

¹³² International Committee of the Red Cross (ICRC), *ICRC Update*, no. 99/04-127 (11 Oct. 1999).

¹³³ Stewart (note 128).

¹³⁴ Zinn, C., 'Troops take aid deep into East Timor', *Guardian Weekly*, 7–13 Oct. 1999, p. 4.

¹³⁵ 'World news round up', *Aviation Week & Space Technology*, 11 Oct. 1999, p. 25.

¹³⁶ The Australian commander of INTERFET had declared his intention to allow troops to enter West Timor in hot pursuit of militiamen whom they encountered on the eastern side of the border, but Indonesian President Abdurrahman Wahid (who succeeded Habibie in Oct. 1999) objected fiercely to the infringement of sovereignty, so no INTERFET troops knowingly crossed the line.

¹³⁷ Stewart (note 128).

¹³⁸ 'East Timor: unfinished business', *The Economist*, 27 Nov. 1999; and Robinson, G. and Fidler, S., 'IMF and World Bank played role in climbdown', *Financial Times*, 13 Sep. 1999, p. 6.

¹³⁹ INTERFET arrived with 3000 troops and within 6 weeks was expanded to 7500, armed with light weapons and armoured vehicles. At its peak it numbered over 11 600. It had strong logistical, communications and intelligence capabilities. Young, P., 'Australia-Indonesia relations: never the same again?', *Asian Defence Journal*, no. 9 (2000), pp. 5–7; Mack (note 128), pp. 20–26; Becker, E., 'Clinton is sending

to prevail against 15 000–17 000 TNI soldiers who knew the territory, could use West Timor as a secure rear base, had the advantage of defending difficult terrain and had the support of several thousand militiamen.¹⁴⁰ The East Timorese militia did not have to respect the President's order to stand down, but without TNI support the poorly organized and armed groups could not mount a serious challenge to a foreign military force.¹⁴¹

A second important factor in INTERFET's success in protecting aid operations was the Australian Government's willingness to risk the lives of its servicemen. In a speech to the House of Representatives on 21 September, Minister for Defence John Moore urged the government and the Australian public to 'be prepared for the possibility that some peacekeepers will be injured or killed'.¹⁴² Prime Minister John Howard also warned the Australian public to expect the possibility of casualties among its troops.¹⁴³ At the same time, the government's willingness to take risks was limited. It wanted to avoid direct engagement with the TNI, which meant that INTERFET's expansion to the interior was limited to the pace of the TNI's withdrawal. The intervention force received criticism for this from aid organizations that were impatient to reach people whom they assumed to be in dire straights.¹⁴⁴

Third, protection of warehouses and convoy escorts worked well because there was good civil–military coordination. Military and humanitarian personnel established a close, informal working relationship during the first two weeks of the operation, which established a foundation of trust as the numbers of participants on both sides grew.¹⁴⁵ Despite some early disagreements among national militaries about how much protection the CMOC should have, when it became operational at the end of the second week it was located away from INTERFET's military headquarters and staffed by experienced civil affairs personnel from the UK and the USA.¹⁴⁶

200 troops for East Timor', *New York Times*, 17 Sep. 1999, URL <<http://www.nytimes.com/yr/mo/day/world/>>; and Ryan, A., 'The strong lead-nation model in an ad hoc coalition of the willing: Operation Stabilize in East Timor', *International Peacekeeping*, vol. 9, no. 1 (spring 2002), p. 30.

¹⁴⁰ 'East Timor: US timidity', *Financial Times*, 27 Sep. 1999, URL <<http://www.ft.com/hippocampus/q16aaa.htm>>; Reuters, 'Riots, scandal rock Jakarta, Dili burns', *New York Times*, 24 Sep. 1999, URL <<http://www.nytimes.com/reuters/international/international-indones.html>>; and 'East Timor: the hard truth about peacekeeping', *Global Intelligence Update*, Defence Systems Daily, URL <<http://www.defence-data.com>>.

¹⁴¹ The militias claimed to have a total of 53 000 recruits, but Western intelligence sources estimated the number at no more than 7000, including a 2000-strong hard core. Djalal, D., 'Fear and betrayal: East Timor's militias feel they're being abandoned', *Far Eastern Economic Review*, vol. 162, no. 43 (28 Oct. 1999), pp. 20–21.

¹⁴² Moore (note 131).

¹⁴³ 'UN approves Timor force', BBC News, 15 Sep. 1999, URL <<http://news.bbc.co.uk/2/447639.stm>>.

¹⁴⁴ Stewart (note 128).

¹⁴⁵ United Nations (note 125), p. 9.

¹⁴⁶ In pre-deployment planning it had been agreed that a neutral place was required in which to conduct civil–military affairs. Just before it became operational, 13 days after intervention, US active-duty civil affairs specialists encircled the building with concertina wire and installed anti-grenade meshes on the windows, much to the anger of Australian and British personnel. They called it 'an appalling waste of

Conditions for success

This section re-examines the theoretical models of aid protection in the light of the above evidence before turning to the policy implications of this type of humanitarian intervention.

Guard duty was provided by the UN Guard Contingent in Iraq, both UNOSOM operations and UNITAF in Somalia, UNAMIR in Rwanda, and INTERFET in East Timor. It proved to be an effective way to protect supplies but only under the conditions identified by the model. Guard duty worked against small-scale attacks when the intervention force had local military superiority. It failed when the protection force was militarily weak or was tightly constrained by risk-averse political leaders (e.g. through rules of engagement). Coordination with humanitarian organizations was not necessary to protect supplies, but it was necessary to facilitate access to and distribution of the supplies.

Convoy protection was a common endeavour undertaken by the UNGCI, both UN operations and the multinational intervention in Somalia, UNPROFOR in Bosnia and Herzegovina, UNAMIR in Rwanda and INTERFET in East Timor. It succeeded in getting supplies through dangerous areas when humanitarian negotiation could not, but only when the protecting force presented a credible threat and was willing to back the threat with action as a demonstration of seriousness. Escorts also required the existence of a civil–military coordination mechanism to overcome mutual suspicions and to arrange the details of an escort. Convoy protection failed when the military force was too weak or politically constrained to respond to banditry, or when coordination mechanisms broke down.

Large safe zones were tried only in northern Iraq by Operation Provide Comfort and in south-western Rwanda by Operation Turquoise. In both cases the objective of aid protection was secondary to population protection. The zone in northern Iraq offered significant protection to aid operations from attack by the Iraqi military because the coalition clearly defined and communicated the boundaries of the zone, committed highly capable ground troops (briefly) and air power to defend the zone, and demonstrated a willingness to use its strength when the zone was challenged. The presence of Kurdish fighters also helped, although the Kurds could not have defended their territory alone. In contrast, the zone in Rwanda offered slight protection to aid organizations. French troops were clearly able to deter large-scale attacks on the zone, but aid organizations were reluctant to work there because they disagreed with France's political agenda.¹⁴⁷ Moreover, small-scale attacks, against which the French had limited

resources, a contradiction of the purpose of the CMOC and unwarranted by the threat'. Mack (note 128), pp. 20–26.

¹⁴⁷ The existence of a political agenda is not necessarily a barrier to an aid organization's entry into a protected zone. The Operation Provide Comfort coalition clearly had a political agenda. The key question is whether or not humanitarian workers agree with the intervener's politics. The politicization of aid in this way was obvious as long ago as the 1970s, when aid organizations argued about whether or not to work in

capacity, were the real source of danger, and by the time most aid organizations entered the zone even small attacks had become less common because of changes in the overall political situation.

III. Advantages and disadvantages of military intervention to protect aid operations

Application of deterrence theory at the micro level is useful for explaining why humanitarian intervention succeeds in some situations but not in others. It is of limited utility, however, if it is only applied in hindsight. Policymakers are unlikely to take the time to engage in analysis of the kind offered above before deciding to act in the future, even though it is fairly simple and straightforward. What they need are broad directional signposts. What are the advantages and disadvantages of protecting aid operations? Does this type of humanitarian intervention overlap or conflict with the political objectives at stake? Humanitarian organizations also face a choice: when an intervention force offers protection, should they accept it? What are the costs of working with the military? What are the costs of forgoing military protection?

The political perspective

Using force to protect aid operations has several advantages from the political perspective.

First, political leaders who order this kind of intervention are seen as responding directly to the most emotive stories and pictures of human suffering in war-torn countries. A half-naked, starving child desperately needs help. If men with guns prevent humanitarian workers from helping the child, then it is a noble act to send in the nation's military to protect humanitarian workers while they tend to the needy. The US-led intervention in Somalia was the classic example of this reasoning.

Second, protecting aid operations, while more difficult and dangerous than providing logistical assistance, is easier and safer than the other options of protecting the population or directly confronting the perpetrators. That means that an intervention to protect aid is relatively easy to sustain politically. It has been seen repeatedly that the public mood of beneficence dissipates quickly if troops who have been sent in to help are killed. Although putting soldiers in harm's way is always a politically risky thing to do, it is often possible (with a modicum of judgement about where and when to act) to protect aid operations without directly blocking the key objectives of the warring parties. As long as the belligerents believe that they can still achieve their main objectives, and can

the Khmer Rouge camps on the Cambodia–Thailand border after Viet Nam drove the genocidal Cambodian Government from power. Shawcross, W., *The Quality of Mercy: Cambodia, Holocaust and Modern Conscience* (Simon & Schuster: New York, 1984).

benefit from increased availability of food and medicine in the process, they are unlikely to attack the intervention force in a serious way. That is one reason why the Somali warlords did not engage foreign forces as long as the intervention was focused on protecting aid operations and why the RPF encouraged aid organizations to work throughout Rwanda, including in the Operation Turquoise zone.

Third, providing military protection for aid operations can help the intervener to achieve other strategic objectives. Doing good does not preclude actions to advance national security objectives. In the words of one analyst, ‘Winning hearts and minds through humanitarian assistance and development often produces the intelligence necessary to find terrorists’.¹⁴⁸ The US Government was open about its intention to win over the allegiance of Afghans, starting in late 2001, with humanitarian aid.

Protecting aid operations also has many disadvantages.

First, it is more dangerous than providing logistical assistance while pursuing an avoidance strategy. There is a very real chance that some of the military personnel who are sent to help will return home in body bags: foreign soldiers were killed in Somalia, Bosnia and Herzegovina, Rwanda and East Timor. Political leaders then have to explain why the intervention is worth the cost in blood.

Second, deterrence is difficult when the local parties have so much more at stake than the intervener. The credibility of a deterrent threat rests on the local parties believing that they cannot inflict enough pain on the foreign troops to get the intervener to back down. Since the local party is more highly motivated, it is willing to sustain higher casualties in a confrontation and might be tempted to challenge a deterrent force even when it is not as well armed. A local belligerent will certainly challenge the intervening force if it is better armed, as the UNOSOM I contingent discovered.

Third, intervention to protect aid operations does not end the conflict. Human suffering is a consequence of violence; intervention to ease the suffering treats only the symptom, not the cause. Reluctant and timid intervention in Bosnia and Herzegovina is a clear example of governments offering humanitarian aid as a way to avoid tackling the harder political problem.

Fourth, as a practical matter it is nearly impossible to intervene *only* to protect aid. In situations that are so dangerous that aid organizations require protection, interveners will find themselves compelled to protect the population, too, or to try to end the conflict. In Somalia, UNITAF succeeded in only protecting aid in the short run but, despite the best efforts of military commanders to avoid mission creep, soldiers were involved in limited disarmament of Somali gunmen by the time the operation ended. More importantly, UNITAF avoided further political involvement by handing responsibility to UNOSOM II after six months. In Bosnia and Herzegovina, UNPROFOR’s mandate expanded numer-

¹⁴⁸ Mockaitis, T. R., *Civil–Military Cooperation in Peace Operations: The Case of Kosovo* (US Army War College, Strategic Studies Institute: Carlisle, Pa., Oct. 2004), p. v.

ous times to include not only aid protection but also population protection, and it was ultimately overtaken by a multinational effort to end the war. INTERFET had an ambitious mandate from the start, in which aid protection was a secondary objective. This means that, as difficult as aid protection is, it may well be the easy part of an intervention.

Fifth, enabling a higher volume of humanitarian aid to get through can exacerbate the conflict. Food is a weapon: those who control it have power as a result. Local warlords who fear losing control of the population and aid resources may try to block access to needy populations and fight the intervening forces. A related problem is that working with local parties often strengthens the hand of the most warlike leaders. UNITAF, for example, strengthened two of the more bellicose Somalia warlords, Muhammad Farah Aidid and Ali Mahdi Muhammad, by giving them high-level military and diplomatic recognition.

Finally, large safe zones have a disadvantage that is particular to themselves: they can encourage *de facto* secession. Large safe zones are necessary either when the national government cannot control all its territory and therefore cannot protect all its citizens, or when the national government is the source of danger to its citizens. In the latter case, if the residents of the safe zone share an ethnic or regional identity that is distinct from that of the national leaders, they can take advantage of foreign protection to establish their own political institutions. The Kurds in northern Iraq realized their long-cherished goal of independence from Baghdad during Operation Provide Comfort. Albanian Kosovars have a good chance of permanently breaking away from Belgrade under the watchful eyes of KFOR. Secession and autonomy are not inherently bad—in fact, self-determination became a recognized value during the period of decolonization after World War I—but they add considerable political complication to a nominally humanitarian enterprise.

The humanitarian perspective

The dilemma for humanitarian organizations of whether or not to accept military protection is clearly stated in an informal UN document that lays out voluntary guidelines for when and how to use armed escorts. ‘There are many cases in which the use of force, including armed escorts, would compromise the impartiality of humanitarian organizations. There are also many circumstances, however, in which the use of armed or military escorts for humanitarian convoys would *increase* the capacity of such organizations to provide assistance in an impartial manner, that is . . . on the basis of need alone.’¹⁴⁹

The obvious advantage from a humanitarian perspective of accepting convoy escort or any other form of military protection is the chance to provide assist-

¹⁴⁹ United Nations, Inter-Agency Standing Committee, ‘Use of military or armed escorts for humanitarian convoys: discussion paper and non-binding guidelines’, Sep. 2001, URL <<http://new.reliefweb.int/rw/lib.nsf/db900SID/LHON-5W4LBU>>, p. 6 (emphasis in the original).

ance over a wider area, in greater volume, or both. Aid organizations developed and maintained a large presence in northern Iraq, in southern Somalia and throughout East Timor only because they enjoyed the protection of foreign troops.

A second, related advantage is that humanitarian workers are less likely to be harmed or abducted when foreign troops are present to protect them. Usually aid workers' reputation for helping and being non-political is enough to keep them safe, but in a conflict zone that is not always enough. Difficulties arise when aid workers rely on military protection in general but no soldiers are present in a particular situation.

There is a lively debate in the humanitarian community about whether or not the security environment for humanitarian aid workers has changed in the past 10–15 years and the reasons for a possible change. Those who believe that more violence is now directed at aid workers cite several reasons—overly close cooperation with military and political actors, especially in the context of the US-led 'war on terrorism'; humanitarian action being co-opted by governments in the service of a larger political agenda such as nation building, as in Afghanistan; and a desire on the part of some armed non-state actors to create chaos so that they attack 'soft' targets. Those who disagree say that aid has always served the interests of states, as shown by the assistance given to Cambodians on the Thai border in the 1970s; that aid workers have often worked in dangerous situations; and that the apparent increase in the number of security incidents could simply be the result of increased awareness and sensitivity as aid organizations consciously review their work as part of increasing professionalism. Furthermore, to the extent that humanitarian aid workers are at greater risk today, it is partly due to their greater presence in conflict environments and to increased use of terror tactics, not because of closer relations with the military.¹⁵⁰

At the heart of this debate is the principal disadvantage of military protection, which is the politicization of humanitarian aid. The impartial provision of assistance to those in need, regardless of ethnicity, religion or political allegiance, is the central pillar of the humanitarian creed. A political perspective demands that actors be held accountable for their actions and that choices be made about who deserves support and who does not. To the extent that aid organizations work with military forces, they necessarily submit their work to the political agenda of the countries that commit the troops, whether or not the

¹⁵⁰ Sheik, M. et al., 'Deaths among humanitarian workers', *British Medical Journal*, vol. 321, no. 7254 (15 July 2000), pp. 166–68; European Commission, Directorate-General for Humanitarian Aid, 'Report on security of humanitarian personnel: standards and practices for the security of humanitarian personnel and advocacy for humanitarian space', 2004, URL <http://ec.europa.eu/echo/pdf_files/security/echo_security_report_en.pdf>; and Bruderlein, C. and Gassmann, P., 'Managing security risks in hazardous missions: the challenges of securing United Nations access to vulnerable groups', *Harvard Human Rights Journal*, vol. 19 (spring 2006), pp. 63–93.

intervention is a UN operation.¹⁵¹ The ICRC is the organization most strongly committed to the principles of impartiality and independence. It often, although not always, chooses to forgo military protection even when other aid organizations accept it.

IV. Summary

There have been numerous cases over the years—and there will be more in the future—of aid workers being unable to negotiate sufficient ‘humanitarian space’ to enable them to stop the killing. Military protection can solve the problem of access and thereby help save many lives. Moreover, humanitarian intervention of this type can be done in such a way that it meets most of the just war criteria of just cause, right authority, right intention, last resort, proportional means and reasonable prospects. The cause of alleviating suffering and cutting numbers of deaths is just. Intervention can be authorized by a recognized authority. All the operations studied here were authorized by the UN Security Council. The intention of protecting humanitarian workers so that they can help civilians is morally ‘right’.¹⁵² Protection can be offered as a last resort after aid organizations have tried to negotiate access. The capabilities of the intervention should obviously exceed those of the local parties, but their judicious use in a deterrent and reactive mode, rather than offensively, allows the means to be proportionate to the need.

The reasonable prospect of success is the most difficult criterion to meet. Half of the operations examined here that were intended to protect aid made a bad job of it. The prospects of success are enhanced when an intervention is properly authorized because the intervener has the advantage of internationally recognized legitimacy. Yet even if it is possible to learn how to enhance future prospects by comparing successes and failures through the lens of deterrence theory, intervention to protect aid will remain hard. The intervener will always face a situation in which the stakes are higher for the local adversary, who is likely to challenge the intervener. If the intervener acts out of humanitarian motives without overlapping political motives, it will be disinclined to risk soldiers’ lives in response to such a challenge, thus making a credible deterrent difficult to achieve. If deterrence fails and the intervener has to fight to defend itself and aid operations, it faces the additional challenge of keeping the escalation of violence to a minimum.

¹⁵¹ For many aid organizations the point is moot because a high proportion of their budget comes from national governments and is earmarked for work in specified places—that is to say, they are already politically beholden. For this reason a few NGOs do not accept donations from governments.

¹⁵² Those who argue that humanitarian aid perpetuates war and creates dependence will disagree with this statement.

6. Saving the victims of violence

The rules of war prohibit combatants from attacking unarmed civilians. In most conflicts today, however, warriors do not care about the rules. In fact, they go to great lengths to kill men, women and children who belong to a different ethnic or communal group. The Rwandan Government created the Interahamwe militia, armed it with machetes and trained it to kill all Tutsi. The militiamen ‘worked’ with the Rwandan military to devastating effect, slaughtering their neighbours and any Hutu who opposed them. In Bosnia and Herzegovina the Serbian Government of Slobodan Milosevic formed and armed Bosnian Serb militias to act with the FRY and Bosnian Serb armies to kill tens of thousands of Bosnian Muslims and drive hundreds of thousands more from their homes. In Sierra Leone murdering and torturing civilians was the main occupation of the Revolutionary United Front (RUF). The number of civilian deaths in these conflicts and in many others far exceeded the number of military deaths.

When mass killing happens, foreign governments and the United Nations can try to stop it with diplomatic persuasion, but that approach is rarely effective. Governments and militia do not decide lightly to kill hundreds of people, nor is the killing done merely for gratuitous bloodlust. It serves a deeper purpose and is therefore not easily abandoned.¹ In Rwanda, Hutu extremists conceived genocide to be the last, best way to avoid sharing power with the Tutsi rebel movement. In Bosnia and Herzegovina, Serb nationalists believed that expelling Muslims from large swaths of the country would lay the foundation for ‘greater Serbia’.

To stop gunmen from slaughtering and forcibly moving unarmed civilians, outsiders usually have to intervene with military force. The faster an intervention happens, the more lives it can save. Yet governments usually debate long and hard about whether to protect a population under attack, even if they already have troops on the ground, as the Bosnia and Herzegovina experience demonstrated in the 1990s and the persistent violence in Darfur, Sudan, demonstrates in the 2000s. Why is the decision to save the victims of violence so hard? How is it different from other types of intervention? What does civilian protection require from a military strategy perspective? These are the main questions addressed in this chapter.

Saving civilians from violence is a clear policy choice. As an operational and conceptual matter, however, it sits uneasily between protecting aid operations and defeating the perpetrators.

On the one hand, protecting the population is like protecting aid because it is a humanitarian thing to do. From the military point of view, strategies of deter-

¹ Valentino, B., *Final Solutions: Mass Killing and Genocide in the Twentieth Century* (Cornell University Press: Ithaca, N.Y., 2004).

rence and defence are useful. Protection can be provided over a wide area or at specific locations. Often population and aid protection occur simultaneously, as they did in northern Iraq when Kurdish civilians, UN agencies and international NGOs all enjoyed the benefits of the safe zone created by Operation Provide Comfort.

Several factors make saving the victims of violence operationally more difficult than protecting aid operations. The civilian population is large and widely dispersed, can move only at great cost, and is difficult to coordinate because conflict tends to break down political and social institutions. In comparison, humanitarian relief operations involve relatively few personnel, who are often geographically concentrated. (Commonly, humanitarian relief has had to reach widely dispersed populations, but foreign aid workers usually make daytime trips to provide assistance and then return to the relative safety of a housing compound.) Relief workers are highly mobile so that they can easily move away from danger, and they are able to coordinate their actions with the military to a certain degree because they have responsive institutional structures.²

Not only do the groups have different characteristics, but protecting aid and protecting civilians are useful in different situations. Aid operations need protection when there are marauders about and when militia or armies try to feed off international relief supplies. Somalia is the classic example. Civilians need protection most when they are explicitly targeted by an armed group, whether it is a rebel militia or the very government that has a sovereign duty to protect them. Finally, saving victims differs from protecting aid because it often requires a strategy of compellence.³

On the other hand, protecting the victims of violence is similar to defeating the perpetrators because protecting the population can block an attacker's strategic purpose. In other words, this kind of 'humanitarian' intervention is overtly political: the principle of neutrality does not apply. When UNPROFOR prevented the Bosnian Serb military from capturing Sarajevo, it not only protected many people; it also stood in the way of a central Serbian war objective. The two types of intervention are similar because they use a strategy of compellence. At the field level the distinction between saving the victims of violence and defeating the perpetrators of violence easily disappears. Were the British and US military units that drove the Iraqi Army out of northern Iraq saving civilians or defeating perpetrators? The question suggests a distinction without a difference. Yet the distinction between saving victims and defeating perpetrators leads to very real differences in the way a military action is conducted. Defeating the perpetrators is harder than protecting civilians, which makes it all the more important to clarify the objective at the strategic level so that the necessary political will and material resources are committed to the cause.

² Not all aid workers are mobile. Most international NGOs hire in-country staff, who comprise the majority of their work force. The local staff are scarcely more mobile than their compatriots.

³ On the meaning of the term compellence see chapter 2 in this volume, note 22.

The key distinction is whether the intervener focuses on the victims or on the perpetrators. When an intervener focuses on the victims of violence and tries to protect them, it often must engage in compellence, but only until the immediate threat to the population is withdrawn, at which point it can shift to a strategy of deterrence. Operation Provide Comfort compelled the Iraqi military to leave a portion of Iraq and then deterred it from returning. In contrast, when an intervener focuses on the perpetrators of violence and tries to defeat them, it must use a strategy of compellence or offence until the enemy capitulates or is militarily defeated. For example, Operation Deliberate Force in Bosnia and Herzegovina played an important role in compelling Milosevic to negotiate the peace agreement that ended the Bosnian war. The Rwandan Patriotic Front fought an offensive war that defeated the national military and drove the remnants of the government into exile. Interventions to defeat perpetrators are closely akin to 'normal' war.

Saving civilians from violent death is an emotive and frequently used argument in favour of intervention. Since 1999 the UN Security Council has authorized peace operations to protect civilians in Burundi, Côte d'Ivoire, the Democratic Republic of the Congo, Haiti, Liberia and Sierra Leone. An appeal to protect innocents was used in all the cases from the 1990s covered in this book, except that of Somalia. At first glance, intervention to save the victims of violence had a fairly respectable rate of success in the 1990s. Of the seven operations examined in this book that attempted to protect civilians, one unequivocally succeeded, five had mixed records and one failed.⁴ Closer inspection, however, reveals a more sobering record. Not only did governments frequently refuse to act; they mostly did a bad job when they did intervene. The five mixed cases—in Bosnia and Herzegovina, Rwanda, and Kosovo—came only after the population had endured massive violence, displacement and trauma while other countries' governments debated, and prepared for, intervention. Three of the mixed cases occurred in Rwanda, where a nearly completed genocide took place. The failure at Srebrenica, Bosnia and Herzegovina, resonates in the halls of European governments to this day.

This chapter delves into why the record of saving the victims of violence is so poor. It focuses on issues of timing, strategy, political will and the inherent difficulty of protecting a dispersed population. It is structured in the same way as the preceding two chapters. Section I lays out the logic of intervention to save civilians, including the political–military conditions for intervention, the linkages between military action and lives saved, and practical considerations that arise. When is population protection a viable option? What kind of commitment does saving the victims of violence require from the intervener? How exactly can foreign troops protect civilians? Section II looks at the historical record in

⁴ The 1 clear success was Operation Provide Comfort in northern Iraq. UNPROFOR in Bosnia and Herzegovina and the Rwandan Patriotic Front, UNAMIR and Operation Turquoise in Rwanda had mixed records, but failure far outweighed the success for each. KFOR in Kosovo was also a mixed case. Operation Allied Force in Kosovo failed to protect victims of violence.

Iraq, Bosnia and Herzegovina, Rwanda, and Kosovo. Why was civilian protection more successful in some cases than in others? Under which conditions is an intervention most likely to save civilians? Section III discusses the political and humanitarian advantages and disadvantages of protecting civilians. What is gained by saving civilians and at what cost? What is the political impact of this type of intervention? The final section provides a summary conclusion.

I. Strategies for protecting civilians

The purpose of intervention to save the victims of violence is self-evident. How to do it is not self-evident. Policymakers usually think they can protect civilians either by interposing soldiers between civilians and perpetrators or by ‘putting boots on the ground’ to prevent violence in much the same way as a police force prevents crime. This thinking leads to the belief that civilians can be protected using strategies of deterrence and defence. Yet humanitarian intervention almost always takes place *after* widespread attacks against civilians have begun, so that an intervener has to force the perpetrators to stop and possibly reverse actions they have already taken. This requires a strategy of compellence, which is more difficult and dangerous than deterrence and defence. As a consequence of this misconception, advocates of humanitarian intervention often underestimate the risks involved in protecting civilians and the forcefulness of the military action it takes to get killers to stop.⁵

Interveners who want to save civilians under attack can demand that the perpetrators stop killing and raping civilians, stop driving them from their homes, allow them to return to their homes and livelihoods, or some combination of these. Whether or not the perpetrators comply with the demand depends partly on the credibility of the threat. When threats alone are ineffective, an intervener must engage militarily to force the perpetrators to comply with a compellent demand. If the intervener successfully carves out a protected space, imposes a general peace or is in place before the killing begins, it can use deterrence and defence to keep attackers at bay. Operation Provide Comfort in Iraq used Joint Task Force Alpha to compel the Iraqi Army to leave Kurdish land, and then used Joint Task Force Bravo to deter new incursions. Often the protection of civilians requires a dynamic shift from one strategy to another.

Chapter 5 discusses the most important aspects of deterrence and defence. The focus here is on factors that affect the outcome of a strategy of compellence. Compellence is the use or threat of force to induce an opponent to take a specified action by a certain deadline, the use or threat being withheld once the action is taken.⁶ The credibility of a compellent threat is a function of the same factors that apply to deterrence: the ability of the intervener to communicate its

⁵ Posen, B. R., ‘Military responses to refugee disasters’, ed. M. E. Brown, *Nationalism and Ethnic Conflict* (MIT Press: Cambridge, Mass., 1997).

⁶ Schelling, T. C., *Arms and Influence* (Yale University Press: New Haven, Conn., 1966), pp. 69–72, 172–73.

intentions clearly, to back its words with actions, to accept risks and costs and to enhance its military capabilities.⁷

An adversary's perception of the reasons for foreign intervention influences its response. Its understanding depends on preconceived notions of the outsider's interests and on how well the intervener communicates its intentions. An intervener can demand clearly and simply that attacks on civilians stop. Such demands have been made many times, from northern Iraq in 1991 to Darfur, Sudan, in 2005. Unfortunately, this seemingly clear message is clouded by several sources of ambiguity.

First, the line between civilians and combatants is often blurred, especially in communal conflicts where neighbours become enemies and weapons are easy to hide. One person's innocent civilian is another person's dangerous rebel. In some cases a party to the conflict exploits this situation by provoking attacks against civilians, as the KLA did in order to prompt NATO to intervene.

Second, the attackers might not believe that the welfare of civilians is what the intervener truly cares about. Often the attackers, who are fighting for power, wealth or both, see the intervention as an attempt to deny it their objectives. If they believe that there is a hidden agenda or an ulterior motive for intervention, they are less likely to take seriously the demand that they leave civilians alone because they do not think that is what the intervener really cares about.

Third, and closely related to the second source of ambiguity, the intervener has to convince the perpetrators that it will stop using force once attacks on civilians stop. If an intervener can convince its adversaries that it will not drive them into the sea, as it were, it is more likely to achieve civilian protection without a fight. One way in which an intervener can communicate limited aims is to seek a limited mandate from the UN Security Council or a regional organization. The intervener's objective is then publicly and legally bounded. However, even in the best of circumstances, it is extremely hard to convince an adversary that the intervention has limited objectives because the attackers have vital interests at stake that they are loath to endanger. From the perpetrators' point of view, if they give in to an intervener's demand on one point (such as civilian protection), they are likely to face additional demands, for example, negotiation to end the conflict on unfavourable terms. Furthermore, attacking civilians is sometimes an essential part of the perpetrators' strategic plan, as it was for the Serbs in Bosnia and Herzegovina and the Hutu in Rwanda.

No matter how well an intervener communicates, it will have little effect unless it backs up its words with demonstrations of the willingness and ability

⁷ This conception of what makes a threat credible is consistent with the 'current calculus theory' in contrast to the 'past actions theory' of credibility. Current calculus of credibility rests on the balance of power and the interests at stake. Past action calculus rests on one's record of keeping commitments. While a militia leader might pay attention to what UN troops did in another country during a previous peace operation, he cares much more about the amount of combat power he currently faces and the reasons why the foreign troops are there. Press, D. G., 'The credibility of power: assessing threats during the "appeasement" crisis of the 1930s', *International Security*, vol. 29, no. 3 (winter 2004/2005), pp. 136–69.

to take action. Interveners can choose to hold military power in reserve and demonstrate their seriousness by non-military means, such as diplomatic sanctions and arms embargoes, or by quasi-military means such as interdiction of exports or imports of sanctioned commodities. While these are useful tools of statecraft in many circumstances, perpetrators of violence against civilians often see them as demonstrations of *unwillingness* to take forceful action. The strongest signal of intent is to deploy military forces to the region. Military deployment serves the dual purpose of preparing for possible military action and demonstrating a willingness to commit resources and take risks.

How the troops are deployed matters: the closer they are to the action, the more vulnerable they are to becoming involved, and therefore the greater the credibility of the threat to act. Marines stationed on ships anchored offshore are not as credible a threat as marines stationed on the ground, where they can more easily attack and be attacked. Ground troops present a bigger challenge than air power. In 1999, strategists and pundits widely agreed that NATO blundered when it publicly stated that it would not send ground troops into Kosovo and would rely instead on air power to drive the FRY military out of the province. Air power alone had never succeeded in driving an opposing military from territory it occupied.⁸ To the surprise of many observers, the strategy worked after two and a half months, but not before NATO had begun preparing for a possible ground invasion and the KLA had begun small ground actions that drove the FRY Army from its dispersed hiding places into larger formations, making it more vulnerable to attacks from the air.

Even if foreign troops are on the ground, their capacity to make perpetrators stop attacking civilians and the willingness of political leaders to take the necessary risks are open to question. UN troops in Sierra Leone in 1999 and 2000 were not capable of stopping renewed RUF attacks (or even protecting their own military equipment) after the 1999 Lomé Peace Agreement fell apart. Instead, British troops under separate, national command ended the rampage.⁹ Infamously, Western governments pulled their troops out of Rwanda at the beginning of the genocide, rather than risk the death of more soldiers after 10 Belgian soldiers were killed. This was despite the UN force commander's plea for more troops and a mandate to stop the genocide.

It is easy to see why perpetrators are often not intimidated by mere threats when intervention forces are designed to have restricted rules of engagement and limited combat capacity, and when the vital interests of foreign governments are not engaged. As discussed in chapter 5, the challenges of making credible threats and backing them up with action if necessary are made easier when the intervener arrives with substantial military capability. Policymakers have demonstrated that they recognize this point when they have chosen to send

⁸ Pape, R., *Bombing to Win: Airpower and Coercion in War* (Cornell University Press: Ithaca, N.Y., 1996).

⁹ Reno, W., 'War and the failure of peacekeeping in Sierra Leone', *SIPRI Yearbook 2001: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2001), pp. 149–61.

a robust ‘coalition of the willing’ to protect people instead of a weaker and slower UN force. At the same time, any intervention force is constrained by the need in a humanitarian intervention to use limited force—to make a proportionate response. Perpetrators can interpret the limited response as hesitation, as they did in Bosnia and Herzegovina, or can exploit the remaining time and space to continue their attacks, as they did in Rwanda. As a result the intervener has repeatedly to demonstrate its power and willingness to act if it is to succeed in protecting civilians.

Unarmed civilians die quickly when attacked by militia or an army. To save them the intervener has to set tight deadlines for the cessation of attacks and to take the initiative if the perpetrators do not meet the deadline. Yet taking the military initiative leads to significant political complications related to sovereignty, coalition cohesion and domestic political unrest in troop-contributing countries. These political considerations are reflected in the lack of doctrine for humanitarian operations, weak mandates from the UN Security Council and other authorizing bodies, and inconsistent rules of engagement, even among national contingents within the same intervention force.¹⁰ Most humanitarian interventions have been slow off the mark because intervening governments must decide first whether to use military force and then how to use it. The tension between the need for fast action and the political demand for caution is a frequent impediment to saving the victims of violence.

In addition to considerations of communication, risk, capability and timing, the success or failure of an intervention to protect civilians depends on environmental variables that affect the local balance of power, namely the allegiance of the local population, terrain, vegetation, distance and infrastructure. An intervention force always benefits if it has the assistance of the local population, particularly for intelligence gathering. In communal conflict, however, it is not safe for foreign troops to assume that all civilians are friendly even when the mission is to protect civilians. The conflict is defined by at least one group within the population having malign intent. The effect of vegetation, terrain and distance depends on whether the intervener is pursuing a strategy of compellence, deterrence or defence. For example, open terrain that favours offensive action and a strategy of compellence becomes problematic when the deterrent phase of an intervention begins.

Variations on intervention to save victims of violence

Each conflict places unique demands on outsiders who want to protect the victims of violence, but, as with other types of humanitarian intervention, there are several schematic plans of action that connect military intervention with lower civilian mortality rates. These operational variations are shaped by the

¹⁰ Holt, V. K., ‘The responsibility to protect: considering the operational capacity for civilian protection’, Discussion paper, Henry L. Stimson Center, Washington, DC, Jan. 2005.

Table 6.1. Various forms of saving civilian victims

Form	Use	Examples
<i>Point protection</i>		
Guard duty	Protect camps and buildings to prevent attacks on specific populations	Rwanda
Provide safe passage	Allow civilians to travel to a safer location	Bosnia and Herzegovina
<i>Area protection</i>		
Small safe areas	Protect civilians from militia and wider conflict	Bosnia and Herzegovina
Large safe zones	Protect civilians from war	Northern Iraq

strategies of compellence, deterrence and defence. The strategy in play and the set of constraints an intervention force operates under can shift during the course of an intervention. To cope with the shifting demands, an intervention force must be well trained and well equipped, and operate with a flexible doctrine and rules of engagement. When the objective is to save civilians, even more than when it is to protect aid operations, policymakers flirt with disaster if they dispatch an underprepared intervention force.¹¹

Troops can protect civilians in four generic ways (see table 6.1). They can guard specific sites, such as large buildings or displaced persons’ camps. They can guarantee safe passage from one location to another, for example, from a besieged town to a more secure area away from fighting. They can protect civilians by establishing a small safe area consisting of a town and its environs. Finally, they can offer protection in large safe zones that encompass many towns and the territory in between. Three of the four variants assume that at least one armed party does not consent to the idea of foreign troops protecting civilians. Safe passage assumes limited consent. Each variant is subject to particular conditions that must obtain if civilian protection is to succeed, and each has distinct strengths and weaknesses. Because all the variants share the same objective and the conditions for their success are similar, they often overlap.

The ‘point protection’ variants—guarding specific sites and providing safe passage—can be achieved by a smaller intervention force than the ‘area protection’ variants—small and large safe zones. Point protection is comparatively easier (although not less dangerous) because it requires keeping track of fewer people and events and demands fewer resources. Point protection is useful when there is a high concentration of vulnerable people and when an intervention force does not have the capacity to provide area protection. It has the obvious disadvantage of leaving most of the population unprotected, and has the additional drawback of being unsustainable.

¹¹ United Nations, Report of the Panel on United Nations Peace Operations [the Brahimi Report], UN document A/55/305, S/2000/809, 21 Aug. 2001.

Theoretically, area protection can protect more people and for long periods of time, but it requires the commitment of substantial military assets. It is also made difficult by the dispersal of the population within the area and the need to identify who is a civilian and who is a fighter. Protecting civilians from militia and other small-scale attacks in a safe area requires a large number of troops on the ground to act as a police force. These problems are greater for large zones than for small areas. At the same time, large zones are easier to defend from attack by an organized military because they have enough space for the defenders to manoeuvre and for the population to retreat. (The advantage of space does not pertain against guerrilla-style attacks and may work in reverse.) Large zones also have the significant advantage of allowing residents greater freedom of movement to live more normal lives.

Variants on point protection

One of the simplest ways to protect civilians in a conflict zone is to guard people who have congregated to seek safety in numbers or in a defensible building. The easier of two basic scenarios is to post soldiers around a particular location, such as a stadium or a displaced persons' camp, to deter an attack before it happens. If belligerents attack the location anyway, the guards must fight to defend themselves and the civilians in their charge. The more difficult scenario comes into play when a group of civilians is already under attack or under siege but not yet subject to direct violence. In that circumstance, intervening soldiers must push the attackers back from the building or camp before they can post guards to deter further attacks. The best-known, and perhaps only, example of this form of humanitarian intervention is the protection given by UN troops in Rwanda to Tutsi at several locations in Kigali, the capital, during the 1994 genocide.

Successfully guarding camps and buildings is subject to a number of conditions derived from theories of deterrence, defence and compellence. Choosing a strategy of deterring attackers assumes that the guards present a credible threat of causing the attackers more pain than they want to endure. To do that the guards must be at least as well armed as the attackers, and preferably have some kind of fortification, which can be as simple as barbed wire. The fact that the guards are present obviously communicates that the civilians should not be attacked. It does not, however, send a clear signal about how willing the soldiers or their civilian leaders are to risk combat. For example, militiamen from Bosnia and Herzegovina to Sierra Leone have disarmed or taken hostage UN troops without firing a shot. If soldiers or their military or political leaders are risk-averse, guarding civilians is likely to fail.

In the event of guards having to fight, they must benefit from a local imbalance of power. Given the low tolerance for casualties that governs nearly all humanitarian interventions, that power imbalance should be significant. One of the best ways to achieve such an advantage is with air power. Successful

defence is also made more likely by environmental variables that favour the defence, such as open space around the location being defended.

When guarding a group of civilians begins with compelling the attackers to retreat, similar conditions apply but they are more stringent. The silver lining is that once an intervention force makes good on compelling demands it will have an easier time convincing the attackers that its subsequent deterrent threats are serious. The ultimatum to retreat must include an immediate deadline, before the group of civilians in question is slaughtered. A credible threat to attack the attackers if they do not retreat depends on communicating serious interest and making military resources available. In short, it requires putting combat units on the ground. The attacker might very well not believe that the intervener has the ability or the will to force an end to its predation, in which case the intervener has to generate the political will and military capacity to act quickly and forcefully (albeit in a limited area and for limited ends).

All these permutations assume that the civilians have access to the bare necessities of life. Since camps and buildings that are crowded with people quickly run out of clean water and food, some kind of relief access is necessary. One possibility is that the protection operation is short-lived, attackers leave the area or are removed, and people can come and go in relative safety. Another possibility is that relief workers bring in supplies and provide basic services. This requires a certain degree of coordination with the military guards, although it can be as simple as an agreement to allow transit in and out of the location.

The second variant of point protection is to provide the victims of violence with safe passage. This is useful when a group of people needs to move out of an area of fighting to more secure surroundings. Safe passage can be achieved with a 'humanitarian corridor' in which attacks are forbidden along a designated route. Humanitarian corridors have been proposed for civilians, for example, in 1996 to help Rwandan Hutu refugees return from Zaire when their camps became the flashpoint for a civil war, but, to the best of this author's knowledge, they have only been used to protect aid organizations that want to reach civilians trapped in conflict zones. Safe passage can also be achieved with military escorts for civilians, similar to the humanitarian convoy escorts discussed in chapter 5. UNPROFOR troops provided some degree of security to women and children who fled through Serb-held land after the invasion of two safe areas in 1995. Corridors and escorts both work, in theory, by deterring attacks on civilian travellers. Endangered groups of people can then move to safer environs.

Safe passage operations are highly vulnerable to attack because they have the physical shape of long, thin arms that reach into volatile locations. The major assumption underlying them is that the belligerents give their consent. Indeed, the parties to the conflict are sometimes very happy to have civilians leave, particularly with the help of international actors who give them cover against charges of 'ethnic cleansing'. For this reason safe passage operations can be

politically controversial. How can the UN or coalition forces who are in a country to protect people play a role in displacing them from their homes?

If consent is absent, then humanitarian corridors do not work but safe passage might still be achieved with escorts if the intervention force can present a credible deterrent threat. Credibility, once again, rests on the resources devoted to the operation, and on the adversary's estimation of the intervener's stake in the operation and its reputation based on recent local experience. A determined adversary must be convinced that an attack will trigger more than a localized response, such as troops returning fire from a militia unit that tries to stop a civilian convoy. Safe passage is more likely to work if the intervener can communicate, either directly or through demonstration, that an attack on a civilian convoy will result in retaliatory strikes against assets that the attacker values, such as ammunition depots or command centres. For that, the intervener needs aircraft or helicopters and the political will to use them.

The ability to act defensively or strike in retaliation is enhanced when the intervener reduces its vulnerability to countermeasures. On several occasions in Bosnia and Herzegovina, for example, the Bosnian Serb military took UNPROFOR personnel hostage after NATO air strikes. None of those instances was related to the small amount of safe passage work done in the Balkans, but the vulnerability of isolated units deployed along a stretch of road is easily imagined. Escort operations require the intervener to be risk-acceptant but not foolish. If an escort operation comes under concerted attack, the intervener has few options. It can abandon the safe passage effort or temporarily suspend convoys, reposition its troops and hit back hard with the intention of demonstrating resolve. The latter option might allow unmolested safe passage in the future but it runs the risk of escalating the conflict. These stringent assumptions and multiple difficulties might explain why the safe passage variant of civilian protection is rare.

Variants on area protection

Area protection offers more sustainable and often more effective protection for civilians in danger. As with area protection for aid operations, when protecting civilians there are few differences between the operational logic of small safe areas and that of large safe zones. For that reason one schematic plan is presented here, followed by its supporting assumptions and then a brief discussion of the differences between protection of small and large areas.

Both small and large areas begin with the declaration of a safe area, the identification of its boundaries and the definition of who is allowed to inhabit the area. Events can then develop in several ways. First, if there is no adversary in the area or if the adversary withdraws when the safe area is declared, then the intervener places troops in the area, or uses only aircraft patrols with no troops on the ground, to deter future attacks. This scenario is unlikely in circumstances that are serious enough to warrant the declaration of a safe area. Alternatively, the intervener will have to compel the attacker to retreat by issuing an ulti-

matum with a deadline. The threat might be enough to make the attacker retreat, after which the intervener can deploy troops and aircraft to deter the attacker's return. A third possibility is that the attacker is not intimidated by the ultimatum and the intervener has to use force to make the attacker comply. Once foreign troops have driven the attacker back, some or all of them must remain in the area as a deterrent. In whatever way the placement of a deterrent force comes about, either the attacker is successfully deterred and the population protected or the attacker is not deterred. If the attacker tries to kill civilians or foreign troops in the area, the intervener must fight defensively. The deployed troops are the first line of defence and can be reinforced with air power, more ground troops or both. If they can repel the attack, then the intervention force has successfully protected the potential victims of violence.

This rather complicated line of reasoning rests on a number of assumptions about the conditions under which each phase is likely to work. Declaration of the safe area, its limits and its inhabitants requires clear communication, which can be done through public statements and private discussion by diplomats or military officers. Clarity is difficult to achieve, for several reasons. In the first place, policymakers do not always realize that they have to specify who is allowed to occupy the area, or they do not agree on the issue among themselves. The French-controlled area of south-western Rwanda in Operation Turquoise suffered from this problem. Second, the victims of violence in communal conflicts are not always entirely innocent. Bosnian Muslims in the safe areas were required to disarm, but the Bosnian Army used at least some of the areas for rest and recuperation. Third, the exact boundaries of a safe area are difficult to define unless they match geographical features. An attacker can be expected to try to push the boundary line in as far as possible, and in some cases the population being protected tries to push the boundary line out.

Clear communication is also the core assumption underlying an ultimatum and deadline for withdrawal. A successful ultimatum requires communication through words and actions. The latter are needed to indicate resolve and readiness to make good on the threat. Implicit in this is the assumption that the intervener actually has the political will to take the risk of deploying troops. A further assumption is that the intervener is not only willing but also able to devote enough military resources to the cause to force the adversary to comply if necessary. Without clear and convincing communication of the will and ability to use force, the ultimatum will fail. Operation Turquoise in Rwanda successfully demonstrated a capacity to establish and defend a safe area. As a consequence there was hardly any fighting there.¹²

If the intervener has to fight to push the attacker back, success depends on its willingness to accept the loss of soldiers' lives. The chance of foreign troops dying in an operation is reduced by adherence to another condition at this stage, which is the devotion of enough military resources to dominate the local

¹² It helped immensely that the Hutu fighters in the area believed that the French were on their side and that the French troops let most of them escape to Zaire instead of capturing them.

balance of power. By shortening the period of fighting, military dominance also reduces the likelihood that a large number of civilians will be killed in the effort to carve out a safe area. The chance of successful compellent action, the degree of risk to civilians and foreign troops and the amount of resources needed all depend on the topography and other environmental conditions that affect war-fighting.

Once a protection force has established a safe area, similar conditions and assumptions apply to the deterrent phase of the operation. An intervener must have the political will to accept risk and to devote military resources that are strong enough to rebuff an attack. If fighting breaks out, militarily relevant environmental variables matter. Rather ironically, the harder an intervener has to work to establish the area, the easier it will find deterrence. Nothing demonstrates seriousness and capability like military action. If the adversary withdraws in the face of a threat without fighting it is more likely to test the intervener's resolve later on. Coalition forces established and maintained the safe area for Kurds in northern Iraq with relative ease because they had recently defeated the Iraqi military in the 1991 Gulf War—indeed, it is not possible to imagine coalition forces challenging the Iraqi military to withdraw from the Kurdish safe area except in the context of the war.

The threat to use force, and even more its actual use, are fraught with political complexity. At the national level, political leaders must convince their domestic constituents that the cause of saving strangers is worth the loss of their soldiers' lives and the use of limited military resources. Their job is made easier if they believe that national political interests are also at stake. Compellence is potentially so costly that a political leader who commits himself to the strategy when no political interests are engaged is making a grave mistake. The latter stages of military involvement in Somalia, although not a protection operation, seared that lesson into everyone's consciousness.

At the international level, establishing safe areas often requires using force without the consent of the country in question. Violating a state's sovereignty to protect citizens of that state is controversial, to put it mildly. The UN Secretariat has moved strongly in the direction of privileging individual human rights over unconditional state rights with its endorsement of the reports *The Responsibility to Protect* and 'A more secure world: our shared responsibility'.¹³ Powerful states have also offered support to the idea that a state forfeits its right not to be invaded when it cannot or will not stop massive violation of its citizens' basic human rights. Most states, however, including some

¹³ International Commission on Intervention and State Sovereignty, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (International Development Research Centre: Ottawa, 2001); and United Nations, 'A more secure world: our shared responsibility', Report of the High-level Panel on Threats, Challenges and Change, UN documents A/59/565, 4 Dec. 2004 and A/59/565/Corr., 6 Dec. 2004, URL <<http://www.un.org/secureworld/>>.

permanent members of the Security Council, remain sceptical of the argument.¹⁴

The desire for political legitimacy has led most interveners to seek Security Council endorsement for safe area operations. UNPROFOR created safe areas only in response to Security Council resolutions; France received prior approval for Operation Turquoise; France, the United Kingdom and the United States have argued that their intervention in northern Iraq was sanctioned by an existing UN resolution. The exception to the rule was NATO's Operation Allied Force over Kosovo (covered in chapter 7), for which the allies wanted to avoid a certain Security Council veto. The Kosovo experience prompted UN Secretary-General Kofi Annan to issue his challenge to governments to resolve the tension between individual and state rights that led to the watershed reports noted above.¹⁵

Small and large safe areas, while they share operational logic and constraints, are useful in different circumstances and impose different demands on foreign forces. Small areas can be useful against marauders and weak militia, but their limited space makes them difficult to defend against a real army because manoeuvre, defence in depth and resupply are all difficult, if not impossible. The difficulty of defence has the added disadvantage of making deterrence less likely to work. At the same time, their limited size makes small areas easier to police than large ones in an effort to prevent small-scale attacks inside the area that can be lethal to civilians. One of several reasons why French troops did not do a good job of protecting Tutsi in the large Zone Turquoise was their very limited number in relation to the territory they nominally controlled. In contrast, the small Bosnian safe areas had many problems, but internal policing was not one of them.

Large areas, by comparison, are easier to defend against a formal military but they require a considerably larger force for effective policing. In some cases the security force inside the zone can be supplied by indigenous fighters. Kurdish *peshmerga* (local militiamen), for example, played an important role in their zone. The obvious trade-off for using local fighters to control a large zone is that it overtly places the intervener on one side of the conflict. Whether or not the trade-off is a drawback is open to debate, but it is interesting to note that humanitarian organizations have not hesitated to work in these overtly political zones. Last but not least, it is easier to sustain a population in a large area for an extended period of time because movement and resupply options are less restricted. Long-term sustainment can be desirable from a humanitarian point of view but it rarely is from a political one.

¹⁴ Despite the scepticism, at the Sep. 2005 World Summit the members of the UN endorsed the concept of the sovereign responsibility to protect civilians. UN General Assembly Resolution 59/314, 26 Oct. 2005.

¹⁵ United Nations, Report of the Secretary-General on the work of the organization, Supplement no. 1, UN document A/55/1, 30 Aug. 2000.

To summarize, an intervention force can seek to protect the victims of violence by guarding specific locations, by guaranteeing safe passage to a less dangerous area, by maintaining a small protected area, or by maintaining a large protected area. The intervening force must be prepared to employ strategies of compellence, deterrence and defence and to switch back and forth between them in response to the behaviour of the people attacking civilians. Civilian protection has an intuitive appeal and an obvious potential benefit, but it is dangerous and difficult.

II. Saving the victims of violence in the 1990s

Spectacular failures to save the victims of violence in Rwanda and Srebrenica, Bosnia and Herzegovina, defined humanitarian intervention in the 1990s. Those failures all but ended the practice. Yet saving people from violence remains the dominant way most people conceive of humanitarian intervention. The series of interventions in Iraq, Bosnia and Herzegovina, Rwanda, and Kosovo offer wide variation in substance and outcome, shedding light on why saving people failed so often and whether the practice holds promise in the future.

Soldiers who protected specific buildings or camps in Rwanda were successful within the very limited capabilities that did not allow them to offer protection at more sites. UN troops in Bosnia and Herzegovina who provided safe passage out of safe areas probably saved lives, but clearly could have done more. The small safe areas in Bosnia and Herzegovina had mixed results, with some maintaining protection while others became killing grounds. Large safe zone in Iraq and Rwanda succeeded in protecting people, although not without problems. These experiences show frequent use of deterrent and compellent strategies and transitions from one to the other. Somewhat surprisingly, they show little evidence of defence strategy. Foreign troops, it turns out, rarely engaged in fighting with indigenous forces.

Iraq

The international effort to stop Kurds from dying in the mountains on the Iraq–Turkey border was extraordinary. Military and humanitarian organizations worked together to provide hundreds of thousands of people with shelter, water, food and basic medical care.¹⁶ Despite their success in reducing the mortality rate, it was obvious to all that the relief effort could not be sustained in the mountains. Since the Turkish Government refused to grant the Kurds asylum, the only choice that Operation Provide Comfort had was to carve out a safe zone in Iraq so that people could descend to the more hospitable and accessible

¹⁶ Chapters 4 and 5 offer details of military efforts to provide humanitarian relief, logistical assistance and protection to aid organizations.

plains. The safe zone operation required pushing back the Iraqi ground and air forces that occupied the plains and then keeping them outside the zone.

Joint Task Force Bravo was formed as a part of Operation Provide Comfort on 18 April 1991. Its mission was to create a secure area, set up transit camps, receive and care for the returnees, turn relief operations over to civilian organizations, and withdraw from Iraq.¹⁷ US General Jay Garner, who commanded JTF Bravo, interpreted his primary objective to be the establishment of a large secure zone so that the Kurds could return to their homes without anyone spending huge amounts of time and resources on the transit camps.¹⁸ The Operation Provide Comfort commanders knew that carving out the secure zone would require compellence, with a high likelihood of combat engagement with Iraqi forces.

On 19 April, General John Shalikashvili, commander of Operation Provide Comfort, personally delivered a *démarche* to the Iraqi deputy commander notifying him of the coalition's intention to enter Iraq the next day for the purpose of providing humanitarian assistance. Iraqi Deputy Prime Minister Tariq Aziz denounced the plan as infringing on Iraq's territorial sovereignty.¹⁹ At that point it was not clear to the Iraqi authorities where or when the incursion into their country would stop.

The next day the US 24th Marine Expeditionary Unit made an unopposed combat air assault on the town of Zakho, not far from the border. Their rules of engagement, which extended to all of JTF Bravo, were restricted to self-defence and the use of force necessary to provide security for humanitarian relief operations. The marines induced the Iraqi Army to withdraw after several days of confrontations, none of which resulted in fighting. The Iraqi Government replaced its troops with roughly 300 secret police who harassed coalition forces and intimidated the Kurds.²⁰ In response, the British 40th Commando Regiment flew in from Northern Ireland, where they had developed expertise in urban patrolling. Aggressive British foot patrols combined with US patrols in light armoured vehicles and air combat patrols at treetop level succeeded in herding the secret police into five compounds within a week. An Iraqi general removed them.²¹

Once Zakho was secure, JTF Bravo moved south and east, with British and French troops responsible for eastward expansion.²² The challenge facing the

¹⁷ Todd, M. L., *Tactical Requirements for Peace Support Operations*, Monograph AY93-94 (United States Army Command and General Staff College, School of Advanced Military Studies: Fort Leavenworth, Kans., Dec. 1993), p. 19; and Cavanaugh, J. P., *Operation Provide Comfort: A Model for Future NATO Operations*, Monograph AOSF AY 91-92 (United States Army Command and General Staff College, School of Advanced Military Studies: Fort Leavenworth, Kans., May 1992), pp. 12–13.

¹⁸ Cavanaugh (note 17), pp. 15, 23.

¹⁹ Cavanaugh (note 17), pp. 14–15.

²⁰ Cavanaugh (note 17), pp. 19–20.

²¹ Cavanaugh (note 17), p. 22; and Todd (note 17), p. 21.

²² The eastern limit of the secure zone was established 45 km from the Iranian border out of sensitivity for possible complications arising from Iran's security concerns. Cavanaugh (note 17), p. 24.

coalition forces was to get uncooperative Iraqi forces to move out of the area without initiating combat, since the operation was designated as humanitarian in nature. A US soldier described ‘an extremely dynamic environment that required constant offensive maneuver to eject Iraqi forces from the zone’: ‘in a typical meeting engagement, the battalion deployed infantry in defensive positions in view of the enemy, brought up supporting TOW missile carriers to overwatch the position, and began to manoeuvre another force around the enemy’s flanks, all the while keeping air cover circling over the enemy’s position. This tactic was normally sufficient to force Iraqi withdrawal.’²³

As the security zone expanded it became evident that the majority of Kurds—as many as 300 000 of whom lived in the provincial capital, Dahuk—would not return until they felt that the city was safe.²⁴ Operation Provide Comfort military commanders requested permission from their political leaders to enter Dahuk, but the request was turned down. Western governments were concerned that military occupation of a provincial capital was too politically sensitive, given the lack of Iraqi consent to any foreign military presence. They also did not want to undertake the long-term commitment of administering the town. Diplomatic negotiations with the government of Saddam Hussein led to an agreement to have a lightly armed presence composed of Iraqi Government, Kurdish and UN personnel, with Iraq providing the civilian administration.²⁵ Coalition forces then entered Dahuk on 25 May and movement southwards resumed. Once Operation Provide Comfort troops and some aid organizations had cleaned up the city (which Iraqi troops had looted in anticipation of losing it), restored food and water distribution points, and collected unexpended ordnance, the Kurds flooded back to their homes.²⁶

Having established a secure area, JTF Bravo completed its withdrawal from Iraq on 15 July. It left behind a robust air patrol operation, an agreement with the Iraqi Government about the existence of a safe zone, and a small UN Guard contingent. As noted in chapter 5, the ground security zone covered an area of 160 km from west to east and 60 km from north to south, or approximately one-quarter of the Kurdish territory. Coalition governments declared a much larger no-fly zone north of the 36th parallel which incorporated about one-half of the Kurdish region and some territory that is not occupied primarily by Kurds. Operation Provide Comfort, with some help from Kurdish *peshmerga*, successfully deterred the Iraqi military from entering the no-fly zone (with a few exceptions) until the USA went to war with Iraq again in 2003.²⁷

²³ Todd (note 17), pp. 21–22. A TOW missile is a tube-launched, optically tracked, wire-guided missile.

²⁴ Seiple, C., *The U.S. Military/NGO Relationship in Humanitarian Interventions* (US Army Peacekeeping Institute: Carlisle, Pa., 1996), p. 37.

²⁵ Cavanaugh (note 17), pp. 24, 27, 29.

²⁶ Cavanaugh (note 17), pp. 29–30.

²⁷ See chapter 5 in this volume for details of the deterrence operation.

Operation Provide Comfort's strategy of compellence succeeded because nearly every factor worked in its favour. Coalition military officers and government officials, as well as UN diplomats, spoke directly with their Iraqi counterparts and maintained communication throughout JTF Bravo's operation, as indicated by the peaceful removal of secret police from Zakho and the compromise arrangement made regarding control of Dahuk. The coalition's military actions quite possibly spoke louder than words and certainly supported the verbal communication. The military commanders of the operation were able to back words with action because their political leaders were willing to have soldiers take risks in order to make the safe zone a reality. However, concern for the plight of Kurdish civilians was not enough to generate this kind of political will. Western governments were also driven by concern for the political interests of their NATO ally Turkey, which feared that a Kurdish influx would escalate its own Kurdish insurgency. Furthermore, they had just fought a war against Saddam and had encouraged the Iraqi Kurds and southern Shia Arabs to rebel. Establishing a safe zone inside Iraq provided a seemingly legitimate way to maintain pressure on Saddam. The political interests involved and the recently ended Gulf War account for Operation Provide Comfort's military prowess. Highly capable, well-equipped ground troops were already stationed in the region, as were many highly capable NATO aircraft and pilots. Specialized forces were brought in as needed. If the raw capabilities of coalition forces were not enough, their recent easy defeat of tens of thousands of entrenched Iraqi troops left no doubt that they enjoyed 'escalation dominance' over their Iraqi adversaries. It is little wonder that Iraqi forces chose to retreat rather than engage.

Finally, the location of Incirlik airbase in eastern Turkey and the topography of the open plains in northern Iraq favoured the coalition. The base provided a secure command centre that was an easy flight away. The open landscape allowed for the kinds of manoeuvre that ground forces used to great advantage. It also exposed Iraqi forces as easy potential targets for coalition aircraft. In sum, compelling Iraq to allow a zone for the protection of civilians was difficult and dangerous, but at the same time all the necessary conditions for success were present.

Bosnia and Herzegovina

The problem in Bosnia and Herzegovina in the mid-1990s was political. Bosniaks, Croats and Serbs were at war over the territory of Bosnia and Herzegovina and its political organization; the symptoms that received the most attention were humanitarian. An outstanding feature of the ethnically defined conflict was the expulsion of people who belonged to the 'wrong' ethnic group from their homes and lands, with the intention of creating ethnically 'pure'

states or sub-state territories.²⁸ All sides were guilty of this crime but the Serbs more so than any other group, and the Bosnian Muslims were most often the victims. Saving the victims of violence without becoming sufficiently involved to end the war became a major preoccupation of foreign governments and the UN. They chose, after considerable delay, to try to protect people by establishing six small safe areas centred on cities or towns.²⁹

Many observers have levelled the criticism that the safe areas were just another way for European and other concerned governments to deal with a symptom of the war while avoiding the cause. More to the point, European governments could call attention to the existence of the enclaves as places of refuge and not have to accept an influx of refugees. This failure to address the true causes of the conflict was also the source of basic operational problems with the safe areas. All the enclaves existed with some degree of success for two years, from 1993 to 1995, but they were not sustainable over time.

The six areas met with very different fates. Srebrenica and Žepa in the eastern part of Bosnia and Herzegovina, near the border with Serbia, fell to Bosnian Serb forces in July 1995. Thousands of men and boys in Srebrenica were executed on the spot, but the men of Žepa escaped with their lives. The enclave of Gorazde, also in the east, never fell despite being attacked. In the west, on the border with Croatia, the Bihać safe area suffered fighting between rival Muslim factions within the enclave and serious attacks by Serbs from outside. Still it did not fall. The safe area around Tuzla, in the centre of Bosnia and Herzegovina, was surrounded by Muslim-held territory and was never seriously attacked. Sarajevo, the sixth safe area and the capital of Bosnia and Herzegovina, suffered an extended siege and nearly constant artillery and sniper attacks that killed thousands of people³⁰ but, despite occupying the high land all around the city, Bosnian Serb forces never occupied Sarajevo.

²⁸ The Bosnian Serbs and their patron government in the FRY called the process 'ethnic cleansing'. Unfortunately, the term was adopted almost universally, thereby giving some credence to the sanitized description of a bloody practice.

²⁹ Chapter 3 offers an account of how the safe areas came into being. Excellent extensive accounts can be found in Honig, J. and Norbert, B., *Srebrenica: Record of a War Crime* (Penguin: New York, 1996); Gow, J., *Triumph of the Lack of Will: International Diplomacy and the Yugoslav War* (Hurst & Co.: London, 1997); and United Nations, Report of the Secretary-General pursuant to General Assembly Resolution 53/35: the fall of Srebrenica, UN document A/54/549, 15 Nov. 1999.

³⁰ Sarajevo lost approximately 10 600 people to violence and 5000 to privation. Srebrenica lost approximately 10 000 people to violence and probably hundreds to privation before and after it was declared a safe area. As a proportion of the population, Srebrenica lost more people than any other place. Carballo, M., Simic, S. and Zeric, D., 'Health in countries torn by conflict: lessons from Sarajevo', *The Lancet*, vol. 348 (28 Sep. 1996), pp. 872–74; United Nations (note 29), paras 21, 34–37; International Committee of the Red Cross (ICRC), 'The former Yugoslavia, Bosnia and Herzegovina and Croatia', *Annual Report 1995* (ICRC: Geneva, 1995); and UN High Commissioner for Refugees (UNHCR), 'Working in a war zone: a review of UNHCR's operations in former Yugoslavia', Central Evaluation Section, UNHCR EVAL/YUG/14, Apr. 1994, para. 31.

The characteristics of the Bosnian safe areas

What accounts for the different outcomes in these six places, and what can the variation tell us about the viability of small safe areas as a way to protect civilians?

They had some characteristics in common, and these can be eliminated as reasons for the differences in outcomes.

First, they were implemented as an ad hoc response to events on the ground, not as part of a solution to the war. In April 1993, animated by the desire to forestall a Serb conquest of territory that the tortuously negotiated Vance–Owen Peace Plan set aside for Bosnian Muslims, the UN Security Council declared Srebrenica and its surrounding area a ‘safe area’.³¹ Somewhat surprisingly, the Bosnian Serbs ceased their advance on the strategically located town and UNPROFOR placed a small unit of Canadian troops in Srebrenica. Encouraged by this apparent success, within a month the Security Council extended safe area status to Bihać, Goražde, Sarajevo, Tuzla and Žepa.³²

The second point in common was that all the safe areas were characterized by large displaced populations and often by overcrowding. For instance, the municipality of Srebrenica had a population of 37 000 at the time of the 1991 census, a quarter of whom were Serbs. Just before it was declared a safe area, it had a population of approximately 60 000. By the time of the 1995 Serb offensive, the number dwindled to 38 000–39 000, none of whom were Serbs.³³ The overall size of Goražde’s population did not change appreciably, but its composition did. Before the war approximately 25 per cent of the residents were Serbs.³⁴ A month after it was declared a safe area, the enclave’s population was approximately 70 000, of which some 30 000 were IDPs and very few, if any, were Serbs.³⁵ A year later, at the time of a Serbian attack on Goražde, the population was between 55 000 and 65 000, at least half of whom were displaced.³⁶ The dramatic population shifts made the enclaves weak and increased their vulnerability by filling them with destitute people and by shattering social and political institutions.

Third, with the exception of Bihać, all the safe areas were small. Srebrenica, for example, was only some 150 km² in extent in April 1993.³⁷ The restricted space meant that the enclaves were very vulnerable as there was no room for manoeuvre of military units or multiple lines of defence, except in Bihać. Most

³¹ UN Security Council Resolution 819, 16 Apr. 1993.

³² UN Security Council Resolution 824, 7 May 1993.

³³ United Nations (note 29), para. 33; and Human Rights Watch, ‘Bosnia and Herzegovina: the fall of Srebrenica and the failure of UN peacekeeping’, *Human Rights Watch*, vol. 7, no. 13 (Oct. 1995), p. 5 and fn. 8.

³⁴ Owen, D., *Balkan Odyssey* (Harcourt, Brace & Co.: New York, 1995), p. 64.

³⁵ Acheson, E. D., ‘The last convoy to Gorazde?’, *The Lancet*, vol. 342 (3 July 1993), pp. 43–44.

³⁶ Lloyd, A., ‘Universal soldier’, *Times Magazine*, 23 Apr. 1994, p. 8; and Jean, F. (ed.), *Populations in Danger 1995* (Médecins sans Frontières: London, 1995), p. 75.

³⁷ United Nations (note 29), para. 37.

of them, except Goražde and Tuzla, were entirely surrounded by hostile territory. The heart of Sarajevo was constantly within range of Serb artillery.

The small amount of space also meant that in most cases residents did not have enough room to produce food, exacerbating the fourth problem the areas shared. As discussed in detail in chapter 4, the enclaves suffered terrible privation. The smallest safe areas in particular—Sarajevo, Srebrenica, Tuzla and Žepa—were almost entirely dependent on humanitarian assistance. The Bosnian Serb army and militia manipulated the delivery of aid (by blocking convoys) to suit their political and military interests. This, too, severely weakened the safe areas, physically and psychologically.

Fifth, Bosniaks within all the enclaves were militarily weak. Weakness was designed into the deal so that the Serbs would accept the safe areas. According to international law, a safe haven can be enforced but a safe area is based on consent.³⁸ To get the Bosnian Serb leadership to accept the safe areas, the Contact Group agreed that the enclaves would be demilitarized.³⁹ UNPROFOR troops deployed to the safe areas were instructed to disarm the Bosnian Army units that occupied the enclaves and to canton their weapons. They did so in Srebrenica and Žepa, but not in the other areas. Even where the Bosniaks remained armed they were outnumbered and outgunned by the Serbs who surrounded them. The arms embargo that the UN had imposed on all of Bosnia and Herzegovina at the beginning of the war had the pernicious effect of crippling the Bosniaks, who were landlocked and surrounded, but not the Croatians or the Serbs, who had greater access to illicit arms traders and had their own weapon factories. There was an exception, as is generally the case. In Goražde there was a munitions factory which played an important role in the area's ability to fend off attacks.⁴⁰

UNPROFOR's protection strategy

The final similarity between the safe areas was the strategy employed by the United Nations and NATO. The enclaves were under Bosniak control when they were designated as safe areas, so it was not necessary to compel Serb forces to leave them (as had been required in northern Iraq two years earlier). The strategy was to deter Serb attacks on the safe areas with the threat of force. In other words, the UN and NATO would punish the Serbs (in an unspecified way) if they advanced on a safe area. From a strategic point of view, the lack of a specific threat was good practice, for it left the potential attackers (Serbs) in doubt about how much they would be made to suffer if they attacked. Without risky probing attacks the Serbs could not easily calculate the cost of challenging the deterrent threat. To this extent safe area protection was successful.

³⁸ Honig and Norbert (note 29), p. 104.

³⁹ The Contact Group included France, Germany, Italy, Russia, the UK and the USA.

⁴⁰ Ripley, T., *Operation Deliberate Force: The UN and NATO Campaign in Bosnia 1995* (Lancaster University, Centre for Defence and International Security Studies: Lancaster, 1999), p. 53.

The crucial weakness of the strategy was that it did not include a mandate or preparation actually to defend the safe areas if deterrent threats and punishment failed. Security Council resolutions 819 and 824, which established the safe areas, stated that UNPROFOR was only allowed to *threaten* force. The UN troops, at the insistence of the troop-contributing countries, continued to operate under peacekeeping rules of engagement that allowed them to use only minimal force in self-defence if they were attacked.⁴¹ Self-defence, of course, was not the same thing as defending civilians or defending territory. Resolution 844 authorized NATO to use force, with UN permission, but NATO countries had no ground forces deployed independently of UNPROFOR. That left the alliance with air power, which could be used for punishment but was inadequate by itself for defence.⁴²

Despite its obvious flaw, the strategy worked for two years. From the spring of 1993 until the early summer of 1995 the Bosnian Serb army and paramilitary did not overrun any of the safe areas. The presence of UN troops underlined foreign governments' attention to the safe areas and acted as a tripwire for possibly more aggressive intervention if the Serbs violated the safe areas. During this period, when there were no large offensive operations by any party throughout Bosnia and Herzegovina, the interveners threatened or actually used force five times to protect the safe areas.⁴³ In every case the agents of force were NATO aircraft, not UNPROFOR soldiers.

The first instance came within months in response to the tightening strangulation of Sarajevo by Serb units. The proclamation of Sarajevo as a safe area did little to change the siege conditions. Shelling continued at the same rate as before.⁴⁴ In July 1993, Serb forces took control of two key mountains overlooking the city, cutting off the last land routes in and out. These manoeuvres and increased shelling of the city suggested that the Serbs were preparing to assault the city. NATO threatened vaguely to act against anyone who attacked UN forces or obstructed humanitarian aid. Although the protection explicitly excluded civilians, the UN and international humanitarian NGOs had such a large presence in Sarajevo that any attack on the city could be seen as an attack on them. The Serbs, unsure of the consequences of further action, backed off.⁴⁵

The second deterrent action also concerned Sarajevo. In early February 1994 a mortar round exploded in one of its main market squares, killing 10 people. The next day a second mortar hit another market, killing almost 70 people and

⁴¹ UN Security Council Resolution 836, 4 June 1993.

⁴² Use of air power was authorized in the following circumstances: in self-defence, in reply to bombardments against the safe areas, in response to armed incursions into the safe areas and to neutralize attempts to obstruct the freedom of movement of UNPROFOR forces or humanitarian convoys. United Nations (note 29), para. 111.

⁴³ Berg, S. L., 'Intervention in internal conflict: the case of Bosnia', ed. W. J. Lahneman, *Military Intervention: Cases in Context for the Twenty-first Century* (Rowman and Littlefield: Lanham, Md., 2004), pp. 47–66.

⁴⁴ United Nations (note 29), para. 93.

⁴⁵ Berg (note 43), p. 55; and United Nations (note 29), para. 113.

injuring over 200. International media coverage led to widespread public outrage and prompted NATO to issue an ultimatum to Serb forces to withdraw their heavy weapons (mortars, artillery and tanks) from around the city.⁴⁶ At the same time, the UN force commander, who desperately wanted to avoid war, negotiated with both Bosnian Serb and Bosnian Muslim forces to establish a heavy weapon exclusion zone. An agreement was reached and, although the Serbs did not withdraw all their heavy weapons by the deadline, and combat activity did not completely stop, the situation stabilized and NATO took no action.⁴⁷

In both these cases the deterrent threat came from NATO, not the UN. Both cases involved crisis diplomacy without military action, leading to agreements that served Serb interests by maintaining tight restrictions on the safe areas and preserving Serb forces' freedom of movement. Serb concessions were modest and were partially reversed in the summer of 1994 when they withdrew some of their heavy weapons from designated collection points near Sarajevo.⁴⁸ It is likely that these experiences weakened the credibility of the UN and NATO in the eyes of the Serbs.

The third deterrent action came in response to a Serb attack on Goražde in April 1994 which seriously endangered the safe area. The UN reacted slowly and initially downplayed the Serb offensive. The UNPROFOR commander, British General Sir Michael Rose, opposed the use of force. In his view, 'a Serb attack on Bosnian Government forces defending a confrontation line around a safe area would not meet UNPROFOR's definition of an attack on a safe area'.⁴⁹ When negotiations with the Bosnian Serb army failed to stop the advance into Goražde, Rose conceded that forceful action was needed. With the reluctant approval of Yasushi Akashi, the SRSG and civilian head of the UN in Bosnia and Herzegovina, NATO used force for the first time in its 47-year history.⁵⁰ US jets dropped three bombs on a Serb artillery command bunker and the following day they dropped three bombs on Serb tanks.⁵¹ The attacks were derided at the time as 'pinpricks' that were unlikely to dissuade Serb military advances.

The commander of the Bosnian Serbs, General Ratko Mladic, responded by taking 150 UN soldiers hostage and launching a mortar attack on Tuzla in reprisal.⁵² The action humiliated the UN and terrified the governments whose troops had been captured. With valuable hostages in their hands, the Serbs continued their attacks against the Bosniak army units which were defending

⁴⁶ Berg (note 43), p. 55; and United Nations (note 29), para. 117.

⁴⁷ United Nations (note 29), para. 122.

⁴⁸ United Nations (note 29), para. 297.

⁴⁹ United Nations (note 29), para. 133.

⁵⁰ Little, A. and Silber, L., *The Death of Yugoslavia*, rev. edn (Penguin: New York, 1996), pp. 327, 328.

⁵¹ They were, in fact, British Special Air Services (SAS) troops. See Little and Silber (note 50), pp. 327, 328.

⁵² The majority of these were UNPROFOR personnel stationed at the heavy-weapon collection points around Sarajevo. United Nations (note 29), para. 137.

Goražde. As the safe area appeared to be on the brink of collapse, UNPROFOR authorized additional air strikes, which never took place after a British aircraft was shot down attempting to carry out the order.⁵³ At the height of the crisis General Rose secretly ordered the tiny UN contingent to leave Goražde, 'on foot, undetected, in the middle of the night', to remove them from danger.⁵⁴

After three weeks of fighting, in the face of continued resistance by 10 000 Bosniak troops and NATO eagerness to recommence air strikes (which were blocked by the UN), the Serbs ceased their attack, even though the safe area remained unconquered.⁵⁵ UNPROFOR negotiated a ceasefire, the evacuation of the wounded, and free movement for UNPROFOR and humanitarian organizations. The Serbs were not required to withdraw from most of the territory they had recently conquered, so the Goražde enclave was reduced to a mere 200 km².⁵⁶ Although the UN re-established an armed presence in the safe area, at the insistence of troop-contributing governments, UNPROFOR became more passive throughout Bosnia and Herzegovina.⁵⁷

The fourth deterrent action came in November 1994, four months after the sobering experience in Goražde. It consisted of NATO air attacks against a Serb airbase and Serb anti-aircraft missile sites near Bihać, the safe area located furthest to the west, surrounded on two sides by Serb-held territory in Croatia and on the other two sides by Serb-held territory in Bosnia and Herzegovina. As was the case at Sarajevo and Goražde, NATO's action came in response to Serb attacks that threatened to overrun the safe area.⁵⁸ The series of events began when Bosniak army units in Bihać broke out of the safe area in late October 1994 in an attempt to take Serb-held territory. This was a clear violation of the supposed demilitarized character of the safe areas, but the Bosnian Muslims were not sanctioned for it. They soon found themselves thinly spread and subject to a Bosnian Serb counter-attack from several directions at the same time.⁵⁹ In late November UNPROFOR units in the safe area requested NATO air attacks to deter the Serb advance into the enclave.

NATO, with the USA in the lead, intended an all-out disabling of a Serb airbase in Croatia from which Serb aircraft were flying in support of the counter-offensive. The UN, however, allowed only the 'proportionate response' of

⁵³ According to a UN report, UN military observers and UNHCR personnel believed that the Bosniak army had been defeated. General Rose, supported by his team of British observers, believed that the Bosniaks had purposely retreated in order to lure the UN and NATO into the war on their side. United Nations (note 29), para. 137.

⁵⁴ Little and Silber (note 50), p. 331.

⁵⁵ Dodd, T., 'War and peacekeeping in the former Yugoslavia', Research Paper 95/100, British House of Commons Library, International Affairs and Defence Section, London, 12 Oct. 1995, p. 18.

⁵⁶ This meant that the Serbs gained 15% of the safe area territory. United Nations (note 29), para. 143; and Jean (note 36), p. 75.

⁵⁷ United Nations (note 29), para. 144.

⁵⁸ Berg (note 43), p. 57.

⁵⁹ United Nations (note 29), para. 158; and Cohen, B. and Stamkoski G. (eds), *With No Peace to Keep... United Nations Peacekeeping and the War in the Former Yugoslavia* (Grainpress Ltd: London, 1995), p. 59.

damaging the airstrip. UNPROFOR feared that a NATO attack large enough to disable the Serb advance 'would be tantamount to going to war with the Serbs', which the UN operation, under peacekeeping guidelines, was forbidden to do.⁶⁰ UNPROFOR's decision making was also partly guided by the vulnerability of its troops: the Serbs had taken more of them hostage in response to the new air strikes. As foreign governments argued about what to do, the Bosniak army managed to hold key defensive positions and the Serb attack stalled in early December.⁶¹ Tensions slowly subsided, the Serbs allowed UN aid convoys to enter Bihać and Muslim troops slipped out of the enclave. The weak UN and NATO response, together with the inconclusive outcome of the fighting, did nothing to convince the Bosnian Serb forces that they would suffer if they challenged the safe areas in the future.

A forceful response to an opponent's infringement of a deterrent demand should strengthen the deterrent: it shows the opponent that the deterring party is serious (see the discussion of deterrent defence in chapter 2). Ironically, each time UNPROFOR and NATO reacted with force to Serb infringement on a safe area, they undermined their ability to deter future attacks. The unfortunate dynamic was the result of weak and confused responses that were consistently not very painful for the Serbs. Moreover, the Serbs discovered UNPROFOR's Achilles heel: small units of lightly armed troops, spread thinly, were easy to capture.

The fifth and final use of deterrent force confirmed this dynamic. In April 1995 the Serbs halted the airlift that was Sarajevo's lifeline. Escalating Serb military action, including increased sniper fire and shelling of the city, raised the death toll for both civilians and UN troops.⁶² In late May 1995 NATO aircraft attacked Serb ammunition bunkers near the Bosnian Serb capital of Pale, but Serb troops continued to bombard Sarajevo and attacked Tuzla in addition. Mladic raised the stakes considerably when his forces took more than 400 UN personnel hostage and chained many of them to potential bombing targets.⁶³ To spare the lives of UN personnel, NATO had to stop bombing. UNPROFOR renounced the use of force in exchange for the hostages' release.⁶⁴ As NATO could use force only with permission from the UN, UNPROFOR's renunciation of force meant that by June 1995 the deterrent threat to punish Serb forces for transgressions against the safe areas no longer existed.

The new strategic relationship was revealed to the world in Srebrenica. (The parties involved in the conflict, of course, already understood it.) Hostile action against Srebrenica increased in June as the drama around the capital played out. In June Serb forces attacked the safe area, including a UN observation post. UNPROFOR soldiers remained in place but did not retaliate. The local com-

⁶⁰ United Nations (note 29), para. 158; and Cohen and Stamkoski (note 59), p. 59.

⁶¹ Cohen and Stamkoski (note 59), p. 59.

⁶² United Nations (note 29), paras. 181, 183.

⁶³ United Nations (note 29), para. 189.

⁶⁴ Berg (note 43), p. 58.

mander's request for air strikes was turned down as the Serbs were still holding hostages. Bosniak forces inside the safe area attempted to divert Serb attention from Sarajevo by launching a small raid on a nearby Serb town. In response, on 6 July 1995 the Bosnian Serb military moved against the strategically located Srebrenica, which the Serbs had long coveted. The Bosniak army asked UN troops to return the weapons that the Bosniaks had handed over in 1993 but the local UN commander refused. UNPROFOR headquarters turned down several requests from the UN-commanded Dutch battalion in Srebrenica for air strikes against the Serb forces.

Within a week there could be no doubt that the Serb forces planned to occupy the whole safe area. As the Serbs marched on Srebrenica, in an act of desperation, NATO dropped bombs on two Serb vehicles. The Bosniak army in Srebrenica was too weak to continue its resistance. Most of the safe area's terrified civilians gathered at the UNPROFOR base in the safe area. Many of the men and boys tried to flee to Tuzla, 50 km away. As the Dutch battalion stood by, the Serbs deported some 23 000 women and children and killed approximately 8000 men and boys. It was the worst massacre in Europe since the Holocaust.⁶⁵

While the attack on Srebrenica was going on, the Bosnian Serb military moved against the nearby area of Žepa as well. The UN at that point had only 120 lightly armed Ukrainian troops in the safe area. Like all other UNPROFOR soldiers, they were allowed to use minimum force only in response to direct attacks on themselves. Throughout the attack on Žepa, there was no military response from UNPROFOR or NATO. Bosniak forces in Žepa asked the Ukrainian UN troops to return the weapons that they had turned over in 1993 and the Ukrainians agreed. Even rearmed, the Bosniaks in Žepa had only a small chance of resisting the attack, but it was more than their compatriots in Srebrenica had. Despite Mladic's claim to have conquered the safe area on 19 July 1995, the Bosniak military fought on and did not fall back from the front line until 25 July. The week-long delay in the Serb victory allowed for a flurry of negotiations between the Bosniak, Serb and UN commanders in Žepa. The negotiations led to an evacuation plan for Bosniak civilians, but the fate of 1000–2000 fighting-age men and boys was left undetermined.

At that moment most of the Serb fighters were diverted to western Bosnia and Herzegovina, where the Croatian Army had begun an attack on the Bosnian Serbs that would soon lead to the end of the war.⁶⁶ Meanwhile, in late July the USA had finally convinced its NATO allies, who were also major troop contributors to UNPROFOR, to get rid of the 'dual key' command structure that allowed the UN to restrict the use of NATO air power.⁶⁷ In addition,

⁶⁵ United Nations (note 29), paras 223–318; Honig and Norbert (note 29), p. xix; and Human Rights Watch (note 33), p. 47.

⁶⁶ United Nations (note 29), paras 258, 397–431, 487.

⁶⁷ The 'dual key' mechanism was abandoned on 21 July 1995 at the London Conference. This meant that it was no longer necessary to seek permission for air strikes from the SRS, Yasushi Akashi. United Nations (note 29), para. 441.

following the most recent UN hostage crisis, the governments of France and the UK (whose soldiers had been captured) decided to send in additional troops to support UNPROFOR, with a more robust ability to fight and not under UN command.⁶⁸ The Croatian offensive, the newly aggressive NATO air campaign and the British–French Rapid Reaction Force turned the tide against the Bosnian Serbs. Their political and military patron, Serbian President Milosevic, negotiated an end to the war on their behalf, culminating in the Dayton Agreement in December 1995. Srebrenica and Žepa remained in Bosnian Serb hands as part of the Republika Srpska; Bihać, Goražde, Sarajevo and Tuzla belonged to the new Bosniak–Croat Federation of Bosnia and Herzegovina.

Accounting for the different outcomes

What overall picture emerges from these details? A similar pattern was repeated over time and from one place to the next. UNPROFOR deployed very small units to the safe areas; UN military and civilian leaders usually chose not to use force, even in response to violent attacks; UNPROFOR tried to minimize the risk to its troops, to the point of sometimes abandoning its protection mission; NATO's use of force was minimal and became less effective over time; the Serbs made minor concessions in response to threats and negotiations, and eventually reneged on many of them; and the Bosniaks (who rearmed or never disarmed) provided the only defence of the safe areas, within their severely limited means.

The differences between the safe areas were few but were critically important to the various fates of the six safe areas. An enclave's mortality rate and whether or not it was captured depended on its location, its size, the strength of the Bosniak forces it contained and good timing. In five of the six safe areas, the deployment of UNPROFOR and the actions of NATO had little impact after the first year—that is, by the time of the 1994 Serbian offensive against Goražde.

Goražde, Srebrenica and Žepa, located in the east near the border with the FRY, on politically important land, were the most vulnerable. All three were attacked. Goražde survived in 1994 because it was larger than the other two eastern areas, it had an ammunition factory, and it contained a Bosniak military force which took advantage of these two factors to mount a spirited defence. Žepa was tiny, with no more than a few thousand Bosniak fighters. It could not prevent a Serb victory, but its armed men escaped the slaughter suffered by the men of Srebrenica, who had no means to defend themselves and were quickly killed. If Serb troops had not been drawn away by the Croatian offensive, the men and boys of Žepa might also have been killed.

Bihać occupied a location between Croatian Serbs and Bosnian Serbs that Serbian ultra-nationalists believed should be part of 'greater Serbia'. It was able

⁶⁸ United Nations, Letter of the Secretary-General to the president of the Security Council, UN document S/1995/470, 9 June 1995; and Dodd (note 55), p. 15.

to withstand considerable Serb pressure because it contained a sizeable Bosniak fighting force that used the relatively large enclave to sustain a defence.⁶⁹ Tuzla, for its part, was not in a contested location and was subject to military harassment only in response to events elsewhere in Bosnia and Herzegovina.

Sarajevo was a special case. As the capital of Bosnia and Herzegovina, it had particular political importance. Small and vulnerably located, it withstood constant Serbian attacks.⁷⁰ The enclave was hardly bigger than the city itself, it was surrounded by Serb-held territory, and Serbian artillery dominated it from the mountains on three sides. At the same time, Sarajevo had the advantages of hosting a large Bosniak military presence and hundreds of UN soldiers as well as the UNPROFOR headquarters.⁷¹ The UN commander in Sarajevo used negotiation as his main tool of resistance against the Serbs.

Deterrence worked in Sarajevo, in a twisted sort of way. As a symbol of a previously multi-ethnic Bosnia and Herzegovina, the capital city was the one place that UNPROFOR and troop-contributing states could not allow to fall without completely discrediting the UN. The Serbs knew that there was a good chance that UN troops would fight and call in NATO air strikes to defend against an overt assault. The Bosniak army in Sarajevo surely would have fought. If the Bosnian Serb army had tried to occupy the city it would have been extremely difficult to control all the streets. Faced with the prospect of a debilitating battle, the Serbs did not try to occupy Sarajevo. They chose to strangle it instead. The siege could not be stopped with a deterrent strategy or by negotiation. Ending it required the compelling action of Operation Deliberate Force.

Summary

The small safe area experiment in Bosnia and Herzegovina was not a total failure. Two of the six areas fell to the Serbs; four did not. The survival of any of them is somewhat surprising in the light of the many weaknesses and vulnerabilities they shared. Sarajevo undoubtedly benefited from the large UN presence and international attention. On the other hand, the pathetic way in which UNPROFOR and NATO implemented their deterrent strategy to protect the other five areas did little, if anything, to help the victims of violence. The

⁶⁹ There were up to 20 000 Bosniak troops in Bihać, although that number dwindled with inter-Muslim fighting. Many of the men were poorly trained and poorly armed. International Institute for Strategic Studies, *The Military Balance 1994/1995* (Brassey's: London, 1994), pp. 83–84.

⁷⁰ According to UNPROFOR the city sustained hits from artillery shells at a rate that ranged between 200 and 1000 per day. Snipers were ever-present and made travel within the city extremely hazardous. United Nations, Final report of the Commission of Experts established pursuant to Security Council Resolution 780 (1992) and annexes, UN document S/1994/674, p. 44, paras 185–188.

⁷¹ The number of Bosniak army soldiers defending the city was between 25 000 and 30 000. A number of autonomous armed groups assisted them. The number of Serbs surrounding the city was far smaller, fluctuating around 13 000. In May 1995, there were about 5000 UN troops in Sarajevo, 4500 of whom were French. United Nations (note 70), annex VI, pp. 10–11, paras 22–26; and Dodd, T., Ware, R. and Watson, F., 'Bosnia: update and supplementary information', Research Paper 95/96, British House of Commons Library, International Affairs and Defence Section, London, 30 May 1995, p. 20.

UN and NATO rarely responded with force to Serb encroachments, and when they did the response was so mild that it served to encourage future predations instead of discouraging them. There was no credible deterrent to stop Serb attacks by the time the overall dynamic of the war and diplomatic efforts to end it made the Serbs feel a need to occupy the safe areas. The safe area concept worked for a limited period and worked best where fighters within the areas could defend themselves.

Rwanda

The Rwandan nightmare is known best for the stunning failure of individual countries and the UN to take action in the face of genocide. It happened when Europe and the USA were marking the 50th anniversary of the end of World War II and the Holocaust with a pledge of 'never again'. The collective shame of that moment is well deserved, but it is important not to lose sight of the fact that there were three military operations that tried to limit the killing. They were vastly different in character, and comparison is instructive. One was the Rwandan Patriot Front offensive, the main objective of which was to defeat the Rwandan Government as a way to stop the genocide and (not incidentally) to take power. Since protecting people was a secondary objective, the RPF operation is analysed in chapter 7 on defeating the perpetrators of violence. UNAMIR struggled to protect people by offering very limited point protection using a strategy of deterrence. The French-led Operation Turquoise established a large safe zone and provided point protection at one large IDP camp. It used compellence and deterrence.

The United Nations Assistance Mission in Rwanda

UNAMIR was designed as a traditional peacekeeping force with a mandate under Chapter VI of the UN Charter and a mission to observe and facilitate a ceasefire agreement. When President Juvénal Habyarimana's aircraft was shot down on 6 April 1994, the genocide began, the civil war restarted and the UN mission entered a schizophrenic stage. The UN Secretariat in New York, which for weeks failed to distinguish between the genocide and the civil war, directed the force commander to negotiate a new ceasefire. At UN headquarters there was no serious discussion about protecting civilians until mid-May, when a new Security Council resolution reauthorized UNAMIR (sometimes called UNAMIR II) to protect threatened populations.⁷² Meanwhile, in Rwanda UN troops were fully aware of the need to protect people. Their means were so

⁷² Adelman, H. and Suhrke, A., *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, Study no. 2, *Early Warning and Conflict Management* (Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda: [Copenhagen], 1996), pp. 42–43; and UN Security Council Resolution 918, 17 May 1994.

limited and their mandate so restrictive that they could do very little, but they saved approximately 20 000 lives nonetheless. How did they do this?

The largest massacres happened at stadiums, hotels and hospitals, and most frequently in churches to which people fled when militiamen and neighbours began to attack them in their homes. Once concentrated, they were slaughtered by the Presidential Guard and the regular army, who used assault rifles and hand grenades to break any resistance and begin the carnage. Militiamen and gangs using machetes, hoes and studded clubs methodically killed people who were still alive after the initial onslaught, often over a period of days. In Kigali a similar pattern prevailed except that organized, well-equipped army units did not play much of a role—Interahamwe militia and thugs operated with the military's blessing but largely on their own.⁷³

The first responsibility of the UN force commander, Canadian General Roméo Dallaire, was to protect his troops. His second responsibility, as he saw it, was to protect endangered civilians. His third responsibility was to negotiate with the interim Hutu government and the RPF rebels, as directed from New York. Dallaire decided that the best way to fulfil his first two responsibilities would be if 'the Force consolidated in a few reasonably defensible sites and opened its doors to those who could reach the sites and who sought protection'.⁷⁴ UN troops established a small, 'symbolic' presence at four locations in Kigali—the Amahoro Stadium, the King Faisal Hospital, the Meridian Hotel and the Hotel Mille Collines. At the stadium, for example, 12 soldiers armed with automatic rifles and barbed wire protected several thousand people.⁷⁵

Such a weak presence could not be expected to have any deterrent value. The small groups of UN troops were not a serious military presence. Their success at deterring attacks stemmed from a combination of bluff, inertia and circumstance.⁷⁶ In fact, the ICRC and Médecins sans Frontières—both, obviously, unarmed—had as much success as UNAMIR by offering point protection in Kigali and elsewhere in the country at churches, a stadium and the IDP camp which French troops would eventually 'liberate'. A counter-example illustrates the importance of an international presence for protecting people. A platoon of Belgian troops with UNAMIR protected several thousand people at the *École Technique Officielle* in Kigali until they were ordered to withdraw in mid-April, when the Belgian Government removed all its soldiers from the UN mission. Killers closed in as soon as the soldiers left.⁷⁷

⁷³ African Rights, *Rwanda: Death, Despair and Defiance*, rev. edn (African Rights: London, 1995), *passim*.

⁷⁴ Dallaire, R., 'The changing role of UN peacekeeping forces: the relationship between UN peacekeepers and NGOs in Rwanda', eds J. Whitman and D. Pocock, *After Rwanda: The Coordination of United Nations Humanitarian Assistance* (Macmillan: London, 1996), p. 209.

⁷⁵ Bangladeshi troops had initially been in the stadium as well, but they were more interested in saving themselves than others and they eventually left. Adelman and Suhrke (note 72), pp. 45, 52–53.

⁷⁶ The film *Hotel Rwanda* dramatically demonstrates the critical role of a few brave civilians at Hotel Mille Collines. The hotel manager, Paul Rusesabagina, using bribery, did more than anyone else to keep over 1000 people safe.

⁷⁷ Adelman and Suhrke (note 72), p. 45.

Several factors explain why UNAMIR saved as many people as it did but not more. To begin with, UN troops were already present when the killing began. There was no extended debate about whether to launch an intervention as there usually is in cases of humanitarian crisis. Soldiers on the ground could, and did, respond immediately. This had the double effect of protecting people and of allowing UNAMIR to act in deterrence mode instead of having to compel militiamen to stop attacking particular buildings. Second, the killers in Kigali were not an organized fighting force: they were farmers and unemployed youth armed with common tools. Even a handful of soldiers can give such a ragtag militia pause. Third, the vast majority of Tutsi were not protected by foreign soldiers or civilians, which made them much easier targets. Faced with a choice of attacking weakly protected people or utterly unprotected ones, the killers chose the easier victims. Had the Rwandan Patriotic Army, the military arm of the RPF, not captured Kigali and driven off the Hutu military and militia, the stadium, hospital and two hotels would have come under increasing threat as easier targets became scarce.⁷⁸

UNAMIR could have saved many more lives but for two essential problems. Political leaders at the UN and in governments around the world did not have strong interests in the tiny backwater country, and consequently refused to risk soldiers' lives to stop the genocide.⁷⁹ Following the murder of the 10 Belgian peacekeepers by the Hutu army, the UN Secretary-General and members of the Security Council moved quickly to minimize their risk by withdrawing all but a token force. In vain General Dallaire urgently requested a larger force with a mandate to stop the killing and permissive rules of engagement.

The political cowardice among governments which knew what was happening but decided to stay away made UNAMIR's other basic problem worse. Already too weak to face the new environment, the force shrank from approximately 2500 to 540 in April.⁸⁰ The remaining soldiers had one armoured personnel carrier, suffered shortages of water, fuel and ammunition, and had no ability to resupply themselves. They were operating in a chaotic environment with a mandate only to seek a ceasefire and with rules of engagement that allowed the use of force only in self-defence.⁸¹

Thus hobbled, UNAMIR still was able to save 20 000 people because the carnage in Rwanda was so extensive that even a minor presence could save many lives. There is no doubt that a larger intervention force could have had a

⁷⁸ In south-western Rwanda, where ICRC personnel protected 20 000 IDPs at Nyarushishi, the camp was subject to more and more pressure and attacks until Operation Turquoise troops arrived.

⁷⁹ This blanket statement is subject to exceptions. At the UN, Nigeria proposed increasing the size of UNAMIR when Western governments were determined to 'cut and run' as fast as possible. Several African states did not propose to withdraw their personnel serving with UNAMIR. France saw its national interests as threatened by the ignominious fall of the Rwandan Government, with which it was allied, and by the ascendance of anglophone rebels (the RPF) in a francophone country.

⁸⁰ UN Security Council Resolution 912, 21 Apr. 1994, authorized only 270 men, but twice that number remained. Adelman and Suhrke (note 72), p. 45.

⁸¹ Adelman and Suhrke (note 72), pp. 41, 44.

much bigger effect. Militiamen who were very good at bludgeoning unarmed civilians melted away when confronted by soldiers, as the RPA and Operation Turquoise demonstrated. The Rwandan Army and Presidential Guard could not withstand the offensive of the RPA and certainly would not have been able to take on a well-trained foreign force. The number of people who could have been saved is the subject of speculation and debate, with the answer dependent on assumptions about timing, the size of the force, situational awareness and the power of ‘the demonstration effect’ to dissuade the killers. There is not room here to engage in this debate.⁸² Suffice it to say that the story of UNAMIR and its desperate attempt to protect a few small pockets of people demonstrates the incapacity of a humanitarian force in a hostile environment when states with the power to act do not have political interests at stake.

Operation Turquoise

France did have political interests in Rwanda stemming from its alliance with the regime of President Habyarimana. Rwanda was part of francophone Africa. The French Government had demonstrated its willingness to use military force in support of those interests and the Rwandan Government when it deployed soldiers in 1990 and 1993 to defend the capital from the RPA during the civil war,⁸³ which meant that the one government that was strong enough to act and had a political interest in doing so was hobbled for political and moral reasons. French leaders found a way around those obstacles when they offered to lead a UN-sanctioned protection operation. Secretary-General Boutros Boutros-Ghali, who by the end of April had grasped that the world body must act, welcomed the French offer, as did the Security Council.

Security Council Resolution 929 was passed on 22 June 1994, 11 weeks after the genocide began. It authorized member states (meaning France and Senegal) to use ‘all necessary means’ under Chapter VII of the UN Charter to contribute ‘in an impartial way to the security and protection of displaced persons, refugees and civilians at risk in Rwanda’. including the establishment of ‘safe humanitarian areas’. The mission was authorized for a period of two months,

⁸² On UNAMIR Commander General Dallaire’s claim that if he had been given 5000 good troops and an assertive mandate he could have stopped the genocide see chapter 3 in this volume, note 139. The most complete examination of this claim and a sympathetic analysis of its viability can be found in Feil, S. R., *Preventing Genocide: How the Early Use of Force Might Have Succeeded in Rwanda*, Report to the Carnegie Commission on Preventing Deadly Conflict (Carnegie Corporation of New York: New York, 1998). Sceptical analysis of the claim, but supportive of the idea that tens of thousands of people could have been saved under optimum circumstances, can be found in Kuperman, A. J., ‘Rwanda in retrospect’, *Foreign Affairs*, vol. 79, no. 1 (Jan./Feb. 2000), pp. 94–118.

⁸³ In both cases several hundred French troops were stationed in Kigali and by the airport. They did not see combat but had a considerable impact on the war. Belgium also sent troops in Oct. 1990, but later reconsidered and ended its support for President Habyarimana. Prunier, G., *The Rwanda Crisis: History of a Genocide* (Columbia University Press: New York, 1995), pp. 100–102 and 176–78.

which was intended to give UNAMIR time to rebuild its force level to the point where it could provide protection throughout the country.⁸⁴

On 19 June (before the Security Council passed the authorizing resolution) French Foreign Legion troops began to deploy to bases in Goma and Bukavu, Zaire, at the northern and southern ends of Lake Kivu, respectively. As soon as the Security Council authorized action they entered south-western Rwanda from Bukavu, moving swiftly on the first day to protect thousands of IDPs at the Nayarushishi camp.⁸⁵ While a small number of soldiers remained at the camp, for the initial period of the intervention most of the men who entered Rwanda returned to rear bases in Zaire at night. When the intervention began, it was not clear to the military commanders or their political leaders how the population protection objective was to be implemented.⁸⁶

Infantry and armoured columns met no resistance when they pushed eastwards into Rwanda from Goma and Bukavu. Despite this, within a week French forces withdrew their presence in the north.⁸⁷ Possible reasons for the withdrawal include a desire to avoid contact with the RPA, who were moving towards the Zairean border from the north and east; the discovery that there were very few Tutsi left alive in that part of the country by late June; and a decision to concentrate resources in one part of the country. Taking France's political interests into account, withdrawal from the north might have come after the realization that the Foreign Legion could not prevent the fall of the Hutu government, or after completion of non-humanitarian objectives such as the extraction of political allies.

By day six the French reported their first reconnaissance mission as far as the southern prefectural capital of Gikongoro, 100 km from the Zairean border and 20 km short of the front line.⁸⁸ As it moved forward, the intervention force's firepower, mobility and training deterred nearly all violent confrontations: France reported two minor engagements with RPA soldiers.⁸⁹ By day 12 (3 July) Operation Turquoise had established a full-time presence in Rwanda with a forward base at Gikongoro and another at the prefectural capital of Kibuye.⁹⁰ This marked the outer edge of the 'humanitarian neutral zone' which the French commander, General Jean-Claude Lafourcade, formally proposed on

⁸⁴ UN Security Council Resolution 929, 22 June 1994; and United Nations, Letter dated 20 June from the permanent representative of France to the United Nations addressed to the Secretary-General, UN document S/1994/734, 21 June 1994.

⁸⁵ Borton, J., Brusset, E. and Hallam, A., *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, Study no. 3, *Humanitarian Aid and Effects* (Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda: [Copenhagen], 1996), p. 43.

⁸⁶ Whether or not protecting the population was France's main objective is discussed below.

⁸⁷ Borton, Brusset and Hallam (note 85), p. 43.

⁸⁸ 'UNAMIR situation report', 28 June 1994 (restricted/internal).

⁸⁹ Borton, Brusset and Hallam (note 85), p. 43.

⁹⁰ France Inter Radio Network, 4 July 1994, in Foreign Broadcast Information Service, *Daily Report-Africa (FBIS-AFR)*, FBIS-AFR-94-128, 5 July 1994, pp. 7-8.

2 July (see map 4).⁹¹ The RPF formally accepted the zone on 6 July, by which time it controlled most of the rest of the country, including the capital, Kigali.⁹²

The zone was not safe. During the early days of the French intervention all parties in Rwanda appeared to believe that the troops were coming to help the Hutu who were doing the killing. Interim government soldiers rejoiced, the RPF made contingency plans for military confrontation and issued stern warnings, and the militia gained renewed energy.⁹³ Interahamwe and government soldiers, who had reason to believe that the French were on their side, *increased* their killing of Tutsi after Operation Turquoise troops offered support to the local officials who presided over the genocide.⁹⁴ On the Bisero hills on the shores of Lake Kivu, for example, nearly 50 000 people had been murdered by the time the French arrived. Of the 2000 or so survivors, half were killed after French troops arrived and then left.⁹⁵

By the time they had established the outer limits of their area of control, French officers recognized their erstwhile allies as killers who had to be opposed. Simultaneously, militiamen, the interim government and the army realized that Operation Turquoise was not going to help kill Tutsi or beat back the advancing rebels. Militiamen and soldiers began to flee the French-occupied area and the Rwandan Army's morale dropped, along with a weakening of its military position.⁹⁶ (It evacuated Kigali during the night of 3 July.) French troops had 'a number of unrecorded confrontations' with elements of the army and Interahamwe as they attempted to disarm them in July.⁹⁷ Throughout July Operation Turquoise substantially improved security within its zone, helped enormously by the fact that the RPA had vanquished the Hutu extremists, who fled to Zaire. In the end, Operation Turquoise saved between 13 000 and 20 000 people, most of them at the Nayarushishi IDP camp. It also played an important role in helping high-level Hutu leaders get out of Rwanda by protecting them from the RPA.

The peculiar mix of success and failure can be explained by the intervention's timing, France's motives, the military capabilities brought to bear, and French officers' communication with the RPF and Hutu extremists. The genocide was

⁹¹ 'UNAMIR situation report', 3 July 1994 (restricted/internal).

⁹² 'UNAMIR situation report', 6 July 1994 (restricted/internal).

⁹³ 'UNAMIR situation report', 25 June 1994 (restricted/internal).

⁹⁴ 'UNAMIR situation report', 25 June, 28 June, 29 June, 30 June 1994 (restricted/internal); and Gourevitch, P., *We Wish to Inform You that Tomorrow We Will Be Killed with Our Families: Stories from Rwanda* (Farrar, Straus & Giroux: New York, 1998), p. 158. The French Government had trained and equipped Rwandan soldiers who trained the Interahamwe. Des Forges, A., *Leave None to Tell the Story: Genocide in Rwanda* (Human Rights Watch and International Federation of Human Rights: New York, 1999), p. 118.

⁹⁵ African Rights, *Resisting Genocide: Bisero, April–June 1994*, Witness no. 8 (African Rights: London, 1998).

⁹⁶ 'UNAMIR situation report', 2 July 1994 (restricted/internal). Interim government forces' morale also dropped 'due to lack of food, clothing, beer and other war supplies'. 'UNAMIR situation report', 3 July 1994 (restricted/internal) (emphasis added).

⁹⁷ Borton, Brusset and Hallam (note 85), p. 43.

executed so fast that it was nearly complete by the time Operation Turquoise began. There simply were not many Tutsi left alive in Rwanda to protect. No state acted sooner because, as noted above, with one exception those with the power to act did not have a political interest strong enough to make them undertake a highly risky operation. Moral suasion was an inadequate incentive, as it proved to be again in 2004 when governments acknowledged mass killing in Darfur, Sudan, and refused to act.

The exception in 1994 was France. What motivated the French Government to act when it did and what did policymakers hope to achieve? Many people at the time suspected that Operation Turquoise was not a humanitarian intervention at all but an attempt to keep the killers in power.⁹⁸ The position was starkly phrased by an RPF official: 'The French president wants at all costs to save those responsible for the crime of genocide under the guise of humanitarian action.'⁹⁹ The allegation was also made by less partisan observers and merits a closer look.¹⁰⁰

In the French Ministry of Defence a number of officers and civilians were sympathetic to the Hutu side.¹⁰¹ Shortly after the operation began a senior French official visited the troops and stated that the RPF could not be allowed to achieve military victory.¹⁰² Some French soldiers told journalists that they were briefed to believe that the Tutsi were the 'bad guys' and the Hutu the victims.¹⁰³ While Operation Turquoise generally did what it could on the ground to deter killing, and even disarmed Rwandan Army elements that entered the protected area, it did not attempt to detain ringleaders, even when they were identified.¹⁰⁴ On the contrary, the commander of the Ethiopian contingent within UNAMIR reported seeing French vehicles ferry Rwandan Army officers into Zaire.¹⁰⁵ The BBC's correspondent in Goma saw former Rwandan Chief of Staff General Augustin Bizimungu riding in a French military vehicle.¹⁰⁶

⁹⁸ See also chapter 5 in this volume, note 112.

⁹⁹ Interview with RPF Political Bureau member Dr Jacques Bihozagara by Colette Braeckman, *Le Soir*, 20 June 1994. See also RPF Chairman Alexis Kanyarengwe on (Clandestine) Radio Muhabura, 19 June 1994, FBIS-AFR-94-118, 20 June 1994, pp. 5–6; and Braeckman, C., *Le Soir*, 21 June 1994, FBIS-AFR-94-119, 21 June 1994, p. 1.

¹⁰⁰ A number of African states raised this possibility, as did the Secretary-General of the Organization of African Unity (OAU). One of the most striking reactions to the news of the intervention came from General Dallaire, who knew of the secret French arms deliveries for the Rwandan Army. He said, 'If they land here to deliver their damn weapons to the government, I'll have their planes shot down'. Quoted in Prunier (note 83), p. 287, fn. 14.

¹⁰¹ Borton, Brusset and Hallam (note 85), p. 55.

¹⁰² Bonner, R., 'As French leave, critics reverse position', *New York Times*, 23 Aug 1994, p. A6. This senior official may have been the minister of defence himself, who was reported in an internal UNAMIR document as saying that he favoured fighting side by side with the interim government forces if the RPA attacked. 'UNAMIR situation report', 30 June 1994 (restricted/internal).

¹⁰³ African Rights (note 95), p. 1148.

¹⁰⁴ African Rights (note 95), pp. 1150–51.

¹⁰⁵ *African Research Bulletin*, 21 Sep. 1994, p. 11560.

¹⁰⁶ Hillson, L., BBC World Service, 1 Aug. 1994, FBIS-AFR-94-148, 2 Aug 1994, p. 2.

Underpinning these anecdotes was France's historically friendly relationship with the Hutu government.

Suspicion sprang from a much deeper level as well. France continued to cultivate a special relationship with its own and Belgium's francophone former colonies. The relationships continued a long tradition of intervention in Africa and constituted an important way for France to remain a player in Europe. Francophone Africa is France's sphere of influence and an important part of its claim to great-power status. Threats to that status from English-speaking quarters elicit a visceral reaction from influential segments of the French establishment. For example, when a French magazine interviewed the vice-president of the defence committee in the National Assembly about Operation Turquoise, he stated that the (English-speaking) RPA soldiers in Kigali 'are threatening the privileged position of France there'. He went on to praise the operation, saying, 'we have just proved that we are still capable of acting in Africa. Fast and well'.¹⁰⁷

Moving from the historical to the ephemeral, pressure from media coverage and some NGO lobbying put the question of intervention on the map in Paris. An election was coming in 1995 and leading contenders for the presidency wished to display their humanitarian credentials.¹⁰⁸ President François Mitterrand's Socialist Party wanted to appear once again to have the 'monopoly of the heart' which had always irritated the right of centre Rally for the Republic party, to which Prime Minister Edouard Balladur belonged. Once the idea of intervention had been publicly entertained by top-level politicians, none could afford to oppose it.¹⁰⁹

Nevertheless, the operational plan and overall implementation of Operation Turquoise suggest that saving the victims of violence was also an important objective. Originally, the Ministry of Defence had planned to enter Rwanda through Gisenyi prefecture in the north-east. (Troops did make some forays there.) This was the centre of Hutu extremism, an area where there would be virtually no Tutsi left to save, and it was perilously close to the civil war front. If the idea was to help the interim government, the plan could not have been better. In fact it turned out that the plan was driven by Defence Ministry financial considerations.¹¹⁰ Gérard Prunier, a determined advocate for the southern entry point, with detailed knowledge of Rwanda, managed to change the minds of the general in charge of planning and of the defence minister. The argument which he believes 'finally won the day was that at Nyarushishi camp near Cyangugu we could find the large stock of surviving Tutsi whom we needed for

¹⁰⁷ Both quoted in African Rights (note 95), pp. 1105–106.

¹⁰⁸ African Rights (note 95), p. 1139.

¹⁰⁹ Prunier (note 83), pp. 281–82.

¹¹⁰ To enter through Cyangugu, as they eventually did, the French had to unload the strategic lift aircraft (Boeing 747s and Antonov 124s) in Goma and reload the material onto smaller Transall aircraft that could land at the Bukavu airport.

display to TV cameras'.¹¹¹ (More than half the Tutsi saved by Operation Turquoise were in Nyarushishi.) In the event, the operation abided by the UN mandate, pulled out as promised, and worked hard behind the scenes to allay RPF concerns about direct confrontation and French advances towards Kigali.¹¹² Like any other government, the French Government does not think with a single mind. Government officials have multiple competing and overlapping objectives. In this case the political and humanitarian converged in a way that produced a military intervention that all sides hoped would achieve their goals.

Although French troops sent mixed messages to friends and foes alike when they first arrived in Rwanda (and appeared to receive mixed messages themselves from Paris), General Lafourcade made sure that he communicated with the RPF. He established a direct line of communication with UNAMIR and through the UN mission to the RPF. The link was important because the only serious potential challenge to the safe zone lay with the rebels. Operation Turquoise ran the risk of getting into combat with the RPA and making the situation worse rather than better (if worse was possible). The line of communication helped to allay the suspicions of the RPF about the purpose and limits of Operation Turquoise's forward movement, that is, its intention, or otherwise, to march on Kigali. The boundaries of the French zone of occupation, identified by geographical features, were decided during four or five days of consultations involving the French force, RPA commander General Paul Kagame and SRSG Shaharyar Kahn.¹¹³ Without an extensive communication effort, it is likely that the RPA and French soldiers would have clashed more often than the two minor incidents that did occur.

The military capabilities of Operation Turquoise ensured French dominance on the battlefield, but they were inadequate for protecting civilians inside the safe zone. Compared to the Rwandan Army, which was in total disarray, and the RPA, which consisted almost entirely of lightly armed foot soldiers, Operation Turquoise was made up of 2555 French troops, most from the hardened Foreign Legion, and 350 soldiers from Senegal. Their number was not large, but they were highly trained and were equipped with over 100 armoured vehicles, a battery of 120-mm Marine mortars, two light Gazelle and eight heavy Super Puma helicopters, four Mirage F1CT ground-attack aircraft, four Jaguar fighter-bombers and four Mirage F1CR reconnaissance craft.¹¹⁴ Moreover, they had permissive rules of engagement and enjoyed a robust command and control system that enabled them to establish military control over a wide area.

¹¹¹ Prunier saw the decision whether to enter from the north or south as a litmus test. Prunier (note 83), pp. 283–86.

¹¹² Borton, Brusset and Hallam (note 85), pp. 42–43. See also Prunier (note 83), pp. 289–90.

¹¹³ Connaughton, R. M., 'Military support and protection for humanitarian assistance: Rwanda, April–December 1994', Overseas Development Institute, London, 1995, p. 22.

¹¹⁴ Prunier (note 83), p. 291; and Borton, Brusset and Hallam (note 85), p. 42.

Military control does not equate to civilian protection, particularly in a large safe zone. Killing in the Zone Turquoise continued and briefly increased during the early days, partly because soldiers were not told unequivocally to save Tutsi and partly because they did not have the means to do so. The zone covered approximately one-fifth of Rwanda, or 5000 km². It contained approximately 2.5 million people, three-fifths of whom had fled there from other parts of the country. The perpetrators of the genocide were enthusiastic and present on every hill. General Lafourcade never had more than half his troops in Rwanda. Under these circumstances, the demands of adequate protection completely overwhelmed what Operation Turquoise could provide.¹¹⁵ Nor could soldiers bring people to central locations for protection. All but one of the logistical units were used for combat support.¹¹⁶ On numerous occasions Tutsi came out of hiding when they saw French troops. The soldiers, who were too few and too short on supplies to provide durable protection, would tell them to wait until trucks could arrive. By the time the trucks arrived a day or two later, most of the Tutsi had been killed.¹¹⁷ Because Operation Turquoise was conceived as a combat operation rather than a rescue mission, it had too much armour and not enough trucks.¹¹⁸

Summary

The tragic case of Rwanda points to the importance of understanding the nature of the threat to unarmed civilians. It was a situation that called for fast action by a large number of lightly armed foreign troops. The genocide was perpetrated by very lightly armed militiamen who were not a significant military force. That is why a tiny, weak UN mission was instrumental in saving as many as 20 000 people through point protection.

UNAMIR's burden, and its only advantage, was time. In a rapidly developing genocide, fast action saved lives. It could have saved more lives if Western political leaders had not cut the international force to the bone. Those leaders feared another Somalia or Bosnia and Herzegovina, which Rwanda was not. When France plucked up the courage to act, Operation Turquoise was suited to oppose an army (such as the RPF) and it had trouble controlling the thuggish violence that engulfed Rwanda. Whereas militiamen were easily deterred by point protection, they remained largely free to continue killing in places where there was no immediate foreign presence, even inside a formally declared safe

¹¹⁵ The troop-to-population ratio was 1 : 1725 (1450 troops to 2.5 million people). With these numbers it is impossible to police a population of whom many are hell-bent on perpetrating a crime. In the USA and most European Union countries, the police-to-population ratio is 2.2 : 1000 during peacetime. In Northern Ireland the UK maintained a ratio of 20 : 1000. Quinlivan, J. T., 'Force requirements in stability operations', *Parameters: US Army War College Quarterly*, vol. 25, no. 4 (winter 1995/96), pp. 59–69.

¹¹⁶ The exception was a military hospital put at civilian disposal. Connaughton (note 113), p. 18.

¹¹⁷ African Rights (note 95), p. 61.

¹¹⁸ The top planner in the Ministry of Defence had recently returned from Bosnia and Herzegovina and did not want to be caught unprepared. Prunier (note 83), p. 289. Ironically, the operation was not ready to carry out an important protection task.

zone. Most of the 17 000–20 000 people whom French troops saved were at a single location. In other words, they benefited from point protection within the large safe zone.

In situations where the killers are mere thugs and the army is unable or unwilling to back them up when confronted by foreign troops, a fast and light intervention force can save a great many lives. The problem with this observation is that policymakers often cannot be sure before an intervention whether the target country's army will back the thugs. In Rwanda, policymakers guessed wrong. Four years later, in East Timor, they appeared to have learned the lesson because they secured the agreement of Indonesia's president not to support the militia before the intervention was launched.

The Rwandan case presents the dilemma of overlapping humanitarian and political motives in stark terms. Operation Turquoise was driven by competing political and humanitarian objectives, with the former holding sway in Paris. France could have saved more lives and done more to capture the *génocidaires* if it had not been eager to help its Hutu allies. However, but for its political interests, France would probably have declined to intervene at all, just like every other Western country did.

Kosovo

The high-profile NATO bombing campaign over Kosovo, Operation Allied Force, had the effect, after 78 days, of driving the FRY security forces out of Kosovo and creating a large safe zone that consisted of the entire province. The NATO action was designed to defeat the FRY security forces in Kosovo and is therefore discussed in detail in chapter 7. The follow-on intervention, KFOR, was designed to protect civilians and aid operations.

On 9 June 1999, Lieutenant General Mike Jackson for NATO and General Svetozar Marjanovic of the FRY signed the Military Technical Agreement that ended the war. The agreement called for the withdrawal of all Serb forces from Kosovo and the entry of an international security force to monitor the agreement and facilitate the return of refugees.

On 10 June 1999 the UN Security Council passed Resolution 1244 which established a comprehensive framework for reconstructing Kosovo's economic, political and legal systems. It provided for the deployment in Kosovo of an international civil and security presence (the security presence being KFOR); endorsed the establishment of an interim administration for Kosovo; directed the international civil presence to facilitate a political process to settle Kosovo's future status; called for the safe return of refugees; and called for the demilitarization of the KLA. As with most resolutions, there appeared to be some inherent contradictions. The resolution stressed the territorial integrity and sovereignty of the FRY at the same time as calling for 'substantial autonomy and meaningful self-administration for Kosovo'. Responsibility for these diverse and far-reaching tasks was divided into four 'pillars', to be run by the

UNHCR (humanitarian assistance), the OSCE (democratization and institution building), the European Union (economic development) and the new United Nations Mission in Kosovo (UNMIK) (civil administration).¹¹⁹ The four together constituted a post-conflict reconstruction effort, not a humanitarian intervention as that term is used here.

NATO contributed the military intervention force called the Kosovo Force, KFOR. This was the immediate follow-on force to Operation Allied Force and was intended as a deterrent to protect the safe zone that had just come into being.

Following the adoption of Resolution 1244, the North Atlantic Council authorized the transfer of troops from Albania and the FYROM to KFOR. The military's mandate was to deter renewed hostilities, enforce the ceasefire, demilitarize the KLA and establish a secure environment for the implementation of the four pillars.¹²⁰ On 12 June, while FRY troops were still withdrawing from Kosovo, KFOR entered the territory and set up its headquarters in Priština. The foreign troops had a few encounters with Serb units, but otherwise the entry met with no resistance.

KFOR divided Kosovo into five sectors under the control of different NATO states—the French sector, in the northern Mitrovica area; the southern Prizren region under German command; the western Peć region under Italian command; the central region of Priština under British command; and the eastern Gnjilane region under US command.¹²¹ Non-NATO or smaller NATO contingents fell under the command of the sector commanders. After the initial entry phase KFOR consisted of approximately 45 000 troops.¹²²

KFOR had no trouble whatsoever deterring the FRY Army and Interior Ministry troops from entering Kosovo en masse, although some paramilitary troops continued to slip across the border for a short time. The most important reason was that the FRY Government had agreed to the intervention and ordered its military to pull back. NATO's local power advantage and its proven willingness to act served strongly to reinforce the agreement, in case Milosevic was tempted to renege. The alliance's 45 000 troops numbered roughly the same as the FRY Army and Interior Ministry personnel in Kosovo during the war.¹²³ While most of the NATO troops were less experienced in combat than

¹¹⁹ British Ministry of Defence, *Kosovo: The Financial Management of Military Operations: Report by the Comptroller and Auditor General*, Session 1999/2000, HC 530 (Stationery Office: London, 5 June 2000), p. 39, figure 14.

¹²⁰ Independent International Commission on Kosovo, *The Kosovo Report: Conflict, International Response, Lessons Learned* (Oxford University Press: Oxford, 2000), p. 191.

¹²¹ Independent International Commission on Kosovo (note 120), p. 103.

¹²² Minear, L., van Baarda, T. and Sommers, M., *NATO and Humanitarian Action in the Kosovo Crisis*, Occasional Paper no. 36 (Thomas J. Watson Jr Institute for International Studies, Brown University and the Humanitarian Law Consultancy: Providence, R.I., 2000), p. 27.

¹²³ British House of Commons, Defence Committee, *Lessons of Kosovo*, vol. 1, *Report and Proceedings of the Committee*, Session 1999/2000, HC 347-I (Stationery Office: London, 2000), p. cvii, paras 282–83. NATO General Wesley Clark estimated that on 27 Apr. 1999 there were 40 000 FRY troops in Kosovo, including police and reservists. Milosevic claimed at about the same time that there were

their Serbian or FRY counterparts, they had the advantages of superior equipment and a highly effective air force. The FRY knew as well as NATO that air strikes against field units would be far more effective if they were conducted in conjunction with allied ground attacks. The Milosevic regime must also have been aware that any military action in Kosovo could also trigger the renewal of strategic bombing within Serbia proper.

In addition to deterring attacks on Kosovo, KFOR continued some of the humanitarian activities that it had begun in neighbouring countries during the bombing campaign (see chapter 4). Its soldiers helped in the transport of relief material through unsafe areas, guarded warehouses and provided a general security umbrella for the repatriation of refugees.¹²⁴ The presence of NATO troops made Kosovar Albanians feel safe. Immediately after the end of the bombing campaign, refugees began to return spontaneously to Kosovo. By November 1999, more than 800 000 of the 850 000 refugees had returned.¹²⁵

The Kosovo experience demonstrated once again, however, that within large safe zones military units are not able to protect civilians effectively from small-scale attacks. As Albanians flooded back into the province, the majority of the Serbs and other minorities left, and for good reason. Approximately 700 people were murdered in Kosovo during the 18 months after KFOR arrived, almost all of them Serbs.¹²⁶ Human Rights Watch and the UNHCR estimated that, after KFOR arrived, 164 000 Serbs and Roma left.¹²⁷ The UNHCR stated that, by November 1999, 70 000 Serbs, 11 000 Roma, 20 000 Slavs and Goranis, and 15 000 Turks remained in Kosovo—significantly fewer than before the war.¹²⁸ The failure was due in part to a strong emphasis on ‘force protection’, or soldiers looking out for their own security first, and in part to the fact that military units are simply not trained to do preventive police work.

KFOR did protect individual homes of threatened minorities, but not consistently,¹²⁹ and keeping endangered people under virtual house arrest was in any case not a sustainable option. The residents of Kosovo needed an effective and impartial police force to protect them from violence inside the zone. The security component of UNMIK (not a military force) eventually provided a police presence, starting in the latter half of 1999. Combined with the exodus of

100 000 Serb troops in Kosovo. His statement is very likely exaggerated and should be taken in the context of trying to deter the entry of a NATO ground force. Blauw, B., ‘The situation in Kosovo’, Report submitted on behalf of the Defence Committee, Assembly of the Western European Union, 45th Session, 10 June 1999, document 1651, p. 8, para. 31.

¹²⁴ Minear, van Baarda and Sommers (note 122), p. 7.

¹²⁵ Independent International Commission on Kosovo (note 120), p. 206.

¹²⁶ International Crisis Group (ICG), *Violence in Kosovo: Who’s Killing Whom?*, Balkans Report no. 78 (ICG: Brussels, 2 Nov. 1999); and UNMIK Police statistics, URL <<http://www.civpol.org/unmik/statistics.htm>>.

¹²⁷ Layne, C. and Schwarz, B., ‘Dubious anniversary: Kosovo one year later’, *Policy Analysis*, no. 373 (10 June 2000), p. 4.

¹²⁸ International Crisis Group (note 126), p. 1.

¹²⁹ Minear, van Baarda and Sommers (note 122), p. 24.

Serbs and the waning of revenge killings, the policing effort led to a drop in the murder rate.¹³⁰

KFOR continued to support UNMIK up to 2005 as it sought to find a political resolution to the question of Kosovo's status in relation to the (by then re-named) State Union of Serbia and Montenegro. The intervention force outlasted the regime of Slobodan Milosevic by years and its character changed from primarily deterring external aggression against Kosovo to primarily maintaining peace within the province. It was, in sum, successful at deterring large-scale attacks on the province. After initially failing to protect vulnerable civilians, it worked with the UN civilian administration to provide security within the zone. Although there were persistent problems, KFOR, UNMIK and local authorities worked together to prevent widespread attacks on civilians.¹³¹

III. Advantages and disadvantages of military intervention to save the victims of violence

The first and biggest advantage of military intervention to protect the victims of violence is that it can save lives. When civilians are attacked, physical protection is one of the few viable responses. Tens of thousands of people who are alive today would be dead but for the interventions in Iraq and even in places associated with failure, such as Bosnia and Herzegovina and Rwanda.

A second advantage is that it is the easier of the two generic ways to respond to violence against civilians. It is easier to protect those who might become victims of violence, in most cases, than it is to defeat the perpetrators. Although protection requires the intervener to control a finite space, ranging from a single building to a large part of a country, it does not require control of the entire country or the capitulation of the perpetrators. Even a small intervention force can save lives in desperate situations, as in northern Iraq and Rwanda, as long as it responds quickly and is willing to take risks.

Third, protecting the victims of violence has the advantage of buying time to find a political solution to the conflict. In Bosnia and Herzegovina and Rwanda, foreign governments and the UN tried to negotiate with the killers before they established safe areas, while a large number of people remained in peril or were being slaughtered. In Darfur, Sudan, in 2006 people are being massacred while governments talk. When the perpetrators' political strategy depends on killing people who belong to the 'wrong' group, negotiation alone does not save lives and does not advance the cause of peace. Political solutions, even temporary ones, were not found in Iraq, Bosnia and Herzegovina, Rwanda, or Kosovo until outsiders protected potential victims of violence. In most cases, finding

¹³⁰ International Crisis Group (note 126).

¹³¹ E.g. inter-ethnic violence killed over 30 people in Mar. 2004. UN News Center, 'Condemning violence in Kosovo, Security Council demands return to rule of law', 18 Mar. 2004, URL <<http://www.un.org/apps/news/story.asp?NewsID=10131&Cr=kosovo&Cr1=>>>.

political solutions required much more than civilian protection but, as chapter 2 notes, saving lives is the starting point for more long-lasting responses to complex emergencies.

The disadvantages of protecting the potential victims of violence help to explain why governments debate long and hard before they act and often do not act at all.

First, protection is dangerous. It is needed only where violence is ongoing, that is, at least one party does not consent to intervention. Any soldier who stands in harm's way could be killed. Governments wish to avoid the political problems at home that arise from losing soldiers who are sent off to save strangers.

Second, protecting civilians is difficult to do. In most cases it requires the intervener to compel the killers to stop doing something they have already begun. Successful compellence requires considerable power and its judicious application. Outsiders created protected zones in Iraq, Rwanda and Kosovo but none of the interventions was easy. Even when a strategy of deterrence is appropriate, the intervener needs to demonstrate unequivocally that it is willing and able to punish an attacker. The anaemic international reactions to Serb encroachments on the Bosnian safe areas led to more serious attacks over time. Once a protected area exists, the intervening military has to maintain a police-type presence inside the area to prevent killing by thugs and militiamen. Since a military force designed for combat does not have the manpower or training to play a policing role, killing often continues for a while in large safe zones. Sometimes the persecuted group can provide its own protection in a safe area (as in Iraq), but it can also commit its own murders and expulsions (as in Kosovo).

In addition, protecting the victims of violence has several political drawbacks. It is not a solution to the problems that caused the violence. This is the downside to the advantage of using protection to buy time. Difficult as protection is, additional military and diplomatic work are also needed, often for many years.

Protection can create a stalemate where neither local party feels an urgent need to find a long-term solution through compromise. The party being protected is no longer in mortal danger, or at least is in less danger. In addition, it has reason to believe that its patron, who has already made a deep commitment to its cause, will support a tough negotiating position. The other party, the attacker, has had its objective thwarted but is not itself in danger. It can bide its time. This is one of the most important differences between intervention to protect civilians and intervention to defeat the perpetrators.

The final political drawback is that large safe zones can become *de facto* autonomous regions or even secessionist states. The USA and the UK maintained protection over northern Iraq from 1991 until the Iraq War of 2003. During that time the Kurds set up independent political institutions and international economic assistance flowed directly to the safe zone, bypassing

Baghdad. KFOR has remained in Kosovo from 1999 to the time of writing in 2006. The resolution of Kosovo's final status has stalled, but all Kosovars expect to get an independent state eventually—an outcome that would not be possible if the province were not under international protection. The desirability of a new state should be judged on a case-by-case basis, but the ad hoc promotion of secession as a by-product of humanitarian protection is a serious challenge to the principle of state sovereignty that holds the international system together.

IV. Summary

Governments and the UN are rarely criticized for saving lives, but they are often criticized for failing to protect the victims of violence. Sometimes they do too little, as in Rwanda and Darfur. Sometimes they act incompetently, as in Bosnia and Herzegovina. Sometimes the issue is violation of international law, as in Kosovo. It seems that the prevailing attitude among policymakers, pundits and the public is that intervention to protect civilians is a good thing and it should be done better. Yet the decision to take military action to protect the citizens of another state remains one of the hardest a political leader must make. Does an endangered group of people really need protection? Is it worth risking soldiers' lives? Will protection work? Will humanitarian action draw the intervening country into a political morass? These questions have to be answered in the context of a specific case. Nevertheless, some generalizations can be made.

It is possible to save people's lives even in the most desperate circumstances, but achieving a reasonable prospect for success is challenging. In terms of the arguments made in chapter 1, protection operations demand that the intervener reacts quickly, arrives with a powerful military force and is willing to take risks. The intervention force must be well trained and equipped so that it can compel the killers to stop and then shift to a deterrent strategy. The need for defence is rare, particularly when the deterrent is robust, but if defence is needed and is not offered the consequences are disastrous.

All these requirements are far more likely to be met if the intervener has political motives as well as humanitarian ones. Political interests are a strong incentive for political leaders to take risks and commit resources to a cause. For humanitarian intervention, political motives can be problematic if they overshadow or clash with humanitarian needs. It is far more problematic, however, when people in a war zone need protection and no government feels sufficiently motivated to help.

Military intervention to protect the population frequently conforms to the just war principle of just cause. In the cases studied here, intervention took place when large numbers of people were being killed or were in imminent danger and unable to protect themselves. Conformity with the other principles, however, is problematic. While many of the operations reviewed here were authorized by the UN Security Council, the actions by the RPA in Rwanda and

NATO in Kosovo did not enjoy the right authority of a Security Council mandate; yet they saved more lives than the other protection efforts in those locations. It is also clear from the interventions in Iraq, Bosnia and Herzegovina, Rwanda, Kosovo and East Timor that the right intention of saving people was insufficient to prompt action and had to be combined with (a purist would say 'compromised by') political intentions to change the existing political order. In Bosnia and Herzegovina and Rwanda, where forceful intervention was undertaken only as a last resort, many people were killed before effective action was taken,¹³² whereas the interventions in Iraq, Kosovo and East Timor saved as many people as they did partly because they happened soon after the crises began.

The principle of proportional means must be interpreted in a particular way when civilians are being attacked. If interveners were to use means proportional to those used by the perpetrators of violence, then they would have an extremely hard time getting the perpetrators to stop at an acceptable cost in foreign soldiers' lives. Instead, the interveners' military means must be proportional to the need to protect civilians. In other words, the intervener must be disproportionately strong compared to the local actors.

¹³² The RPA reacted immediately and eventually stopped the genocide, but the killing could potentially have been stopped sooner if states had acted quickly.

7. Defeating the perpetrators of violence

Atrocities against civilians can be so heinous that their perpetrators have to be defeated. It is obvious, in retrospect, that the Rwandan extremists could not be persuaded to stop their genocide. They had to be made to stop with brute force. The Khmer Rouge regime killed between 1 and 2 million people in Cambodia and would have continued if Viet Nam had not invaded and driven Khmer Rouge leader Pol Pot from power. Ugandan dictator Idi Amin was less efficient in his killing but no less brutal. After eight years of murder and mayhem Tanzania invaded Uganda to overthrow him.¹

Fighting a war to save lives sounds like an oxymoron, reminiscent of the infamous quip about US soldiers in Viet Nam destroying a village to save it.² War is brutal, thoughtless and vengeful; it involves killing, destruction and pain. Civilians usually die in greater number than combatants. Yet in rare cases, when a government is determined to exterminate part of its own population—when it is genocidal—warfare is a justifiable response.³ When large numbers of civilians are already being killed it behoves outsiders to do something about it.

Military force should never be the first option because of the destruction that aggressive use of force causes. Instead, concerned governments can try to compel the perpetrators of violence to stop by using various means of coercive diplomacy, from diplomatic negotiations, through economic sanctions, to the threat of force. If those efforts fail, then using force to defeat the perpetrators is the only alternative to standing by while mass killing happens. In extraordinary cases, such as that of Rwanda in 1994, the killing happens so fast that trying a variety of non-violent persuasive measures is tantamount to letting the genocide go unchecked. The principle of last resort does not mean that all other methods must be attempted and fail before using force is justifiable; it means that other methods must be considered seriously and rejected as insufficient.⁴

Defeating the perpetrators shares some characteristics with saving the victims. Both types of humanitarian intervention address the problem of vio-

¹ The majority of the Cambodians who died were the victims of disease and malnutrition in forced labour camps. In Uganda, Idi Amin was responsible for the deaths of up to 300 000 people. Cambodian and Ugandan mortality estimates come from Amnesty International, quoted in Wheeler, N., *Saving Strangers: Humanitarian Intervention in International Society* (Oxford University Press: Oxford, 2000), pp. 78, p. 111.

² In the context of the Viet Nam War, saving a village meant keeping it out of Communist hands, regardless of what happened to the villagers.

³ Note that genocide and mass killing are committed by governments, or more precisely armies, militia and security forces acting as government agents. Rebel groups and militia acting without the support of the state are not physically and institutionally capable of committing genocide. Valentino, B., *Final Solutions: Mass Killing and Genocide in the Twentieth Century* (Cornell University Press: Ithaca, N.Y., 2004).

⁴ International Commission on Intervention and State Sovereignty, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (International Development Research Centre: Ottawa, 2001), pp. 36–37.

lence; both are overtly political, even if they are wholly or partially justified in humanitarian terms; and both use the strategy of compellence.⁵ These similarities notwithstanding, defeating perpetrators is different from saving victims in important ways, all of which make it more difficult.

The most significant difference is the focus on the perpetrators. As noted in chapter 6, when an intervener focuses on the perpetrators of violence it must use strategies of compellence and offence until the killers capitulate or are militarily defeated. The offensive use of force is controversial, especially when the intervener claims a humanitarian motive. When Viet Nam invaded Cambodia, Tanzania invaded Uganda and India invaded East Pakistan to end the violence in those places, all three justified their actions in national security terms, not humanitarian terms.⁶ Even in the post-cold war era, when the normative discourse of international relations allows for forceful humanitarian intervention, the USA argued with its European allies for years before they agreed to a serious air campaign against the Bosnian Serbs. When NATO attacked the FRY over Kosovo it did not ask for UN Security Council permission because member states knew that the answer would be 'No'.

When an intervener undertakes to defeat the perpetrators, the level of violence is very likely to increase, possibly for an extended period of time, before it subsides. The perpetrators will be highly motivated to fight by the unhappy prospect of defeat or of having to settle the war on terms dictated by the intervener. To cede control over a safe area goes against a perpetrators' interests but at least, when faced with the prospect of having to fight a strong intervener, the perpetrators can accommodate the intrusion on the grounds that the safe area is limited by space and time. (It expects to get the safe area back.) To lose power completely is another matter. The perpetrators will fight with everything they have until either they lose or they decide to negotiate a peace. The allied bombing campaign against Bosnian Serbs and the simultaneous Croatian ground offensive intensified the warfare in Bosnia and Herzegovina. The Tanzanian invasion of Uganda in 1979 raised the level of violence until Amin surrendered.

One encouraging difference is that defeating the perpetrators ends the war and can lay the foundation for lasting peace. This is the only type of military humanitarian intervention that addresses a cause of suffering instead of just treating its symptoms. It can provide long-lasting protection to civilians and aid workers alike and create the conditions for political, social and economic reconstruction. On the other hand, if the intervener loses, the perpetrators have free rein to do whatever they want, safe in the knowledge that they are unlikely to be interfered with by outsiders.

How is humanitarian intervention to defeat perpetrators of violence different from traditional war-fighting? For the soldiers on the ground who are using

⁵ On the meaning of the term compellence see chapter 2 in this volume, note 22.

⁶ Wheeler (note 1), chapters 2, 3 and 4.

brute force and having it used against them there is very little difference.⁷ This kind of intervention is nasty business and must not be undertaken lightly. For the governments who participate in the intervention the difference is small but significant. Humanitarian interventions are voluntary—they do not *have* to be won in the same way as a war that engages national interests does. At the same time, governments that have committed themselves to defeat an adversary do not like to give up easily, especially if, in the course of justifying the use of force, they have invested political capital with domestic constituents and allies.⁸ They may be willing to sustain considerable costs in ‘blood and treasure’ in order to prevail.

These issues and empirical examples are analysed in detail below, following a structure that is familiar from preceding chapters. Section I lays out the logic of intervention to defeat perpetrators. It looks at the conditions for intervention, strategies of offence and compellence, and the linkages between military action and lives saved. What are the factors that affect the strategy of offence? What is the relationship between offence and compellence? What are the variants of this type of intervention? Section II looks at the historical record of the 1990s. Why were some cases more successful than others? Under what conditions is intervention to defeat perpetrators most likely to succeed? Section III reviews the advantages and disadvantages of intervention to defeat the perpetrators of violence. The final section is a brief summary that compares this type of humanitarian intervention with the principles of just war.

I. Strategies for defeating the perpetrators of violence

The purpose of intervention to defeat the perpetrators of violence is to change the political order of the target country. Change can take the form of driving the power holders from power, forcing them permanently to cede control over a piece of territory or forcing them to accept a power-sharing arrangement with the group they are oppressing. The humanitarian effect of a new political order is to stop the widespread killing that justified the intervention.

This is not what humanitarian aid organizations mean by the term ‘humanitarian’. They recognize the need to respond with force in cases of mass killing and are often among the most vocal proponents of intervention when innocents are being killed; but intervention of this type, while it might help to protect basic human rights, is political, not humanitarian. The humanitarian aid workers make a good point.⁹ Offensive military action focused on the perpetrators of

⁷ Soldiers operate under more restrictive rules of engagement during humanitarian interventions, designed to minimize the risk to civilians.

⁸ If policymakers believe that the credibility of future demands rests on making good on current threats, as most do, then they have a strategic reason to persist in war even if the costs become high. Press, D. G., ‘The credibility of power: assessing threats during the “appeasement” crisis of the 1930s’, *International Security*, vol. 29, no. 3 (winter 2004/2005), pp. 136–69.

⁹ Chapter 2 describes the rationale for including a political kind of intervention in the typology of humanitarian intervention.

violence *is* political. Not only does it have a political objective; it is extremely difficult and dangerous, so the intervener's political interests must be engaged.

Offence is the use of brute force to defeat an opponent or occupy a place.¹⁰ While it is extremely challenging in practice, offence is theoretically quite simple. Successful offence depends on the attacker holding a power advantage over the defender. When the attacker has such an advantage and is willing to use it, it can impose its will on the defender.

The balance of power is a function of each side's military strength, modified by practical constraints such as time and distance. At the local (battlefield) level, a belligerent's military strength is determined for the most part by the number of its soldiers, their skill, the weapons they use and the support structure they have (e.g. a logistics train to resupply the front line). At the national level, military strength also depends on the size of the country, its economic strength, its industrial base and the budget priorities of the government, that is, how much of the national budget the government spends on its military. For any particular war, local military strength is the product of a country's national military strength and the proportion of that strength that the government is willing to commit.

It is not always possible to tell in advance who will have the local power advantage, even when a big military power takes on a small one. Powerful interveners often choose to withhold most of their national military strength so that they can defend themselves and attend to commitments in other places, or they may not be able to project their military power beyond their immediate surroundings.¹¹ Actors in the target country, in contrast, often throw everything they have into the fight. Their vital interests are at stake and they tend to have few other military commitments.

The application of force is constrained not only by political priorities but also by factors in the target country. The size of the country, its population density, the degree of urbanization, its terrain, its vegetation and its infrastructure all make a difference. It is easier to invade and control a small country than a big one. Desert landscape is easier to traverse than jungle, but is harder to hide in. 'High-value' infrastructure, such as an oil refinery, is easier to damage with bombs than primitive infrastructure, such as a water well. These physical and demographic factors are beyond the control of an intervener but they can and should influence the decision to intervene.

A final constraint is the disposition of the population in the target country. It is far easier to defeat an adversary, especially a government, when the majority of the population does not support it. The governments of Cambodia, Pakistan and Uganda were immensely unpopular, so Viet Nam, India and Tanzania, respectively, did not have to contend with popular resistance to their invasions. In Somalia, on the other hand, the UN tried to defeat a man who enjoyed a great

¹⁰ Schelling, T. C., *Arms and Influence* (Yale University Press: New Haven, Conn., 1966), p. 2.

¹¹ The USA is the only country in the world with standing capacity to move its soldiers and their equipment to remote locations in a short time and to keep them supplied.

Table 7.1. Various outcomes of offensive action to defeat perpetrators of violence

Decision point	Outcome	Example
Prepare to attack	Perpetrator negotiates or attack begins	Northern Iraq
Attack	Perpetrator negotiates or fights	Bosnia and Herzegovina
Perpetrator fights	Perpetrator negotiates	Kosovo
	or intervener defeats perpetrator	Rwanda
	or perpetrator defeats intervener	Somalia

deal of local support. As a result, UN troops had trouble collecting intelligence and preventing General Muhammad Farah Aidid from collecting intelligence, and they had to contend with unarmed civilians serving voluntarily as shields for Aidid's militiamen.

Offence, however, is not the only strategy the intervener can use to defeat perpetrators of violence. *Compellence* is also an option. In fact, the process of preparing for offensive action (unless it is secret) is a form of compellence, for it represents a coercive threat. In the words of the strategic theorist Thomas Schelling, 'The forcible and the coercive are both present in a campaign that could reach its goals against resistance, and would be worth the cost, but whose cost is nevertheless high enough so that one hopes to induce compliance . . . by making evident the intent to proceed'.¹²

To briefly review the discussion of compellence in chapter 6, it is a strategy to use force or the threat of force to induce an adversary to take a specified action by a certain deadline, with the threat or use of force withheld when the action is taken. Successful compellence depends on a credible threat to hurt the adversary until it complies. In contrast to offence, it depends on the opponent's acquiescence. As during the preparation to use force, the line between offence and compellence becomes blurred when an adversary capitulates in the face of an imminent attack. If the attacker has not set total surrender as the condition for ending the war, a peace deal can be made. This is what happened in Bosnia and Herzegovina when Serbian President Slobodan Milosevic negotiated a power-sharing arrangement between Serbs, Croats and Muslims in Bosnia and Herzegovina on behalf of the Bosnian Serbs.

Intervention to defeat the perpetrators of violence

The other three types of humanitarian military intervention—help to provide assistance, protect aid operations and protect civilians—can be undertaken in a variety of ways, depending on the particular needs of the situation and the intervener's capabilities and interests, but there really is only one way to defeat the perpetrators of violence—to attack them. An attack can take many forms, from air strikes alone to ground force manoeuvres alone, to various combinations of

¹² Schelling (note 10), p. 80.

the two by a single country, a coalition or a UN force. Whatever form it takes, an attack is one link in a chain of events which, if things go right, connects offensive military action to cessation of the widespread killing of civilians. If an intervener chooses this path, it can hope that the perpetrators of violence will give in before they are totally defeated, perhaps even before an offensive has begun; but an intervener who decides to defeat the perpetrators of mass violence courts disaster if it counts on an easy victory. The attacker must go in with highly capable and well-equipped troops or a great deal of motivation or, preferably, both.

Intervention to defeat perpetrators of violence begins with the need to end mass killing. The intervener prepares to attack, at which point the chain of events can unfold in five ways (summarized in table 7.1). First, if the intervener is especially menacing (or lucky) the perpetrators can choose to negotiate on the potential attacker's terms before the attack begins. One of the central terms of the agreement will be an immediate end to the killing. In this scenario, compellence works and offence is not necessary. The aggressive coalition manoeuvres in northern Iraq in 1991 to drive out the Iraqi military are an example, although the objective was to create a safe area, not to change the political order. An attack never took place but deployment did.

Second, preparation for attack is followed by offensive action. Again, the perpetrators can choose to negotiate on the intervener's terms if they fear that fighting will bring too much destruction or weaken them even more than what they would have to give up at the negotiating table. In this scenario, compellence has worked once the punishing use of force was brought to bear. An example is the Bosnian Serb decision to negotiate when NATO aircraft and Croatian ground forces both moved against them in 1995.

Third, the perpetrators respond to the attack by fighting back. The period of warfare can last for a short time or it can extend indefinitely. At some point, determined by the viciousness of the fighting and the perpetrators' willingness to pay the costs of war, the perpetrators sue for peace. The response of the FRY Government to NATO's attack on Kosovo in 1999 illustrates the scenario.

Fourth, war can lead to the total defeat of the perpetrators, which ends their killing of civilians. An intervener with humanitarian intent rarely wants to defeat the perpetrators completely, but must be prepared to go to that length. It will then find itself occupying a country with no government (assuming that the government was the perpetrator, as has hitherto been the case with mass killing) and will have to rebuild the political system. This outcome is unusual and, from an intervener's point of view, undesirable because of the immense amount of time, effort, danger and potential for failure it entails. It is most likely to happen in the context of a civil war where one side is doing the killing and the other side is strong enough to stop it. The Rwandan Patriotic Front defeated the extremist Hutu government and stopped the genocide in 1994.

Finally, fighting can induce the intervener to withdraw because it is not willing to continue to pay the price that the perpetrators' resistance exacts.

Withdrawal is tantamount to defeat. Once an intervener withdraws, the perpetrators no longer have to be constrained by the fear of interference. In this scenario, compellence and offence fail and the killing of civilians does not end. Somalia in 1993 provides an example of interveners withdrawing in defeat, although in this instance mass killing was not a problem.

As with the schematic plans of action for other types of humanitarian intervention, this set of contingencies is influenced by a number of conditions, many of which are noted above. The first condition is that offensive use of force is the last possible option. Other methods have been tried and failed or have been seriously considered and rejected as unlikely to succeed. Rarely is it clear to political leaders, given all the interests they must take into consideration, when the moment has come to use force. It is a decision leaders have to make case by case. In Rwanda the RPF decided to act immediately, partly because restarting the civil war could help them achieve political goals, partly because they understood the speed of the killing and partly because they had no other options. In Kosovo many people argued at the time and have argued in retrospect that the USA moved too quickly to war. In Darfur, Sudan, the debate about how to respond has continued intermittently while the violence continues, even though former US Secretary of State Colin Powell called it genocide.

The second condition, or assumption, is that the intervening government or coalition is willing to pay potentially high costs in blood and treasure.¹³ If it is looking for a cheap intervention, it should reconsider its options. It can, for example, choose to protect aid organizations while they attend to the displaced. Any government that does this in the face of mass killing lays itself open to criticism that it is hiding behind humanitarian assistance to avoid (harder) political action. The accusation will have merit, but political leaders might prefer it to the costs of offence or compellence.

Actually initiating the attack involves two more conditions. First, the intervener has to believe that it has a local power advantage great enough to enable it to prevail at an acceptable cost to itself. Second, it also has to believe that it can prevail at an acceptable cost in civilian lives, that is, attacking will not kill more civilians than it saves and the offensive will succeed quickly enough to save people before they are all killed. These considerations should, of course come into play during the decision to use force. Yet it might be the case in a fluid and uncertain situation, when debate rages within intervener governments about the right course of action, that the preparation for attack turns out to be no more than a compellent threat. If the perpetrators do not negotiate at that point—if they call the potential intervener's bluff—then the decision to attack rests heavily upon these two conditions.

¹³ The US Government is tempted to think that it can pay a high price in treasure and avoid a price in blood by using highly advanced, long-range weapons to avoid putting its military personnel in the line of fire. The preferred method, tested in the Balkans during Operation Deliberate Force in 1995 and Operation Allied Force in 1999, is air power. At least the former case, however, required ground troops provided by others. The circumstances under which 'humanitarian bombing' might work are rare indeed.

The decisions of the perpetrators are also subject to conditions. At all the decision points when they can choose to negotiate rather than fight, the less the perpetrators believe that they can prevail on the battlefield, the more attractive negotiation will seem. Proper authorization for the intervention by the United Nations or a regional intergovernmental organization is a condition that gives legitimacy to the intervention and will make it more difficult for the perpetrators to gain international support by playing the role of victim. It will also be more difficult for the perpetrators to split a military coalition, as Milosevic tried to do in Kosovo, if the coalition has the consensus support of an international body.

Once the intervener initiates an attack, the perpetrators will choose to fight if they believe that they have more to lose by talking than by fighting and if they believe that they have sufficient strength to make the intervener suffer. The objective of a perpetrator who fights back when attacked is to raise the cost to the intervener to such a level that the intervener decides to withdraw. In theoretical language this is deterrent defence—the obverse of the intervener thinking it can prevail at an acceptable cost.

As the fighting continues, the intervention will end with the perpetrators' defeat or their acceptance of negotiation on unfavourable terms under conditions where the intervener has a big local power advantage or the power balance slightly favours an intervener who is willing to accept high costs. An intervener who enjoys these conditions will persist in its attack until the perpetrators can no longer survive unless they negotiate. NATO prevailed in Kosovo, in part, because it had an overwhelming power advantage. The RPF prevailed in Rwanda because it had a slight power advantage and a high tolerance for pain.

Finally, fighting will lead the intervener to withdraw not only if the intervener sustains losses, but also if the losses exceed the intervener's expectations. This condition has a great deal to do with public perceptions. Australian leaders prepared their public for sacrifices before going into East Timor. Presumably, their action was intended to forestall public pressure to withdraw if Australian troops were killed.¹⁴ US leaders, in contrast, told their public that soldiers were going to Somalia to feed starving people. They faced intense pressure to withdraw when 'ungrateful' Somalis started killing US troops.

To summarize, governments that want to stop mass killing and are unable to do so by diplomatic or other coercive means have to use force. The use of force involves an interplay between strategies of offence and compellence, where the intervener (the attacker) prepares for and uses brute force against the defender (the perpetrators of violence against civilians) in the hope that the defender will capitulate, but with the will to press forward to military victory if necessary. This is war-fighting with two twists: a major objective is to save lives; and the attacker sometimes does not have vital interests at stake. It is an extremely

¹⁴ Somewhat amazingly, no soldiers from Australia or any other country died in East Timor during the period of the INTERFET mission.

dangerous and risky business. It is surprising, therefore, that interveners professing humanitarian intent went on the offensive five times in the 1990s.

II. Defeating the perpetrators of violence in the 1990s

Interveners used force offensively to change the political order during professed humanitarian interventions in a variety of circumstances during the 1990s. In Somalia, UNOSOM II identified a particular warlord as the main obstacle to peace, and then tried unsuccessfully to capture him in 1993. The case study of Somalia argues that treating the country's most powerful warlord as a perpetrator, when he was not engaged in mass killing, was misguided and led to an intervention strategy that was totally inappropriate. A year later, the Rwandan Patriotic Front attacked and defeated the genocidal Hutu government. Some readers may wonder at the treatment of the Rwandan rebels as humanitarian interveners. Their primary objective, which they had pursued for four years, was to gain control of the government for selfish political reasons. Yet humanitarian concern for their fellow Tutsi played an important role too and stands in sharp contrast to most governments' lack of interest. The US-led Operation Deliberate Force in Bosnia and Herzegovina in 1995 was the third offensive humanitarian intervention in as many years. It was an important reason, although not the only one, why the Serbs negotiated an end to the war. After a lull of four years, the interventions in Kosovo and East Timor used offence and compellence to force governments to give up control of territory permanently. The negotiated agreement for Kosovo formally maintained the province as a part of the FRY but the government in Belgrade had no political or military control over it. In East Timor, compellent action forced murderous militiamen out of the territory and forced the government of Indonesia to recognize East Timor's independence.

The success rate is surprising in the light of the inherent difficulties of this type of intervention. In four of the five cases the political order was changed in ways the intervener intended, Somalia being the exception. In three of those four—Rwanda, Bosnia and Herzegovina and East Timor—civilian lives were saved in the process. The analysis presented here questions the conventional wisdom that Operation Allied Force in Kosovo saved lives.

Somalia

By the time UNOSOM II began in May 1993, Somalia had already been through years of civil war that destroyed the economy and the political system, not to mention social ties and individual lives. It was a failed state. It had no central government but it did have several men who wanted to control the country. (To say that any of them wanted to govern the country would be too generous.) None of them was powerful enough to exert his authority over more than a small portion of Somalia. After the high-profile US-led intervention to

feed people carefully avoided becoming involved in the political mess, UNOSOM II was intended to resolve the political problems and get Somalia back on its feet. The mission was plagued with trouble from the start and it made the situation in Somalia worse because it focused on a misguided strategy of trying to defeat General Aidid.

UNOSOM II extended from May 1993 until March 1995. Like every other UN operation it functioned under a number of consecutive Security Council mandates; but the objectives of and actions authorized by those mandates changed over time to a far greater extent than is the case with most peace operations' mandates. The focus here is on the period May–October 1993, when strategies of offence and compellence were in play. After that, when Aidid had won the contest of wills, UNOSOM II reverted to much less ambitious goals and pursued them with strategies of deterrence and avoidance.¹⁵

When Jonathan Howe, the new SRSO (the civilian head of the UN mission) arrived in Mogadishu, he knew that some warlords would oppose what he was mandated to do. His biggest concern was Aidid, who was militarily stronger than the other militia leaders and who had a well-established animosity towards the UN.¹⁶

Beginning in 1992, a series of events convinced Aidid that the UN was a threat to his ambitions. As the strongest actor in Somalia, he believed that he had the most to lose from outsiders meddling in Somali affairs.¹⁷ His arch-rival was Ali Mahdi Muhammad, who controlled the northern section of Mogadishu while Aidid controlled the southern section and surrounding areas. While Aidid and his gunmen were away from the capital, delivering the last blow to former Somali dictator Mohammed Siyad Barre and his army, Ali Mahdi's supporters elected him 'interim president'. The UN, which always seeks to interact with recognized political authorities, was deeply troubled by the lack of a central government in Somalia and jumped at the chance officially to recognize Ali Mahdi's claim to the presidency. Aidid, who had never recognized Ali Mahdi's claim, was furious. Later in 1992, it took Mohamed Sahnoun, the top UN diplomat in the country, weeks of negotiating to secure Aidid's consent for the arrival of 50 unarmed ceasefire observers for the first UN Operation in Somalia. During those negotiations an aircraft with UN markings landed in Ali Mahdi's portion of Mogadishu loaded with currency and weapons. Then, after Aidid had given his consent for the UN security presence, but before the troops had arrived, the Security Council approved the Secretary-General's recommendation to expand UNOSOM I to a strength of 3500 military personnel. No one in Somalia had been consulted or informed, not even the SRSO. This directly

¹⁵ Chapter 5, on protecting aid operations, discusses UNOSOM II in its later stages.

¹⁶ Howe, J. (Adm.), SRSO in Somalia, Telephone interview, 3 Dec. 1997.

¹⁷ Apparently it did not occur to him, or he dismissed the idea that as a dominant player he was well positioned to gain the most from a stable political order.

contradicted the agreement Aidid had made that any additional UN deployment was to be negotiated with the Somali faction leaders.¹⁸

Howe was a retired US Navy admiral. From his point of view, the larger political plan—to reconstruct the Somali political system from the ground up—which had been put together at UN headquarters in New York could only be successful if Aidid did not stand in the way. Lacking diplomatic training, Howe relied heavily on coercion to try to get Aidid's compliance.

It was in this atmosphere that UNOSOM II decided to challenge Aidid. On 4 June 1993, UN troops delivered a letter to Aidid's deputy notifying him of a planned inspection the next day of a weapon storage site located at Radio Mogadishu. When the deputy read the letter in the presence of UN personnel, he said that Aidid's Somali National Alliance needed time to respond. If UNOSOM conducted the inspection as planned, he said, it would lead to war. The UN did not give the SNA time to respond.¹⁹

The next day, Pakistani soldiers under UN command inspected the site. As they withdrew Aidid's men attacked, shocking foreign governments by killing 24 soldiers and wounding 56. On 6 June the UN Security Council passed a resolution condemning the attack and authorizing UNOSOM 'to take all measures necessary against all those responsible for the armed attacks . . . including . . . their arrest and detention for prosecution, trial and punishment'.²⁰ The resolution was a de facto declaration of war against Aidid and his allies in the SNA. The UN named the SNA as the likely culprit (Somalis did not wear uniforms, so it was not immediately obvious who had attacked), but refrained from naming Aidid.²¹ Less than two weeks later, Howe named Aidid as the responsible agent and issued a warrant for his arrest.²² The UN mission was no longer interested in compelling Aidid's good behaviour; it wanted him gone.

From that point on, the level of violence in southern Mogadishu rose sharply. Between 12 and 17 June, UNOSOM II forces from several countries attacked a number of SNA weapon storage sites, Radio Mogadishu and Aidid's command centre.²³ (Radio Mogadishu was Aidid's way of communicating to the public. It broadcast a constant stream of anti-UN rhetoric.) Pakistani soldiers carried out a major operation on 28 June against a strong political and financial supporter of Aidid. On 2 July, Italian forces conducted a major search operation

¹⁸ Sahnoun, M., *Somalia: The Missed Opportunities* (United States Institute of Peace Press: Washington, DC, 1994).

¹⁹ United Nations, Report of the Commission of Inquiry established pursuant to Resolution 885 (1993) to investigate armed attacks on UNOSOM II personnel, UN document S/1994/653, 1 June 1994, paras 137–42.

²⁰ UN Security Council Resolution 837, 6 June 1993.

²¹ Rosegrant, S. and Watkins, M. D., 'A "seamless" transition: United States and United Nations operations in Somalia—1992–1993', Part B, Kennedy School of Government Case Study Program, C09-96-1325.0, Harvard College, Cambridge, Mass., 1996, p. 6.

²² The decision to single out Aidid originated in the SRSG's office and was approved by the UN Secretary-General. Howe (note 16).

²³ United Nations (note 19), paras 137–42; and United Nations, Report of the Secretary-General, UN document S/26022, 1 July 1993, paras 25–28.

in an area of the city that was strongly supportive of Aidid.²⁴ The Italian action in particular met strong resistance and resulted in numerous Somali casualties.

When UNITAF ended, the United States had left behind a Quick Reaction Force (QRF) composed of US Army soldiers who constituted a combat-capable unit designated to support the UN operation. It was the best armed and equipped component of the intervention force, but it was under US, not UN, command. On 12 July the QRF followed a unilateral US decision to attack an SNA command centre. Previously, UNOSOM had announced attacks in advance in order to give people a chance to get out of harm's way. This time the occupants of the house were a prime target, so no warning was given.²⁵ UNOSOM and QRF attacks all killed militiamen and civilians, but the command centre attack by the QRF yielded a particularly high toll of an estimated 54 Somalis killed and 161 injured.²⁶

After the Italian and QRF incidents, UNOSOM became more cautious and the SNA became more bold.²⁷ Somali militiamen used small arms, hand grenades, rocket-propelled grenades, machine guns, mortars and mines to ambush UN troops throughout south Mogadishu. In August, UN helicopters came increasingly under fire. Gunmen often shielded themselves in crowds of women and children—a tactic that caused UNOSOM great operational difficulty and led to the deaths of many civilians.²⁸

UNOSOM, in conjunction with the USA, retook the initiative in late August when US President Bill Clinton sent elite combat troops in response to repeated requests from Howe and his number two man, General Thomas Montgomery of the US Army. Recent US casualties convinced the President to override the misgivings of his top military officers and he sent 400 Delta Force commandos and Army Rangers under the code name Task Force Ranger.²⁹ Their mission was to capture Aidid alive.

Task Force Ranger carried out five operations in September. Somali fighters, who gathered intelligence on the Task Force's tactics, saw a similar pattern in all of them. Delta commandos dropped onto the targeted building by helicopter to snatch prisoners while Rangers surrounded the building to provide protection

²⁴ Before following UNOSOM orders, the Italian commander checked with his national authorities in Rome. Italy had been advocating a softer approach ever since 12 June. The incident led UN Secretary-General Boutros-Ghali to call for the Italian general's recall and set a precedent for commanders of other national units to double-check UN orders with their capitals. The effect was significantly to weaken UNOSOM command authority, with detrimental operational consequences.

²⁵ The USA also decided not to forewarn UN forces as a security precaution. The decision 'created a major friction inside the coalition', according to an officer in Somalia. Rosegrant and Watkins (note 21), p. 10.

²⁶ United Nations (note 19), paras 143–54.

²⁷ Part of the reason for the increased caution was that few Somalis were now willing to provide UNOSOM with information, so that the operation's situational awareness decreased. Since the beginning of UNITAF Somali citizens had been one of the best sources of intelligence about the location of arms caches and militia movements. Newbold, G. (Brig. Gen.), Personal interview, US Marine Corps Headquarters, Navy Annex, Arlington, Va., 29 Aug. 1997.

²⁸ United Nations (note 19), paras 157–62.

²⁹ Rosegrant and Watkins (note 21), p. 12.

and helicopters hovered overhead.³⁰ On 3 October 1993, the Task Force made its seventh raid. Aidid's militia were ready. They shot down two Blackhawk helicopters with rocket-propelled grenades and besieged the convoy of military vehicles in the narrow streets of the city. It took UNOSOM and the QRF 15 hours to rescue the Task Force troops, who fought for their lives throughout the night.³¹ By the end of the episode, Somalis had killed 18 US soldiers and one Malaysian, had wounded 78 US soldiers, nine Malaysians and three Pakistanis, and had captured one US soldier. US and UN soldiers had killed roughly 300 Somalis and wounded 800.³²

Even though the Somalis suffered much higher casualties, it was the interveners who gave up. The USA immediately decided not to hunt Aidid any longer. The UN did not launch any more attacks and the SNA declared a unilateral ceasefire. Soon all US troops had left Somalia and the UN had a new, more modest mandate. UNOSOM II remained in the country for another year and a half, despite its inability to be politically effective. When it left, Aidid was stronger than ever and the country still did not have a central government or peace.

UNOSOM II and its US augmentation forces lost because they were never strong enough to defeat Aidid at a cost that was acceptable in terms of casualties. On paper, the foreign forces looked stronger than the Somali forces. UNOSOM II's troops numbered approximately 18 000 when the mission began and the number increased to 28 000. While most of the force was lightly armed, they had modern weapons including APCs and a few helicopters.³³ The Quick Reaction Force of 1300 soldiers was equipped with attack helicopters, humvees, APCs, light machine guns and night-vision equipment.³⁴ The Somali fighters were divided among many militias, the largest of which were estimated to number no more than 5000–6000 gunmen. A large number of irregular forces, perhaps 25 000–30 000, belonged to a variety of sub-clans and felt little loyalty to each other even though they sometimes fought on the same side.³⁵ No single warlord controlled as many gunmen as there were UN soldiers. The Somalis were mostly armed with assault rifles, although they also had weaponry, such as heavy recoilless rifles and rocket-propelled grenades, that was capable of countering armoured vehicles and helicopters.³⁶

³⁰ Stevenson, J., *Losing Mogadishu: Testing U.S. Policy in Somalia* (Naval Institute Press: Annapolis, Md., 1995), p. 94.

³¹ The drama was popularized in the film *Blackhawk Down* and by the book on which the film is based: Bowden, M., *Blackhawk Down: A Story of Modern War* (Penguin: New York, 1999). The rescue mission was delayed because Task Force Ranger had planned its raid in secret so that the QRF and UNOSOM could not make contingency plans in case things went wrong.

³² Rosegrant and Watkins (note 21), p. 14; and United Nations (note 19), paras 170–73.

³³ United Nations (note 19), paras 46–50.

³⁴ Chopra, J., Eknes, Å. and Nordbø, T., *Fighting for Hope in Somalia* (Norwegian Institute of International Affairs: Oslo, 1995), p. 81.

³⁵ 'Somalia: at last someone listens', *Africa Confidential*, vol. 33, no. 17 (28 Aug. 1992), p. 2.

³⁶ United Nations, Letter dated 29 November 1992 from the Secretary-General to the president of the Security Council, UN document S/24868, 30 Nov. 1992.

Although weaker in numbers and equipment, the Somali fighters had several advantages. Aidid's forces had good command and control and extensive intelligence-gathering capabilities.³⁷ The Somalis knew the streets of Mogadishu well and the majority of the population was on their side. The hunt for Aidid had served not to demonize him in the eyes of Somalis but to glorify him as the only person capable of standing up to a UN military presence that many saw as an occupation force.³⁸ UNOSOM, in contrast, suffered terrible command and control problems. The Quick Reaction Force and Task Force Ranger had lines of command that bypassed the general in charge of the UN operation. The officers in charge of national contingents that were nominally under UN command often checked with their own governments before carrying out UN orders. Many national governments put restrictions on the troops they contributed to the UN mission, so the force commander could rely only on the QRF and the Pakistani troops to control the volatile southern region of Mogadishu, and the Pakistanis did not have any armour.³⁹ UN troops did not know the lie of the land and did not even have standard operating procedures for information gathering when the fighting began.⁴⁰ To make matters worse, within UNOSOM II there were soldiers from 27 countries, each with its own language, doctrine and procedures.⁴¹

In spite of UNOSOM's weaknesses, from a purely military point of view, the UN and QRF troops almost always did better than their opponents: they killed more Somalis than they suffered fatalities at the Somalis' hands. Task Force Ranger, while it did not capture Aidid, detained many of his top lieutenants. The key factor was that the Somalis were far more highly motivated than the interveners. They were willing to sustain high costs and were able to inflict enough damage on foreign troops to make foreign political leaders, especially in the USA, extremely uncomfortable. Somalis saw themselves fighting for control of their own country against an invader. The public in foreign countries thought that their military personnel were on a charity mission to feed people in need. Neither they nor their political leaders were willing to sacrifice soldiers'

³⁷ The SNA demonstrated its command, control and intelligence capabilities during the 5 June 1993 UN attack, orchestrating nearly simultaneous attacks on UN units in several different parts of the city. When UNOSOM II headquarters sent reinforcements, they were attacked en route. In the battle, which resulted in the deaths of the Pakistani soldiers, militia fighters demonstrated sophisticated use of location and camouflage, ability to sustain fire for over 5 hours, coordination of crossfire and successful flank protection against UN manoeuvres. United Nations, Report of an investigation into the 5 June 1993 attack on United Nations forces in Somalia by Professor Tom Farer, UN document S/26351, 24 Aug. 1993, paras 11–13; and United Nations (note 19), paras 104–17.

³⁸ According to a Somali analyst, the Somali people constantly fight among themselves but always share a common opposition to threats from outside. Makinda, S., *Seeking Peace from Chaos: Humanitarian Intervention in Somalia*, International Peace Academy, Occasional Paper (Lynne Rienner: Boulder, Colo., 1993). When the UN made General Aidid its enemy, it also made itself the enemy of the Somali people. Hence, if Aidid could stand up to the enemy of the people, he gained stature.

³⁹ Hirsch J. and Oakley, R., *Somalia and Operation Restore Hope: Reflections on Peacemaking and Peacekeeping* (United States Institute of Peace Press: Washington, DC, 1995), p. 112.

⁴⁰ United Nations (note 19), paras 46–50.

⁴¹ Rosegrant and Watkins (note 21), p. 2; and Chopra, Eknes and Nordbø (note 34), p. 72.

lives for charity. Without political interests at stake, when the going got rough, the US forces left, and with them the capacity of UNOSOM II to attack Aidid.

Even if UNOSOM II had won, was an attempt to defeat Aidid the right strategy?

From a humanitarian point of view it was certainly not. Defeating a perpetrator favours violence over peace in the short term. Since the potential cost in civilian lives is high, offensive action can be justified on humanitarian grounds only when the civilian mortality rate due to violence is already very high. Aidid was not a mass killer, so that going after him with force did not meet the criterion of proportionate response. UN troops and even more so the US forces supporting them killed between 650 and 1500 Somalis and wounded 1000–8000, many of them civilians.⁴² It is possible that foreign troops killed and wounded as many people after May 1993 as humanitarian organizations saved during the UNITAF deployment. For an ostensibly humanitarian mission, these casualty figures are shocking. Furthermore, the violence severely curtailed the work that humanitarian organizations could do. The Somali population still suffered from widespread privation, and the removal of humanitarian aid programmes surely led to deaths that would not otherwise have occurred.

In sum, UNOSOM II had an ambitious political mandate to rebuild a failed state. Rather than trying to work with General Aidid, who had military strength and popular support, it tried to remove him from the political scene by relying heavily on coercion. The humanitarian and political results were disastrous. UNOSOM II failed so badly because its strategy was misguided, it did not have the physical or institutional capacity to see the strategy through in any case, and foreign governments with little political interest in Somalia disengaged when the costs began to mount.

Bosnia and Herzegovina

Bosnia and Herzegovina was another place where governments found themselves militarily engaged in the early 1990s but for many years were not willing to exert the considerable amount of effort needed to find a political solution to the conflict that was causing so much human suffering. Unlike in Somalia, the shift from feeding and (after a fashion) protecting people to targeting the perpetrators of violence was an appropriate one. Operation Deliberate Force—a NATO bombing campaign—was one of a series of military actions which, when combined with intensive diplomacy, brought an end to the Bosnian war.

Operation Deliberate Force was brief. It began on 30 August 1995 with a request from UNPROFOR commander General Rupert Smith and ended three

⁴² The numbers at the high end of these 2 ranges appear more likely to be correct. United Nations, Report of the Commission of Inquiry established pursuant to Resolution 855 (1993), annex 5: Synopsis of the attacks on the personnel of UNOSOM II which led to casualties among them as drawn from official reports and other documents, UN document S/1994/653, 1 June 1994; and Sommer, J. G., *Hope Restored? Humanitarian Aid in Somalia, 1990–1994* (Refugee Policy Group: Washington, DC, 1994), p. 72.

weeks later on 21 September with a ceasefire agreement covering Sarajevo and the area surrounding it.⁴³ The triggering event was a 28 August mortar attack on a crowded Sarajevo marketplace that occurred against the background of the fall of Srebrenica and Žepa in July. Sarajevo was more vulnerable than ever.⁴⁴ Moreover, the US Government had finally convinced its allies that the situation in Bosnia and Herzegovina could only be resolved with force in the service of tough diplomacy. On 29 August, Smith told his troops to abandon the safe area of Gorazde so that they could not be taken hostage as so many UN soldiers had been before. The next day, he gave the order to begin Operation Deliberate Force without consulting his UN superiors.

Operation Deliberate Force was an exclusively NATO operation, under NATO command and with NATO rules of engagement—that is, it did not act under peacekeeping restrictions.⁴⁵ Smith could act outside the UN command structure because, in addition to being commander of UNPROFOR in Bosnia and Herzegovina, he was an officer in the British military and because, since Operation Deliberate Force was a NATO operation, it did not need direct UN approval. The agreement that required NATO bombing action to be approved by both NATO and the UN had been scrapped in July.⁴⁶ Smith also had command of a Rapid Reaction Force (RRF) composed of 10 600 British, French, Dutch and German troops, which was authorized by the Security Council in June 1995.⁴⁷ Like the Quick Reaction Force in Somalia, the Rapid Reaction Force was a combat-capable unit intended to support UN operations. While it was independent of the rest of UNPROFOR, it was under UNPROFOR command.⁴⁸ For the first three months of its existence the RRF was used to protect aid convoys that followed a perilous route over Mount Igman into besieged Sarajevo.⁴⁹

Early in the morning of 30 August, the character of military intervention in Bosnia and Herzegovina changed radically. Aircraft from five countries flew attack missions against Bosnian Serb anti-aircraft defence systems, ammunition storage sights and other key nodes. Simultaneously, the RRF unleashed a 600-round barrage from its heavy artillery against Serb positions surrounding

⁴³ United Nations, Report of the Secretary-General: the fall of Srebrenica, UN document A/54/549, 15 Nov. 1999, paras 457, 458.

⁴⁴ Dodd, T., 'War and peacekeeping in the former Yugoslavia', Research Paper 95/100, British House of Commons Library, International Affairs and Defence Section, London, 12 Oct. 1995, p. 18.

⁴⁵ Leuridijk, D., *The United Nations and NATO in Former Yugoslavia, 1991–1996* (Netherlands Atlantic Commission, Netherlands Institute of International Relations 'Clingendael': The Hague, 1996), p. 79.

⁴⁶ United Nations (note 43), para. 441.

⁴⁷ The RRF was divided into 4 parts: Task Force Alpha (1500 soldiers from the UK and the Netherlands), Task Force Bravo (1700 French soldiers), the British 24th Airborne Brigade (5000 troops), and a Franco-German logistics group (2400 troops). There was also a French brigade of 4000 on standby in France. Dodd (note 44), p. 15.

⁴⁸ Ripley, T., *Operation Deliberate Force: The UN and NATO Campaign in Bosnia 1995* (Lancaster University, Centre for Defence and International Security Studies: Lancaster, 1999), pp. 130–32.

⁴⁹ Dodd (note 44), p. 16.

Sarajevo. A hiatus of several days followed while the Serbs were given a chance to comply with the demand that they remove their artillery from around Sarajevo. During this time NATO countries debated intensely among themselves about whether or not to resume bombing. Under strong US pressure, the other NATO countries agreed to allow the attack to resume.⁵⁰ Over the next days, the targets set for NATO aircraft expanded, as did the number of strike missions. Once the targets around Sarajevo were destroyed, Operation Deliberate Force attacked areas farther afield, up to and including the Serb stronghold of Banja Luka. By the time it was over, NATO aircraft had attacked 350 targets and had destroyed the Bosnian Serb military communication network, making it nearly impossible for the Serbs to command their forces across Bosnia and Herzegovina. The Bosnian Serb government stated that the operation had killed up to 200 Serbs.⁵¹

Immediately upon the shift in intervention strategies, on 31 August Milosevic convened a meeting of the Serb leaderships from the FRY and Bosnia and Herzegovina. The 'Patriarch's Agreement' that resulted from the meeting gave Milosevic the authority to represent the Bosnian Serbs at negotiations in future.⁵² NATO demanded three conditions for an end to the air strikes: the cessation of all attacks on the remaining four safe areas, the complete withdrawal of Serb heavy weaponry from a 20-km zone around Sarajevo, and an immediate end to hostilities throughout the country.⁵³ The air strikes were suspended a day after the signing of a Cessation of Hostilities Agreement on 20 September.

Operation Deliberate Force succeeded in using a strategy of compellence to induce the Serbs to negotiate on terms they did not like, but it did not succeed in isolation. To understand the impact of Operation Deliberate Force, it must be seen in the context of military actions against the Bosnian Serbs by Croatian and Bosniak forces. The NATO bombing campaign was effective in inducing Milosevic to negotiate because it fitted hand-in-glove with offensive campaigns by Croatian ground troops before the operation began and combined Croatian-Bosniak forces after it ended. This lesson was lost on Western policymakers five years later when they decided to attack Milosevic's regime over the conflict in Kosovo and expected him to cave in after a few days of air strikes and no threat of a ground invasion (see below).

A Croatian offensive in early August 1995, named Operation Storm, aimed to drive the Serbs out of Krajina, a part of Croatia. It was devastatingly effective. Operation Storm rolled up the Krajina region in three days against minimal Croatian Serb resistance. The battle brought Croatian forces up to the border with Bosnia and Herzegovina and the embattled safe area of Bihać, ending the

⁵⁰ Holbrooke, R., *To End A War* (Random House: New York, 1998), p. 127.

⁵¹ Dodd (note 44), pp. 18–21.

⁵² Holbrooke (note 50).

⁵³ United Nations (note 43), para. 443.

siege of Bihać after more than three years.⁵⁴ Operation Storm was not a humanitarian intervention because the Croats had no humanitarian intent and did not seek to minimize civilian suffering. In fact, the offensive forced over 200 000 Krajina Serbs to flee.⁵⁵ The Croatian Government was motivated by security concerns: the Bosnian Serbs' ability to capture the strategically located Bosnian safe area of Bihać and thereby to link up with Serbs in Croatia.⁵⁶ Croatian President Franjo Tuđman was also motivated to act by his 23 July agreement with Bosnian President Alija Izetbegović to combine their forces to counter their mutual enemy, the Serbs.⁵⁷ France, Russia and the United Kingdom condemned Operation Storm, but Germany and the USA did not.⁵⁸

The Croatian blitz put the Bosnian Serbs under severe pressure and at the same time gave new life to the Bosniak army, which was able to rearm itself with materiel left behind by the Serbs when they abandoned the siege of Bihać.⁵⁹ In late September, immediately following NATO's Operation Deliberate Force, combined Croatian and Bosniak forces exploited their advantage and moved against Serb-held territory in north-western and central Bosnia and Herzegovina. The Serbs were unable to coordinate the movement of their forces because NATO had disrupted their command and control system. As a result, in just two weeks the Croatian–Bosniak offensive regained 3900 km² of territory that had been lost to the Serbs at the beginning of the war in 1992. The US Government stopped the advance by putting pressure on the Croatian and Bosnian leaders to refrain from capturing Banja Luka for fear of drawing Serbia back into Bosnia and Herzegovina.⁶⁰

While the tide turned against the Serbs on the ground, US Assistant Secretary of State Richard Holbrooke led the West in intensive and tough negotiations with Milosević. On 5 October 1995 he obtained an agreement from all sides on the basic principles of a settlement to the war. A ceasefire was called for 60 days to allow for talks, which took place in Dayton, Ohio. By 21 November the parties had agreed to a peace deal that consolidated the recent Croatian–Bosniak gains and declared the intention to create a multi-ethnic Bosnian state.

⁵⁴ Tanner, M., *Croatia: A Nation Forged in War* (Yale University Press: New Haven, Conn., 1997), pp. 294–98.

⁵⁵ United Nations (note 43), paras 433, 434.

⁵⁶ Watson, F., 'Not peace, but a big step forward: Bosnia in October 1995', Research Paper 95/102, British House of Commons Library, International Affairs and Defence Section, London, 16 Oct. 1995, pp. 12, 13.

⁵⁷ United Nations (note 43), para. 418.

⁵⁸ The USA denied any involvement in Operation Storm, but some observers noted that the way the Croatian military operated betrayed a close parallel with the kind of skills and planning taught in NATO military staff colleges and was not typical of earlier Croatian actions. Retired US officers had apparently helped Croatia plan the offensive. On the first day of Operation Storm, NATO aircraft bombed Serb communications systems on the grounds that Serb radar had locked onto the aircraft. Moreover, US Ambassador to Croatia Peter Galbraith told President Tuđman that the USA would 'tolerate' military action to take Krajina as long as it was a 'short and clean' battle. Little, A. and Silber, S., *The Death of Yugoslavia*, rev. edn (Penguin: New York, 1996), pp. 358–61.

⁵⁹ Dodd (note 44), pp. 16, 17.

⁶⁰ Dodd (note 44), pp. 20–21.

The General Framework Agreement on Peace on Bosnia and Herzegovina, also known as the Dayton Agreement, was signed in Paris on 14 December 1995. The Bosnian war was over.

To summarize, Operation Deliberate Force together with Operation Storm played an instrumental role in ending a war that killed hundreds of thousands of people and caused many more to flee their homes. The attack demonstrated to President Milosevic that the USA and its allies had found the will to act forcefully in Bosnia and Herzegovina. The air strikes had the material effect of weakening the Bosnian Serb military's ability to defend against an energetic Bosnian Muslim and Croatian offensive campaign. Milosevic would not risk his own military by backing up the Bosnian Serbs as he had in earlier years. Convinced that he had more to lose by continued fighting than by negotiating on NATO's terms, Milosevic negotiated.

Rwanda

In a tragedy that saw the deaths of some 800 000 people while foreigners actively withdrew from the country, the army of the RPF attacked the government that was responsible for the killing, took control of the country and saved some 65 000–70 000 people, far more than the weak UN mission and the late and suspect French intervention.⁶¹

When Rwandan President Juvénal Habyarimana was killed on 6 April 1994, he was returning from talks intended to push along the Arusha agreement he had signed with the RPF. As part of the implementation of the agreement, until political power sharing became a reality, the RPF and its army were confined to a slice of territory in northern Rwanda. In addition, they maintained one of their best battalions in the capital, Kigali, as a good faith measure and to keep an eye on the government (which were somewhat contradictory reasons). As is now known, the genocide began on the night the President was killed. The RPA reacted within a day by advancing southwards from its stronghold in the north.

The rebels claimed three objectives that changed in emphasis as the war progressed. On 11 April, the rebels' radio station cited three reasons why the RPF had decided to take military action: 'First, to support the RPF combatants . . . in [Kigali], who have been and continue to be attacked by the Presidential Guard. Second, to stop the killings of innocent people. Third, to restore peace in the country'.⁶² By early May, the military tide had turned and with it the emphasis in the rebels' objectives. Talk of controlling the country—not just restoring peace—came to the fore. The RPF rejected the idea of international intervention to stop the war and refused to negotiate with the interim Hutu government,

⁶¹ Chapter 3 provides details of the number of people killed and saved.

⁶² (Clandestine) Radio Muhabura, 11 Apr. 1994, in Foreign Broadcast Information Service, *Daily Report-Africa (FBIS-ADR)*, FBIS-ADR-94-070, 12 Apr. 1994, p. 5.

which it did not recognize.⁶³ The concern for protecting Tutsi remained strong, with references to genocide and bringing the ‘bloodsuckers’ to legal justice.⁶⁴ The rebels no longer spoke of rescuing the battalion in Kigali, having achieved that objective.

The RPA’s strategy to achieve all three objectives was offensive war-fighting to defeat the interim government. Fighting between the RPA and the Rwandan Army was a hybrid of conventional and guerrilla warfare. Neither side had a modern mechanized army. Instead, infantry units fought a war of skirmishes—a war for strategic hilltops. The battle front moved fast and evidence of sustained fighting in the countryside was scanty. Even in Kigali, where intense fighting continued for three months, physical damage was confined to a few locations, such as the airport.⁶⁵

The rebels advanced along three routes simultaneously: one south and to the east, one south and to the west, and one due south, down the middle of the country. The main thrust was the middle route towards Kigali. More than 15 000 troops used artillery, mortars, machine guns and automatic rifles in their assault.⁶⁶ RPA units arrived on the outskirts of the capital within three days (on 11 April), but they did not take the airport until 11 May and the city itself until 4 July.⁶⁷ The RPA halted its advance in the face of the zone occupied by Operation Turquoise. When the RPF proclaimed itself the new government of Rwanda on 14 July, after an exhausting and bloody war, the rebel army occupied most of the country, except three prefectures controlled by the French.⁶⁸

The RPA succeeded in capturing the state and simultaneously saving lives because it possessed will, power and speed.

The Tutsi rebels had humanitarian interests accompanied by strong political motives. They wanted to save the lives of family members, friends and ethnic brethren; at the same time they wanted to rescue their best battalion and, more importantly, they wanted to rule the country.

Since the Rwandan Government army and Hutu extremists also had vital interests at stake, the outcome of the war turned not on a test of wills but on the balance of power. The Rwandan Army was not a competent fighting force. At the beginning of April 1994 there were officially only 5000 army troops armed with automatic rifles, hand grenades, mortars and a few artillery pieces.⁶⁹ The

⁶³ The Rwandan Government after the death of the president was known as the ‘interim government’.

⁶⁴ (Clandestine) Radio Muhabura, 3 May 1994, FBIS-AFR-94-086, 4 May 1994, p. 3.

⁶⁵ African Rights, *Rwanda: Death, Despair and Defiance*, rev. edn (African Rights: London, 1995), p. 1077; and Personal observation.

⁶⁶ Prunier, G., *The Rwanda Crisis: History of a Genocide* (Columbia University Press: New York, 1995), p. 270.

⁶⁷ Rabine, G., France-2 Television Network, 4 July 1994, FBIS-AFR-94-128, 5 July 1994, p. 4.

⁶⁸ Borton, J., Brusset, E. and Hallam, A., *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, Study no. 3, *Humanitarian Aid and Effects* (Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda: [Copenhagen], 1996), figure 4, p. 27.

⁶⁹ Officially, the Rwandan Armed Forces had 28 reconnaissance vehicles, 16 APCs, 8 81-mm mortars, several 83-mm rocket launchers, 9 105-mm howitzers, 6 57-mm ATK guns, 16 helicopters (none armed),

actual number was probably closer to 30 000 troops. They were not capable of sustained large-scale operations, they transported soldiers and supplies in small trucks or on foot, and their supply of ammunition ran low as soon as the UN imposed an arms embargo on 17 May. The government also maintained a Presidential Guard to protect the regime. The Guard was widely believed to number approximately 1500, although the official number was 700. It played a key role in organizing, training and arming the Interahamwe militia, but it was not an effective fighting force, despite receiving plane-loads of small arms from France in 1994 and earlier.⁷⁰ The third armed group on the government side was the militia who were dedicated to killing civilians. From a 'professional' core of some 1700, its numbers grew rapidly into the thousands. The killers were terrifyingly good at murder but were not at all a military force.⁷¹

In contrast, the RPF fielded a respectable, if simple, army. It numbered between 20 000 and 25 000 in April 1994 and grew in strength during the succeeding months. While the RPA suffered the same weaknesses in equipment and supplies as the government army, four factors gave it superiority. First, the interim government forces were distracted from the war by slaying the Tutsi. Second, the rebels had a superior officer corps. Many of the senior officers had extensive experience with insurgency and counter-insurgency warfare in Uganda from the 1980s onwards. They knew how to maintain an effective fighting force. Their counterparts in the official army had little experience in battle and did not have a clear idea how to mobilize, supply and maintain their troops. From 1990 on they had relied heavily on France and Zaire for assistance. Third, the rebels' morale was higher than that of the official army. The rank-and-file military did not universally welcome the genocide. The rebels, on the other hand, saw themselves as saviours. The RPA also enjoyed regular military victories. Finally, these organizational advantages were supplemented by the spoils of victory—access to stockpiles of ammunition and fuel. The rebels also used their ammunition to prosecute the war, whereas government forces used up a huge amount of ammunition killing civilians.⁷² Despite these advantages, the RPA could not control the country quickly enough to save the lives of hundreds of thousands of people.

To summarize, the rebels' response to the Rwanda case was unusual in several ways. The greatest oddity was that the victims of genocide, the Tutsi, had an army of the same ethnicity—the RPA—that was strong enough to defeat

and 6 fixed-wing aircraft. International Institute for Strategic Studies, *The Military Balance 1993/1994* (Brassey's: London, 1993).

⁷⁰ African Rights (note 65), p. 49; and Adelman, H. and Suhrke, A., *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, Study no. 2, *Early Warning and Conflict Management* (Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda: [Copenhagen], 1996), pp. 38–39. For an in-depth examination of French arms transfers to Rwanda see Human Rights Watch, *Arming Rwanda: The Arms Trade and Human Rights Abuses in the Rwandan War* (Human Rights Watch: Washington, DC, Jan. 1994).

⁷¹ Adelman and Suhrke (note 70), p. 37; and African Rights (note 65), p. 55.

⁷² African Rights (note 65), pp. 1062–65.

the government single-handedly. It is rare indeed for the same ethnic group to be weak enough to be the victim and strong enough to be the victor. In addition, some of the generalities from the case are uncommon, even though they conform to the theoretical model of intervention to defeat the perpetrators of violence. The RPA pursued a purely offensive strategy with no intention of negotiating with the adversary.⁷³ In addition, it had an unusually high level of motivation to take great risks and pay high costs. Given the government's equally strong interest in winning, the deciding factor was the rebels' superior fighting ability. Despite the fact that Rwanda is a very small country and the rebels acted immediately, they did not have the manpower or the logistics capacity to occupy and control the country before most of the Tutsi population was exterminated. The speed of the rebel advance was impressive but the speed of the genocide was even greater. If the country had been bigger the rebels would have had great difficulty saving as many lives as they did.

Kosovo

The intervention in Kosovo stands in sharp contrast to that in Rwanda. The confrontation with the government of the FRY was a classic case of coercive diplomacy that fully engaged Western governments.⁷⁴ The Milosevic regime wanted to end the separatist movement in Kosovo by using repression and then outright expulsion, reminiscent of its actions in Bosnia and Herzegovina. NATO, led by the USA and the UK, sought to protect the majority Albanian population living in Kosovo and to protect the province's degree of political autonomy by defeating Milosevic's security forces. In the middle were the KLA, which sought independence by provoking military confrontation, and Kosovar civilians, who suffered most of the consequences.

Throughout the crisis the FRY and NATO constantly made demands and counter-demands.⁷⁵ Both sides backed their demands with threats and actions, and were willing to escalate the confrontation from diplomacy to military manoeuvres to actual combat. The surprise for many political leaders was that the confrontation became as violent as it did. In the end, NATO succeeded in removing Kosovo from Milosevic's control by attacking until he agreed to negotiate.

The long-standing feud between Serbs and Albanians over Kosovo and the failure of successive diplomatic efforts to resolve the conflict between the KLA

⁷³ The interventions by Viet Nam in Cambodia, Tanzania in Uganda and India in East Pakistan shared this characteristic.

⁷⁴ Some of the best works on coercive diplomacy are George, A., *Forceful Persuasion: Coercive Diplomacy as an Alternative to War* (United States Institute of Peace Press: Washington, DC, 1992); and Daniel, D. C. F., Hayes, B. C. and de Jonge Oudraat, C., *Coercive Inducement and the Containment of International Crises* (United States Institute of Peace Press: Washington, DC, 1999). In the case of Kosovo, the intended effect of coercive diplomacy—avoidance of war—did not occur.

⁷⁵ The FRY broke off diplomatic relations with France, Germany, the UK and the USA on 25 Mar. 1999, the day after the bombing began. Negotiations were then conducted indirectly, especially through Russia.

and the Milosevic regime are discussed in chapter 3. The matter came to a head in February and March 1999 during the high-profile talks at Rambouillet, France. Although a coalition of six countries known as the Contact Group⁷⁶ officially mediated, the agenda was pushed by the USA, which had learned from the Bosnia and Herzegovina experience that Milosevic could not be trusted. The Contact Group put on the table a proposal which the Kosovar Albanians, after being subjected to sustained high-level pressure, agreed to sign. The Serbs, supported by Russia, objected to the provisions that allowed for the presence of NATO troops throughout the FRY and for a final settlement on the status of Kosovo after three years. In fact, the talks appear to have been designed to fail. The US Government believed that Kosovo and the Kosovars would be safe from Serb aggression only if Milosevic feared the consequences of acting as he did in Bosnia and Herzegovina. This time, then US Secretary of State Madeleine Albright convinced President Clinton to take a tough stand early. A US State Department official stated after the fact, 'Publicly we had to make clear we were seeking an agreement, but privately we knew the chances of the Serbs agreeing were quite small'.⁷⁷

The Milosevic government, faced with a proposal it would not accept, sought to strengthen its negotiating position by showing its disregard for NATO threats to use force if the talks failed. While the Rambouillet talks were in progress, Serbian forces launched a military offensive that pushed the KLA back and caused more displacement of the civilian population.⁷⁸ In the process, Milosevic deployed double the number of forces permitted in Kosovo under a previous agreement.⁷⁹ Skirmishes on the Albanian border reinforced the fear in many European capitals of the conflict spilling over into Albania and the FYROM. Despite the rising threat, neither side backed down.

The FRY's strategy

Follow-up talks to salvage the Rambouillet process ended in failure on 19 March 1999. The OSCE immediately withdrew its small Kosovo Verification Mission, which was intended to reinforce an earlier (failed) ceasefire agreement.⁸⁰ International humanitarian aid organizations also withdrew their

⁷⁶ The Contact Group included France, Germany, Italy, Russia, the UK and the USA. See chapter 3 in this volume, note 166.

⁷⁷ Little, A., 'Moral combat: NATO at war', BBC 2 Special, 12 Mar. 2000, 21.00 hrs, Transcript available at URL <http://news.bbc.co.uk/1/hi/english/static/events/panorama/transcripts/transcript_12_03_00.txt>.

⁷⁸ Weller, M., 'The crisis in Kosovo 1989–1999: from the dissolution of Yugoslavia to Rambouillet and the outbreak of hostilities', *International Documents and Analysis*, vol. 1 (Documents and Analysis Publishing, Ltd: Cambridge, 1999), p. 291.

⁷⁹ Weller (note 78), p. 291.

⁸⁰ The KVM amounted at this time to 1400 personnel, which was just over two-thirds of the total number expected. Weller (note 78), p. 291.

personnel. NATO attacked on 24 March, authorized by its own political arm, the North Atlantic Council.⁸¹

FRY Army and Interior Ministry troops immediately launched a well-planned offensive to drive out large numbers of Albanian civilians. Knowing that his military could not withstand a full-scale NATO attack, Milosevic's overarching strategy was to break the political unity of NATO by raising the costs of the conflict in two ways: first, through rapid, large-scale population displacement, at which his forces were remarkably successful; and, second, by killing NATO airmen and soldiers.⁸² For reasons discussed below, this did not happen. Despite rising tensions within the Contact Group and terrible costs in civilian life and displacement, Milosevic's strategy failed. A review of the FRY's and NATO's actions shows why.

During the opening days, FRY forces concentrated their fighting in the north-east of Kosovo in order to secure their supply lines. At the same time, some units moved west into the towns and villages. By 29 March, army units were south of the provincial capital, Priština, and began driving people away. Along the border with Albania, FRY forces emptied villages, forcing people to flee into Albania or into larger towns. Some Western officials believe that these moves in the south and west were aimed at clearing a path for a mass expulsion. In Priština, the largest city, troops sealed routes to the west and south, established checkpoints on major roads, and from 29 March forced residents to the railway station or onto the road. Within days there were columns of people 5 km long moving through the streets.⁸³

At the local level, the pattern of attack was similar to tactics that the Serbs had used during the Bosnian war. In the early hours of the day a barrage of ground-to-ground missiles or rocket-launched grenades was directed at a certain village. That was followed during daylight hours by sniper fire. The first phase of the attack could last for weeks or only a day. Police and special forces would then move into the village, which is when most killings and other atrocities occurred. Once all the inhabitants had fled or been killed, troops pillaged the village and moved on to the next.⁸⁴

By early June, 10 000–12 000 civilians had lost their lives at the hands of FRY troops,⁸⁵ some 863 000 people became refugees and 590 000 were intern-

⁸¹ The members of the Contact Group knew that a resolution calling for intervention would fail in the UN Security Council because China and Russia both opposed it.

⁸² Posen, B., 'The war for Kosovo: Serbia's political-military strategy', *International Security*, vol. 24, no. 4 (spring 2000).

⁸³ Smith, R. J. and Drozdiak, W., 'Serbs' offensive was meticulously planned', *Washington Post*, 11 Apr. 1999, pp. A26–A27.

⁸⁴ Physicians for Human Rights, 'Medical group recounts individual testimonies of human rights abuses in Kosovo', 24 June 1998, URL <<http://www.phrusa.org/research/refugees/kosovo2.html>>.

⁸⁵ The best available study supports the figures at the lower end of the range, stating that 'an estimated 10 356 Kosovar Albanians were killed' during the period 20 Mar.–22 June. The study's margin of error is 9002–12 122 deaths. Ball, P. et al., *Killings and Refugee Flow in Kosovo, March–June 1999: A Report to the International Criminal Tribunal for the Former Yugoslavia* (American Association for the Advancement of Science/American Bar Association Central and East European Law Initiative: Washington, DC,

ally displaced.⁸⁶ Aiming to cast itself as the hapless victim of NATO aggression, the FRY Government claimed that people were fleeing NATO bombs. The claim was disputed by NATO at the time and is undermined by a statistical analysis of population flows, NATO actions and the FRY's actions, which argues strongly that there was a clear pattern of population displacement correlated with the FRY's actions but not with NATO bombing.⁸⁷

Operation Allied Force

Operation Allied Force fought a very different war from that of the FRY troops. Aircraft used advanced weaponry to fight from a distance with the purpose of changing the political environment—helping Kosovars by defeating the FRY security forces in Kosovo. NATO publicly articulated a number of objectives.⁸⁸ One of them was purely humanitarian—unimpeded access for humanitarian aid organizations. Four more were both humanitarian and political—a verifiable cessation of all combat activities and killings; the withdrawal of Serb military, police and paramilitaries from Kosovo; the deployment of an international military force; and the return of refugees. Three objectives were simply political—to damage Serbian military capacity; to achieve a political framework for Kosovo, building on the proposed Rambouillet agreement; and to demonstrate the credibility of NATO. A number of NATO governments openly acknowledged the importance of political objectives to this 'humanitarian' intervention. The political objectives, particularly the credibility argument, were critical to inducing NATO governments to take the risks and commit the resources that were necessary if they were to prevail.

Western governments saw themselves engaged in compellence, not offence. NATO's coercive strategy of applying pressure until Milosevic relented implied a gradually escalating military campaign, rather than an all-out assault from day one. That logic was reinforced by misinterpretation of why the war in Bosnia and Herzegovina ended in 1995. It was widely believed in NATO headquarters and most national capitals that the relatively small bombing campaign known as Operation Deliberate Force had caused Milosevic to withdraw his support from the Bosnian Serbs and to sign the Dayton Agreement.⁸⁹ As noted above, how-

2002), p. 6. The 10 000 estimate is from the US Department of State; the 12 000 estimate is from Spiegel, P. B. and Salama, P., 'War and mortality in Kosovo, 1998–99: an epidemiological testimony', *The Lancet*, vol. 355, no. 9222 (24 June 2000), pp. 2204–209.

⁸⁶ Independent International Commission on Kosovo, *The Kosovo Report: Conflict, International Response, Lessons Learned* (Oxford University Press: Oxford, 2000), pp. 90, 201.

⁸⁷ Ball et al. (note 85).

⁸⁸ Roberts, A., 'NATO's "humanitarian war" over Kosovo', eds L. Minear, T. van Baarda and M. Sommers, *NATO and Humanitarian Action in the Kosovo Crisis*, Occasional Paper no. 36 (Thomas J. Watson Jr Institute for International Studies, Brown University and the Humanitarian Law Consultancy: Providence, R.I., 2000), pp. 123, 135; and US Department of Defense, 'Kosovo/Operation Allied Force: after action report', Report to the US Congress, 31 Jan. 2000, p. xvii of the executive summary.

⁸⁹ Rubin, J., 'Countdown to a very personal war', *Financial Times Weekend*, 30 Sep.–1 Oct. 2000, pp. I–IX; and Roberts (note 88), pp. 134, 135.

ever, the Croatian and Bosniak ground offensives and shifting political fortunes played at least as big a role in Milosevic's decision. Most policymakers expected him to back down a few days after the bombing began. They did not expect to have to step up the pace of attack or to widen the target list from military to civilian targets. They were wrong.

Despite the rosy scenario favoured by most politicians, NATO military planners had prepared for a tough fight. The first phase of the attack consisted of the suppression of enemy air defences. It began on 24 March 1999 with cruise missiles launched from ships in the Adriatic Sea and targeted on the FRY's air defence system to make subsequent flights safer for NATO pilots. Some people expected the demonstration of NATO's resolve to induce Milosevic to return to the negotiating table. When violence against civilians in Kosovo increased, NATO air forces initiated the second phase on 27 March. It consisted of strikes against Serbian and FRY ground forces in Kosovo and a few key military logistics assets in Serbia proper. This was the point at which most political leaders expected the combat to end. Instead Serbian and FRY attacks on Kosovars and their flight to neighbouring countries got worse. Determined not to cave in to Milosevic's brutal tactics, as it had in Bosnia and Herzegovina, NATO escalated to its third and final phase a week and a half after the attack began.⁹⁰ On 3 April, bombs tore through the Interior Ministry in Belgrade.⁹¹ From that point on, pilots hit a number of civilian targets in addition to multiple military targets.

The military campaign was shaped throughout by the critical importance of maintaining alliance cohesion. The largest NATO members could have accomplished the military tasks by themselves with no more than basing and airspace rights from certain other countries. However, dissension within the North Atlantic Council, the authorizing body for the intervention, would have made it difficult to maintain the legitimacy of the operation in the absence of a UN mandate. Moreover, one of the main rationales for the intervention was to maintain the credibility of NATO. A split within the alliance would have done as much damage to its credibility as continued diplomatic jousting with Milosevic.

In an effort to balance alliance cohesion with the prosecution of a military campaign, there were debates within NATO about the phasing of the air strikes, appropriate targets and the use of ground forces. Should there be a gradual escalation, or should there be immediate strikes against Belgrade? Were all, or

⁹⁰ There was never a formal move to phase 3, which would have required the consent of all members of the North Atlantic Council. Instead, NATO's Secretary General and his top military commanders made the decision to escalate. British House of Commons, Defence Committee, *Lessons of Kosovo*, vol. 1, *Report and Proceedings of the Committee*, Session 1999/2000, HC 347-I (Stationery Office: London, 2000), p. 45.

⁹¹ The Interior Ministry controlled the paramilitary units who were charged with keeping order in the FRY and who led the expulsion campaign in Kosovo. Blaauw, B., 'The situation in Kosovo', Report submitted on behalf of the Defence Committee, Assembly of the Western European Union, 45th session, 10 June 1999, document 1651, p. 8.

only some, targets in Belgrade legitimate, or should they all be counted out? At what point, if ever, should NATO ground troops enter Kosovo? In the event, the target list and intensity of attack followed a pattern of escalation but moved from one phase to the next in rapid succession. Once attacks on Belgrade began, controversy within NATO grew, with France in particular demanding to be consulted on the selection of many targets and accusing the USA of acting unilaterally outside the NATO command structure. Eventually, there was agreement that action against targets in downtown Belgrade and in Montenegro and against targets likely to involve extensive civilian damage would be subject to approval by political authorities.⁹² The international public outcry when missiles hit the FRY national television studio and the Chinese Embassy was widespread.⁹³ At the same time NATO claimed to be going to great lengths to minimize collateral damage in Serbia in an effort to avoid undermining its humanitarian rationale and mobilizing Serb opinion against NATO.⁹⁴

One consistent point of agreement was that risk to NATO military personnel had to be minimized. Minimizing risk made the air campaign more difficult and less effective in several ways. First, Operation Allied Force never had a ground combat component, which meant that allied air forces could not rely on combined arms operations to attack and destroy the FRY military. Second, pilots continually had to threaten FRY surface-to-air missile (SAM) systems. NATO flew one attack sortie against FRY air defences for every three missions flown to attack other targets. Third, almost all attack aircraft had to be accompanied by aircraft equipped to jam SAM radar. Attack runs were limited by the scarcity of jamming aircraft and lethal suppression aircraft.⁹⁵ Fourth, to stay out of the effective range of FRY air defences, NATO aircraft flew at altitudes of at least 4600 metres. From that height it was difficult for pilots to identify targets and hit them, even on the few days when there was no cloud cover. Not only was high-altitude bombing less effective against military targets, but it also endangered civilians on the ground more than low-altitude operations would have done.

Despite these difficulties, from a military operations point of view, Operation Allied Force was a success. NATO sustained an uninterrupted 78-day attack. Aircraft from 14 countries flew approximately 38 000 sorties, of which slightly less than one-third were strike sorties. Only two aircraft were shot down and both their pilots were rescued.⁹⁶ Strikes against 'fixed targets' (infrastructure) were 'highly successful,' according to the US Department of Defense, but 'Serbia's mobile Army and Interior [Ministry] forces presented a targeting and

⁹² Little (note 77), pp. 22, 24; and US Department of Defense (note 88), executive summary, p. xxiv.

⁹³ US targeting planners claimed, implausibly, that the strike on the Chinese Embassy was a mistake—the result of using an old map.

⁹⁴ British House of Commons (note 90), pp. 43–51.

⁹⁵ Posen (note 82).

⁹⁶ US Department of Defense (note 88), pp. 67–68, 79; and Independent International Commission on Kosovo (note 86), p. 92. For NATO air forces most sorties are not strike sorties. They are reconnaissance, refuelling and other support flights.

damage assessment challenge'.⁹⁷ In fact, initial NATO claims that it destroyed most of the tanks, artillery and APCs that Belgrade sent to Kosovo were proved wrong when the Serbs withdrew with many of their heavy weapons intact.⁹⁸ A larger measure of NATO's success was Belgrade's withdrawal of all its army and Interior Ministry forces.

The survival of the FRY military's field weapons, in the face of an intense effort to destroy them, offers two lessons. First, it is extremely difficult to harm a military that is engaged in dispersed, low-level activity, such as attacks on civilians, from the air alone. Ground troops, attacks on strategic targets, or both are needed.⁹⁹ Second, since there were no ground troops to speak of in Kosovo (the KLA played only a very small part), strategic considerations played a larger role in Milosevic's decision to withdraw than did actual or imminent military damage. In other words, coercion rather than military defeat forced the FRY to negotiate.

While Operation Allied Force was a political and military success for NATO, it was a humanitarian failure. In March, British Secretary of State for Defence George Robertson emphasized the humanitarian objectives of the intervention. He stated, 'The military objective of these operations is absolutely clear cut. It is to avert an impending humanitarian catastrophe by disrupting violent attacks'.¹⁰⁰ Far from disrupting violent attacks on civilians, however, it accelerated them and precipitated a humanitarian catastrophe. By 20 March 1999, just before NATO began bombing, FRY paramilitary and military troops had killed some 500 Kosovars and displaced up to 400 000 during several years of fighting the KLA.¹⁰¹ Two and a half months later, in early June, the number of people killed was 20 times higher, and more than 90 per cent of the Kosovar population had been forced to flee their homes.¹⁰²

It could be argued that Milosevic was intent on driving Albanians out of Kosovo and would have wreaked violent havoc on the province if NATO had not intervened, and the intervention should therefore not be criticized on humanitarian grounds. Unfortunately, the latter statement does not follow from the former. There is no denying that Serbs deliberately targeted Kosovar Albanians for cruel and degrading treatment and sought to slowly destroy their sources of livelihood.¹⁰³ Yet the despicable record of a serial-killer regime does

⁹⁷ US Department of Defense (note 88), p. 85.

⁹⁸ As the US after-action report rather drily states, 'roughly 60 percent of the target-hit claims made during Operation Allied Force could be confirmed by the assessment team . . . more than a month after the conflict had ended . . .'. US Department of Defense (note 88), p. 85.

⁹⁹ The US attack on the Taliban in Afghanistan in late 2001 confirms this point. Air power proved highly effective against the dispersed Taliban forces because the USA worked with the Northern Alliance to drive Taliban fighters into concentrated groups that were more vulnerable from the air. US Special Operations forces on the ground then pinpointed targets to pilots flying overhead.

¹⁰⁰ Little (note 77), p. 19.

¹⁰¹ British House of Commons (note 90), p. xxviii.

¹⁰² Independent International Commission on Kosovo (note 86), pp. 90, 201.

¹⁰³ Iacopino, V. et al., 'War crimes in Kosovo: a population based assessment of human rights violations against Kosovar Albanians', Physicians for Human Rights, Boston, Mass./Washington, DC, Aug.

not absolve a rescue mission of its humanitarian responsibilities. NATO's action made the lives of hundreds of thousands of people radically worse in the short term. To their great credit, NATO governments and others responded fully to the refugee crisis, as is discussed at length in chapter 4.

The role of Operation Allied Force in creating the worst refugee crisis in Europe since the end of World War II must be recognized. On the positive side of the ledger, the refugee crisis was one of the shortest ever. Credit goes to NATO's establishment of a protectorate over all of Kosovo, with the consent of the Belgrade government.

Explanations for the Operation Allied Force outcome

Why did compellence work? This section looks first at why President Milosevic agreed to withdraw his forces from the province and allow a large UN presence, with a high NATO concentration.

Most importantly, Milosevic wanted to save his country and preserve his own hold on power. To do that he had little choice but to negotiate. The NATO strategic bombing had taken a heavy toll by destroying infrastructure such as bridges and industrial centres, and promised to continue doing so. The estimated economic cost to the country was roughly \$4 billion worth of physical damage and a further \$23 billion in lost production over the ensuing decade.¹⁰⁴

Second, it became apparent that Milosevic's attempt to split the NATO alliance had not worked. He was unable to kill NATO military personnel and the allies had dealt well with the expulsion of hundreds of thousands of refugees.

A third reason was that Milosevic came to realize that his military could not defeat the KLA while NATO aircraft kept it pinned down.¹⁰⁵ Moreover, the KLA had become active in the conflict. By late May 1999, the US Government estimated that the KLA had grown to a strength of 17 000–20 000 in Kosovo and Albania, with perhaps as many as 15 000 in Kosovo.¹⁰⁶ From a largely defensive posture, in which the KLA hoped that a prolonged war of attrition would 'inflict politically unbearable losses for the Belgrade regime',¹⁰⁷ it moved to a more offensive position. On 26 May it launched Operation Arrow with the

1999; Independent International Commission on Kosovo (note 86), pp. 310–11; and Frelick, B., 'The Kosovo refugee crisis', Testimony before the US Senate Committee on the Judiciary, Subcommittee on Immigration, 14 Apr. 1999 (published by the US Committee for Refugees, Washington, DC).

¹⁰⁴ Posen (note 82), p. 80.

¹⁰⁵ British House of Commons (note 90), p. ciii, para. 272.

¹⁰⁶ Federation of American Scientists, Intelligence Resource Programme, 'Kosovo Liberation Army [KLA]', URL <<http://www.fas.org/irp/world/para/kla.htm>>.

¹⁰⁷ The KLA was still unprepared for a large-scale confrontation and its 'ideological and strategic thinking at the time' was 'to create a Serbian Vietnam in Kosovo'. It therefore thought along the lines of a war of attrition. However, the KLA's only real advantage over the FRY troops was the support of NATO. Thus, while it had no option but to aim for a war of attrition, with NATO support this would no longer be necessary. Independent International Commission on Kosovo (note 86), p. 87.

aim of eliminating Serbian units in the Albanian border region.¹⁰⁸ The effort did not succeed in its central objective but it did force the FRY Army to manoeuvre and concentrate, making it more vulnerable to attacks from the air.¹⁰⁹

Fourth, NATO started to send out signals that it was preparing for a ground war. On 25 May NATO approved a plan which would increase the number of NATO ground troops in Albania and the FYROM to 50 000—enough for an invasion of the small province. On 31 May the US Government gave NATO Supreme Allied Commander General Wesley Clark permission to strengthen and widen the roads in Albania leading to Kukës on the border with Kosovo.¹¹⁰ Reinforced roads could be used to transport tanks and other heavy equipment needed for a ground invasion.

Finally, the FRY leader had both a negative political incentive and a positive one. On the negative side, Russia made it clear that it would not continue to support the FRY position. Milosevic's strongest ally was ready for a negotiated solution.¹¹¹ On the positive side, NATO offered a deal that was better than that offered at Rambouillet. The UN rather than NATO would be the political authority in Kosovo. This would give the FRY the advantage of China's and Russia's sympathies by way of their veto in the UN Security Council. China or Russia could veto any move towards consideration of Kosovo's independence. UN control would also allow the Russian military to be present in Kosovo, which would not have been the case under NATO authority. Not least, the authorization of a UN presence removed the built-in ability of NATO to intervene at will that was contained in the proposed Rambouillet agreement.¹¹²

If those were the factors that influenced Milosevic's calculations, what factors enabled NATO to prevail?

Most importantly, Western political leaders believed that their national interests were at stake in Kosovo. Those interests included the concern over further destabilization of the Balkans, which was part of Milosevic's strategy. European countries feared that continued and potentially spreading violence in the Balkans would cause large-scale migration of people they did not want to take in. Furthermore, years of experience in other parts of the former Yugoslavia had taught governments that they could not trust Milosevic to abide by diplomatic agreements unless the agreements were backed with force. A settlement of the Kosovo question would have to be forced on him. Most political leaders did not feel comfortable making the anti-immigrant argument in public, but they had no hesitation in arguing that intervention was necessary to preserve NATO's credibility. NATO had increasingly forced itself into a corner starting in 1998 by making threats to bomb the FRY if Milosevic did not do what NATO wanted. Failure to act on the threats would have seriously undermined

¹⁰⁸ Blaauw (note 91), p. 15, para. 64.

¹⁰⁹ Posen (note 82), p. 65.

¹¹⁰ Roberts (note 88), pp. 145, 146.

¹¹¹ British House of Commons (note 90), p. civ, paras 272, 273.

¹¹² Posen (note 82), p. 80.

the cold war military alliance just when it was struggling to prove its relevance nearly a decade after Europe had overcome its ideological division. Finally, although overthrowing the Milosevic regime was not a publicly stated objective, the belief that Milosevic would not be able to survive military defeat certainly helped to motivate the governments that opposed him.¹¹³

Humanitarian interests played a role as well and centred on resolve to avoid ‘another Bosnia’ in Kosovo. US Secretary of State Albright led the charge on this point. British Foreign Secretary Robin Cook stated that Albright ‘was very vigorous in making it clear that we had to prevent Milosevic from repeating in Kosovo what he had attempted to do in Bosnia’.¹¹⁴ Humanitarian and political interests were brought together by a post-Bosnia, post-Rwanda desire to demonstrate that the international actors, under US leadership, were sincere about preventing and punishing severe human rights abuses. Yet one need only think of northern Uganda, southern Sudan and eastern Democratic Republic of the Congo—all of which experienced far worse human rights abuses and higher mortality rates—to understand that this sincerity was limited in scope to places of political ‘importance’.

This combination of humanitarian and political interests led NATO to take significant risks. As noted above, however, the willingness to take risks was tightly constrained by the need to maintain alliance cohesion and domestic political support within the troop-contributing countries. Although NATO military planners explored a wide range of military options, including the use of ground forces, political leaders explicitly ruled out a forced entry into Kosovo on the ground. However, after a couple of months of the air campaign with no sign that Milosevic would back down, NATO member states recognized that they had no other option than to employ every means necessary to win the war. They became willing to take bigger risks and the likelihood of a ground force being deployed grew.¹¹⁵ By demonstrating this resolve through public discussion of a ground option and initial preparations for a ground invasion, NATO communicated its willingness to escalate the confrontation despite the increased risks this would bring.¹¹⁶

Strong interests also led to the commitment of extensive resources and the deployment of the most capable military force in the world. On the opening day of the intervention, NATO had in the theatre of operations approximately 350 aircraft and 10 ships capable of firing cruise missiles. By the end of the

¹¹³ Independent International Commission on Kosovo (note 86), p. 233.

¹¹⁴ Little (note 77).

¹¹⁵ The Congressional Research Service, the policy research arm of the Library of Congress, serving the US Congress, published a short piece in early May 1999 on possible ground force options. Bruner, E. F., ‘Kosovo: possible ground force options’, CRS Report for Congress, Congressional Research Service, Washington, DC, 4 May 1999.

¹¹⁶ British Prime Minister Tony Blair stated: ‘The bottom line was we couldn’t lose. If we lost, it’s not just that we would have failed in our strategic objective, failed in terms of the moral purpose—we would have dealt a devastating blow to the credibility of NATO and the world would have been less safe as a result of that.’ Little (note 77), p. 29.

campaign, it had deployed approximately 1000 aircraft and nearly 20 ships with cruise missiles.¹¹⁷ NATO air forces enjoyed the full panoply of advanced weapons, such as Tomahawk land attack missiles and Joint Direct Attack munitions which relied on Global Positioning System (GPS) information for guidance.¹¹⁸ (The USA provided most of the aircraft and firepower in the campaign, including 80 per cent of all precision-guided munitions.¹¹⁹) In comparison, the FRY's Soviet-era air force barely got off the ground and contributed nothing to the military effort. Its ground forces were unable to mount an effective defence against the air attack and resorted instead to concealment and low-level activity. The local balance of power clearly favoured the alliance.

Although precision weapons and advanced fighter aircraft gave NATO an enormous advantage over the FRY military in conventional terms, they were completely ineffective at preventing paramilitary and military attacks on civilians. High-altitude bombing, even with guided munitions and night-time operations capability, could not stop the tactics used by the Serbs. Protecting civilians requires policing by troops on the ground. As was seen in Rwanda, civilians are highly vulnerable to attack by small groups of lightly armed soldiers or militiamen who stopped only in the presence of opposing troops. In East Timor, killing and harassment of civilians ended progressively across the territory as Australian and other troops established a presence, but not before.

Summary

Kosovar Albanians chafing under the discriminatory rule of Belgrade became increasingly supportive of the KLA, whose strategy was to provoke reprisals against civilians by FRY security forces and thus draw in Western powers to help them gain independence for Kosovo. It was a brutal and very successful strategy. The US Government in particular saw an urgent need to stop the killing before it got worse. The Rambouillet negotiations were presented as the last chance to avoid military confrontation, although there is reason to believe that the USA had decided to use force long before the talks collapsed. In preparing for the attack, NATO hoped to demonstrate its willingness to sustain costs. Milosevic, for his part, planned to raise the costs to the alliance beyond what member governments were willing to accept. Each side believed it had more to lose by negotiating than by fighting and each believed that it had a local power advantage sufficient to make its adversary give up. In addition, NATO countries did not expect their attack to make the civilian mortality rate significantly worse. In this they were wrong: the war was a humanitarian disaster. NATO did manage, however, to contain the costs of the fighting within politically acceptable limits and at the same time to damage substantially the FRY

¹¹⁷ Roberts (note 88), p. 133; and British House of Commons (note 90), p. xxxix, para. 87.

¹¹⁸ US Department of Defense (note 88), executive summary, p. xxiii.

¹¹⁹ Daalder, I. and O'Hanlon, M., 'The United States in the Balkans: there to stay', *Washington Quarterly*, vol. 23 (autumn 2000), p. 168.

economy and military forces. After sustaining damage and losing the support of his main ally, Russia, President Milosevic agreed to withdraw from Kosovo on the terms offered by NATO. The FRY's loss of control over Kosovo has been almost total during the UN occupation that followed the war and it is very likely that the loss will become permanent when Kosovo's final status is settled politically.

East Timor

The most pressing problem in East Timor following the vote for independence from Indonesia was violence against civilians, perpetrated by Indonesian militias with the support of the national military. As chapter 3 establishes, the effort to intimidate voters before the referendum on 30 August 1999 became a campaign after the fact to punish East Timorese for their audacity. Within a month of the referendum, militiamen and soldiers had forced 690 000–790 000 people, out of a population of some 890 000, to flee their homes.¹²⁰ Hundreds of people were killed. Many humanitarian organizations and governments believed the mortality rate to be far higher.¹²¹ The ferocity of the violence shocked people around the world.

A UN observer mission for the referendum was unable, and the government of Indonesia was unwilling, to stop the violence. Prodded by media coverage and vociferous NGOs, a number of governments felt a responsibility to protect the East Timorese. Motivated by a mixture of humanitarian and political interests, Australia volunteered to lead a coalition of the willing to restore peace and security to the territory, facilitate humanitarian operations and protect the UN mission that was designated to create a functioning state in the newly independent country.¹²² INTERFET is analysed above through the lenses of logistical assistance and direct aid (chapter 4) and protection of aid operations (chapter 5).¹²³ Those activities could be conducted for a limited period through point protection and emergency assistance, but they could be more effectively and sustainably achieved by defeating the perpetrators of violence. More importantly, forcing the Indonesian Army (the TNI) and the militias to leave the newly

¹²⁰ United Nations, Office of the Coordinator for Humanitarian Affairs, 'United Nations inter-agency and non-governmental organisation preliminary assessment of needs for humanitarian assistance for East Timorese', Oct. 1999, p. 17. The UN Secretary-General later reported an estimated peak of 250 000 refugees in West Timor. United Nations, Report of the Secretary-General on the United Nations Transitional Administration in East Timor, UN document S/2000/53, 26 Jan. 2000, para. 29.

¹²¹ United Nations, Report of the International Commission of Inquiry on East Timor to the Secretary-General, UN document A/54/726/, S/2000/59, 31 Jan. 2000, paras 98–99. The SRSG for Timor-Leste, Sukehiro Hasegawa, estimated that 1500 people were killed during 1999 in the run-up to the referendum and after it. Hasegawa, S., Remarks at the Conference on Reconstructing and Stabilizing War-torn States: The Challenges before Us, Washington, DC, 23 Mar. 2005.

¹²² UN Security Council Resolution 1264, 15 Sep. 1999.

¹²³ INTERFET had the military moniker Operation Stabilize. The Australian component was called Operation Warden.

declared country was the only viable way to protect civilians from violence in the long term.

The International Force for East Timor

UN Security Council Resolution 1264 of 15 September 1999 called for INTERFET to establish a secure environment throughout East Timor, just as the intervention in Kosovo several months earlier had covered the entire territory that had asserted its independence. Unlike in Kosovo, but reminiscent of Rwanda, militias were the primary perpetrators of violence. Yet East Timor contrasted with Rwanda because the militiamen did not have the strong support of the central government. Jakarta did nothing to stop the violence until it was put under severe international pressure, but it eventually reined in the militias' main patrons: the TNI. Loss of government support made the militias much less deadly, with the result that they engaged more in material destruction than in killing (the opposite of what happened in Rwanda). Lack of central government support also made the job of INTERFET much easier than it otherwise might have been.

The Australian-led force, under the command of Major General Peter Cosgrove, used a strategy of compellence to defeat the militias and the TNI and drive them back across the new international border into West Timor. Actual military engagements were few. INTERFET began with an airlift of more than 1000 troops on 20 September 1999, five days after the UN authorized intervention, followed the next day by 2000 more.¹²⁴ For the first week the troops concentrated entirely on Dili, the capital on the northern coast, which was the largest population centre and had an airport and seaport to bring in equipment and supplies. Security operations included raiding militia headquarters and confiscating weapons.¹²⁵

Thereafter, INTERFET followed an 'oil-spot' deployment pattern in which troops spread out from strategic locations in ever-wider areas of control. As they advanced, INTERFET troops did not hesitate to use force when necessary, which led Indonesia and some other Asian countries to criticize them for being heavy-handed.¹²⁶ In point of fact, their willingness to use force was tempered by the rules of engagement, the humanitarian character of the operation and the capacity of well-trained soldiers to show a high degree of 'fire discipline'. Foreign troops fired at adversaries only seven times during the first 30 days of the intervention and only 13 times during the entire five-month operation.¹²⁷

¹²⁴ Moore, J., 'East Timor and Australia's security', Media release, Australian Department of Defence, 21 Sep. 1999, URL <<http://www.defence.gov.au/>>; and 'Violent aftermath of East Timor referendum', *Keesing's Record of World Events*, vol. 45, no. 9 (Sep. 1999), News Digest.

¹²⁵ 'Indonesia. Violent aftermath of East Timor referendum' (note 124).

¹²⁶ Robinson, G., 'Canberra disquiet on role in East Timor', *Financial Times*, 4 Oct. 1999, p. 5.

¹²⁷ Bostock, I., 'By the book: East Timor, an operational evaluation', *Jane's Defence Weekly*, vol. 33, no. 18 (3 May 2000), p. 23.

The TNI did not resist the foreign invasion because President Habibie, reluctantly, had given the intervention his consent.¹²⁸ Yet the army resisted passively by withdrawing slowly, looting and burning as it went. The Indonesian military defines its central task as maintaining the territorial integrity of the country, primarily by opposing secessionist movements. When it could no longer prevent East Timorese independence, it sought at least to discourage other regions in the archipelago from trying to do the same thing by showing the destruction that could follow. The TNI withdrawal began a few days after INTERFET arrived and was not complete until 31 October, more than a month later.¹²⁹ The slowness of the withdrawal shielded militiamen and their continued destruction because foreign troops, not wanting to clash with the TNI, could only advance as quickly as the Indonesians withdrew.

Militiamen continued to perpetrate violence against civilians and to destroy everything they could in places where foreign troops did not yet have a presence.¹³⁰ Yet, well aware that they could not stand up to a trained military force, the militias fled once the TNI pulled back and foreign troops entered an area. To the extent that they attacked foreign troops at all, they launched sporadic ambushes and small cross-border attacks. The firefights usually resulted in the death of several militiamen and sometimes in INTERFET soldiers being injured.¹³¹ Within areas under their control, Australian and other troops engaged in a good deal of patrolling to deter militia activity and build confidence among civilians that they could safely return home. Once INTERFET's mobile units controlled the roads, they were able to disrupt militia activities and force the militiamen away from towns into difficult mountainous terrain.¹³²

As Indonesian soldiers and militiamen retreated to West Timor, the boundary area between the two halves of the island and the enclave of Oecussi became the most dangerous places. Cosgrove's agreement not to pursue gunmen across the border meant that militiamen could harass civilians and foreign troops from the safety of rear bases. Continued violence along the poorly defined border undermined INTERFET's ability to restore order and increased the chance of hostile contact between the TNI and foreign troops. The matter was finally resolved on 22 November when General Cosgrove and Indonesian military leaders signed a Memorandum of Technical Understanding on control of the inter-Timor border.¹³³ By that time the more peaceful parts of East Timor were

¹²⁸ The TNI and INTERFET exchanged fire only once, on 10 Oct., during a brief, unintentional encounter. Bostock (note 127), p. 23.

¹²⁹ Ryan, A., 'The strong lead-nation model in an ad hoc coalition of the willing: Operation Stabilize in East Timor', *International Peacekeeping*, vol. 9, no. 1 (spring 2002), p. 26.

¹³⁰ International Committee of the Red Cross (ICRC), 'ICRC activities in Indonesia, 14 April 1994–16 March 2000', Geneva, 2000. See also *ICRC Update*, no. 99/02 (23 Sep. 1999).

¹³¹ 'World news round up', *Aviation Week & Space Technology*, 11 Oct. 1999, p. 25; and Shenon, P., 'UN to triple its border forces in East Timor', *New York Times*, 11 Oct. 1999, URL <<http://www.nytimes.com/yr/mo/day/world/>>.

¹³² Bostock (note 127), p. 23.

¹³³ Ryan (note 129), p. 28.

occupied by troops from South-East Asian countries which operated independently at the tactical level because they were not trained to interact with the command structure and doctrine of the Australians.¹³⁴ Having successfully made East Timor into a safe zone, on 23 February 2000 INTERFET handed responsibility to the United Nations Transitional Authority for East Timor (UNTAET), which was tasked with turning the safe zone into a functioning country.¹³⁵ INTERFET completed its mission without any soldiers being killed in action and without killing any civilians.¹³⁶

Reasons for success

The intervention was successful above all because the Indonesian Government gave its consent. Australia was quite clear that it would lead a coalition only on condition that the intervention was authorized by the UN Security Council with Indonesia's consent. UN authorization gave the intervention legitimacy and brought 20 countries into the coalition. Prior consent allowed Australia to respond to the humanitarian and political crisis without getting into a war with its giant neighbour. Australia and Indonesia were allies—Australia had been one of the very few states to recognize Indonesia's sovereignty over East Timor, and their militaries had ties going back to 1974. Neither country relished the idea of a military confrontation.¹³⁷

With the Indonesian military essentially taken out of the equation, the intervention's success turned on several other factors, not the least of which was its speed.

The deployment happened surprisingly fast. Violence escalated in East Timor on 3 September 1999 when the results of the referendum were announced. Seventeen days later thousands of troops entered Dili. In the meantime, governments had debated the merits of intervention and several had decided that it was worth doing; diplomats and international bureaucrats had coerced the Indonesian Government into consenting to the intervention; the UN Security Council had debated and agreed on a far-reaching resolution; and military forces from Australia, New Zealand, the UK and the USA had planned and prepared for an invasion. It was one of the fastest military interventions ever.

Once on the ground INTERFET troops took time to consolidate their hold on Dili and bolster their forces, for which they were roundly criticized by some humanitarian NGOs. The scene was similar to Somalia, where NGOs had little patience for the US military's initial caution about spreading forces thinly in a

¹³⁴ Ryan (note 129), p. 31.

¹³⁵ The Indonesian Parliament had approved East Timor's independence on 22 Oct.

¹³⁶ Bostock (note 127), p. 23. After the INTERFET operation, 1 UNTAET soldier from New Zealand was killed on 24 July 2000. 'The United Nations and East Timor: a chronology', URL <<http://www.un.org/peace/etimor/Untaetchrono.html#2000>>.

¹³⁷ Stewart, C., Deputy Director of Political Affairs with UNTAET, Telephone interview by research assistant Emma Kay, 14 Feb. 2001; and Bell, C., 'East Timor, Canberra and Washington: a case study in crisis management', *Australian Journal of International Affairs*, vol. 54, no. 2 (2000), pp. 171–76.

hostile environment. The consolidation period proved worthwhile, for it allowed sustained operations across the territory that brought nearly all of East Timor under control by the end of October, a month after the operation had begun. A slower intervention would certainly have resulted in more killing.

Regardless of the speed of the response, the intervention was a reaction to violence already under way, like every other intervention studied here with the exception of that in Kosovo. As a result INTERFET had to force the militias and the TNI to stop an ongoing action and vacate territory they already occupied. Its coercive strategy relied on maintaining communication at all levels, from national headquarters down to the field. It also relied on the willingness of Australia and its allies to take risks, which they were willing to do because they considered important interests to be engaged. Finally, the strategy relied on the interveners' large power advantage over the militias that opposed it.

The purposes of the intervention were clearly communicated even before the authorizing resolution that spelled out the mandate. The perpetrators of violence had to stop killing people and destroying their property and they had to respect the outcome of the referendum to which the Indonesian Government had consented. It was on this basis that President Habibie consented to the presence of foreign troops. Once they were deployed, communication between INTERFET and the TNI continued at the operational level. It was no accident that INTERFET forces advanced as TNI troops withdrew and that they did not exchange hostile fire. An encounter between the two militaries along the inter-Timor border on 10 October, for instance, led to military-to-military talks brokered by the US Ambassador to the UN, Richard Holbrooke.

More important was INTERFET's ability to convince the TNI and the militias that they would suffer consequences if they did not comply with the demand that they leave East Timor. To do this the interveners not only made verbal demands and agreements; they also signalled their resolve by deploying a highly capable force that confiscated weapons and shot back when shot at. The task of communicating a stopping point for the compelling action that is difficult in theory was not so difficult in reality. East Timor was a well-defined territory. No country had an interest in occupying West Timor or weakening the Indonesian Government, least of all Australia.¹³⁸ When Australian Defence Minister John Moore broached the subject of crossing into West Timor in hot pursuit, President Habibie objected strongly and INTERFET stayed on its side of the line.¹³⁹

Humanitarian concern was a driving force behind the intervention. Portugal suggested a preventive deployment before the referendum but it was not until

¹³⁸ Australian support for Indonesia appeared self-evident. A possible break-up of the Indonesian state, consisting of tens of thousands of islands, would present dire consequences for Australia in the form of refugees and disruption to trade. Furthermore, Indonesia was an important ally in regional cooperation efforts, such as the Association of South East Asian Nations (ASEAN). Cotton, J., "Peacekeeping" in East Timor: an Australian policy departure', *Australian Journal of International Affairs*, vol. 53, no. 3 (Nov. 1999), p. 244.

¹³⁹ Robinson (note 126), p. 5.

after the killing escalated that other governments viewed the idea of intervention favourably.¹⁴⁰ Media coverage of the atrocities occurring under the noses of UN election observers and radically overblown estimates of the number of people killed resonated with governments that had never recognized Indonesia's sovereignty over the territory. The Australian public was so appalled by reports of the violence that it supported a proposed tax increase that the government thought would be necessary to pay for the intervention.¹⁴¹

At the same time the intervention was propelled by political interests of key countries. The Australian and US governments, in particular, feared that continued unrest in Indonesia would adversely affect its ability to conduct normal relations with much of the rest of the world. Indonesia was simply too important to risk such an outcome. There was also concern among some governments that the credibility of the UN was on the line.¹⁴² The UN had overseen the referendum and was completely unprepared for the consequences. Following on the failures in Somalia and Rwanda, not to mention the apparent irrelevance of the UN in Kosovo, events in East Timor represented a serious test for the UN. The mixed humanitarian and political motives of the USA, which provided essential diplomatic support and military logistical assistance to the intervention, were neatly articulated by the country's top military officer, General Henry Shelton: 'American national security interests were not on the line in the tiny territory', but the violence was a 'moral issue [that] very clearly challenges our role as leader with other nations in that region of the world'.¹⁴³

The combination of humanitarian and political interests led Australia and 19 other countries to take serious risks and commit significant resources to oppose the TNI and the militias.¹⁴⁴ Equally important was the imbalance of power, which was to INTERFET's advantage. The power advantage was a function, first, of the Indonesian militias' extraordinary weakness and, second, of the willingness of countries with capable militaries to commit troops and equipment.

The militias claimed to have 53 000 recruits, but Western intelligence sources put the total number at no more than 7000, including a 2000-strong hard core trained and equipped by the Kopassus secret police.¹⁴⁵ A local newspaper estimated approximately 8000 militiamen, most of whom did not have modern fire-

¹⁴⁰ Crossette, B., 'Intervention in East Timor is gathering backers at the UN', *New York Times*, 7 Sep. 1999; and Hogue, C., 'Perspectives on Australian foreign policy, 1999', *Australian Journal of International Affairs*, vol. 54, no. 2 (July 2000), p. 144.

¹⁴¹ Schwartz, E., 'Intervention in East Timor', ed. W. J. Lahneman, *Military Intervention: Cases in Context for the Twenty-first Century* (Rowman & Littlefield: Lanham, Md., 2004), p. 152.

¹⁴² Schwartz (note 141), pp. 152–54.

¹⁴³ Shenon, P., 'Clinton demands end of violence in East Timor', *New York Times*, 10 Sep. 1999.

¹⁴⁴ Some countries were more prepared to take risks than others. Whereas Australia, the UK and New Zealand led the charge, most of the Asian troop-contributing countries chose to deploy their soldiers in stable areas and the USA declined to put combat troops on the ground at all.

¹⁴⁵ Djalal, D., 'Fear and betrayal: East Timor's militias feel they're being abandoned', *Far Eastern Economic Review*, vol. 162, no. 43 (28 Oct. 1999), pp. 20–21.

arms.¹⁴⁶ The majority of them had old rifles and shotguns, home-made pipe guns and various weapons with sharp edges. Many militiamen were said to have been coerced into joining, so that their discipline was poor and their morale low.¹⁴⁷ There were a number of distinct militia groups, most of them geographically based, with no overall organization or command and control structure. In short, the militias were not an effective fighting force.

In comparison, the Australian troops—the largest of the coalition contingents—had three infantry battalions and two armoured regiments totalling some 5700 soldiers. They were equipped with, among other things, light armoured vehicles and APCs, helicopters, night-vision equipment, an array of supply vehicles and modern communications equipment.¹⁴⁸ Other leading-edge combat troops included small contingents of approximately 300 Gurkhas and 500 New Zealand troops.¹⁴⁹ These were all highly trained and capable troops who knew how to fight. Just as important for a humanitarian intervention, they were disciplined enough not to respond disproportionately to provocations. General Cosgrove ran a flexible command and control structure that allowed those units and national contingents with diverse capacities and doctrines to interact effectively. Contributions from other countries brought INTERFET's troop strength up to a peak of about 10 000, although not until after the crucial early weeks of the intervention.¹⁵⁰ INTERFET's military dominance played a significant role in maintaining a low level of violence vis-à-vis local forces, according to some participants, because it deterred the militias from escalating confrontations.¹⁵¹

Added to these overt capabilities were the logistical support and deterrent presence of US forces. Several hundred US soldiers in East Timor and Australia provided strategic and tactical airlift, intelligence, communications support, a civil-military operations centre and a logistics planning cell. In addition, the USA maintained a marine expeditionary unit on a ship off the East Timorese coast as a demonstration of interest and resolve.¹⁵²

Despite INTERFET's ability to dominate the militias and deter the TNI, it was not as strong a force as it first appeared. The intervention stretched the Australian military to its limit.¹⁵³ Many of the Asian national contingents were

¹⁴⁶ Human Rights Watch, 'Background: the Indonesian Army and civilian militias in East Timor', Human Rights Watch, *HRW 1999 World Report* (Indonesia chapter), URL <<http://www.hrw.org/press/1999/apr/etmilitia.htm>>.

¹⁴⁷ Bostock (note 127), p. 23.

¹⁴⁸ Ryan (note 129), p. 30; and Bostock (note 127), p. 23.

¹⁴⁹ 'East Timor peace troops: overview (Reuters)', *Financial Times*, 16 Sep. 1999, p. 4.

¹⁵⁰ Schwartz (note 141), p. 60. Ryan reports a total of 11 693 troops according to INTERFET headquarters, which does not reflect the actual number deployed at any one time, due to constant rotation of contingents. Ryan (note 129), p. 43, note 15.

¹⁵¹ An Australian colonel stated, 'In East Timor, we saw . . . people scared of armour. We often talk about shock action, we talk about the psychological effect of armour—we saw that in East Timor'. Bostock (note 127), p. 23.

¹⁵² Gillert, D., 'US support increases to East Timor "Operation Warden"', American Forces Press Service, 29 Sep. 1999; 'World news round up', *Aviation Week & Space Technology*, 11 Oct. 1999, p. 25; and Schwartz (note 141), pp. 154–55.

¹⁵³ Bostock (note 127), p. 23.

not prepared to fight: only Thailand sent combat troops. The others, nervous about upsetting Indonesia, sent soldiers who were better suited to rear-area operations.¹⁵⁴ The initial entry force had only two APCs; many of its armoured vehicles were vulnerable to small-arms fire; the force never had any tanks; and the supply chain for spare parts and maintenance was weak.¹⁵⁵ Minimal infrastructure on the island made resupply difficult; the terrain was rough and favoured defence over offence; and the rainy season made military operations difficult.¹⁵⁶

If the TNI had chosen to fight or if inadvertent clashes between INTERFET and TNI soldiers had escalated, especially in the early days of the intervention, the balance-of-power picture could have been very different. In September 1999 the TNI had between 15 000 and 17 000 soldiers in East Timor, stationed in Dili, in major towns and along the inter-Timor border. Another 10 000 or so TNI troops were in West Timor.¹⁵⁷ The Indonesian Army was not as well equipped or trained as the best foreign troops, but with a three-to-one advantage and the psychological boost of fighting for the integrity of their country, there is no doubt that the TNI could have caused very serious problems for INTERFET.

Summary

INTERFET demonstrated the tremendous amount of good that can be done by competent foreign troops and it confirmed the basic theoretical arguments about the conditions under which compellence works. Caution is needed, however, in applying lessons from East Timor to potential future humanitarian interventions. East Timor was an easy case: Indonesia consented and withheld its military, the militias were unusually weak, the territory was small, the population was supportive and the operation had legitimacy born of the political processes leading up to it. This combination of circumstances is likely to be rare in the future. Interventions in more difficult crises should follow the principles of speed, robustness and legitimacy but they should be stronger and expect to pay higher costs.

¹⁵⁴ Richardson, M., 'Asians move to join UN Timor force', *International Herald Tribune*, 20 Sep. 1999.

¹⁵⁵ Bostock (note 127), p. 23.

¹⁵⁶ Ryan (note 129), pp. 26, 29.

¹⁵⁷ 'East Timor: US timidity', *Financial Times*, 27 Sep. 1999, URL <<http://www.ft.com/hippocampus/q16aaa.htm>>; see also Reuters, 'Riots, scandal rock Jakarta, Dili burns', *New York Times*, 24 Sep. 1999, URL <<http://www.nytimes.com/reuters/international/international-indones.html>>. Another report mentions c. 15 000 TNI troops in East Timor, of which 2000 were Kopassus, and an additional 8000 police. 'East Timor: the hard truth about peacekeeping', *Global Intelligence Update*, Defence Systems Daily, URL <<http://www.defence-data.com>>; and CNN, 'Armed with UN approval, Australia prepares for East Timor mission', 16 Sep. 1999, URL <<http://www.cnn.com/ASIANOW/southeast/9909/15/e.timor.03/>>.

III. Advantages and disadvantages of military intervention to defeat the perpetrators of violence

The first and biggest advantage of defeating the perpetrators of violence is that it can save a great many lives. Three of the five interventions reviewed above were successful from this perspective. Operation Deliberate Force in Bosnia and Herzegovina ended the siege of Sarajevo, which had cost some 15 000 lives, and led to the end of the Bosnian war. The Rwandan Patriotic Army's offensive stopped the genocide and saved more people than any other action, diplomatic or military. In East Timor, INTERFET put an end to the militia rampage which was killing people directly and threatened to lead to high mortality due to privation.

Second, although defeating the perpetrators is not the only way to save lives during a complex emergency, as previous chapters show, when the threat to civilians comes from determined killers it is more effective than all the other options. The other appropriate response to violence—protecting the victims—offers several variants, all of which have disadvantages compared to defeating the perpetrators. Protecting people in a specific, small location, for example, a stadium, and protecting them in a small safe area are not sustainable over time. Large safe zones can be sustained, but they have the disadvantage of perpetuating population displacement as people who are not originally from the protected territory flow in seeking safety.

The third advantage, and the one that sets this type of humanitarian intervention apart from all others, is that it can end a war. Interventions to help deliver aid, to protect humanitarian operations and to save the victims of violence do no more than treat symptoms of violent conflict. Intervention to defeat the perpetrators of violence recognizes that conflict has political causes. It attempts to deal with the most acute political dilemma: a predominance of power held by a group (often a government) with a murderous ideology. Defeating the perpetrators changes the imbalance of power and with it the political environment that led to the humanitarian crisis. It lays the foundation for rebuilding a country's political, social and economic institutions, which are essential for lasting stability and peace—although, as the cases of Bosnia and Herzegovina, Rwanda, Kosovo and East Timor demonstrate, countries and territories emerging from widespread violence remain extremely fragile for years, even with a great deal of international assistance. Milder forms of intervention in those countries helped to save lives but they did not lead to political transitions and the potential for lasting stability. Of the five countries studied in this chapter, the country still suffering from the most violence and chaos is Somalia, where intervention failed.

These advantages are accompanied by disadvantages, some of which derive from the advantages themselves.

First, offensive and compellent military action privileges violence and force over peace, at least in the short term. Operations in Bosnia and Herzegovina,

Kosovo, and Somalia increased the intensity of fighting and in the latter two cases led to more, not fewer, civilian deaths. Nevertheless, defeating the perpetrators does not necessarily lead to more violence. In Rwanda the level of violence was already so high that the RPA, while it surely killed civilians during its advance, did not make the genocide more intense. In East Timor INTERFET's large power advantage over the militias and the Indonesian Army's agreement to refrain from fighting led to an immediate drop in violence because the militias ran away.

Two big disadvantages of trying to defeat perpetrators are that it is more difficult and more dangerous than all other types of humanitarian military intervention. Interveners who attempt to defeat killers must be prepared to fight a war. The perpetrator of mass killing almost always is a government. (While armed groups might want to kill a large number of people in a short time, they rarely have the institutional or material capacity to do it.) Getting a government to stop a killing campaign to which it has devoted a huge amount of effort and political capital requires outsiders also to devote a huge amount of effort and political capital. The UN was not prepared to fight a war in Somalia and it quickly lost the contest with General Aidid. NATO geared up for a major military confrontation with the FRY over Kosovo and then had to increase its commitment well beyond what political leaders had anticipated. In Bosnia and Herzegovina, NATO military action was minor compared to Kosovo, but the Dayton Agreement showed how difficult compellence can be. Getting Milosevic to negotiate took the combined effort of NATO air power and artillery; ground attacks by the Croatian Army, the Bosnian Croats and the Bosnian Muslims; and the granting of substantial Serbian demands about the form of the political settlement.¹⁵⁸

Few countries have the ability to fight a war in a remote (i.e. not contiguous) location. While many countries have forces they can contribute to UN and other operations, and a few have self-sustaining expeditionary forces, only the US military has the airlift and sealift capacity to transport and sustain a large number of troops and their equipment on short notice.¹⁵⁹ (The UK and France can project a small amount of power, as both have demonstrated in West Africa and elsewhere.) UN operations depend on hiring the services of private contractors or getting contributions in kind from the USA. This slows reaction time in most cases and exposes strategic supply lines to economic and political decisions that are beyond the UN's control.

Countries that can project their military power rarely believe that the potential benefits of taking on the perpetrators of violence will outweigh the likely costs. This is particularly true for the country with the greatest capability for intervention—the USA, which has not adopted the idea of a 'responsibility to protect' to the same extent as European and some other governments. Political

¹⁵⁸ Posen (note 82), p. 66.

¹⁵⁹ O'Hanlon, M., *Expanding Global Military Capacity for Humanitarian Intervention* (Brookings Institution Press: Washington, DC, 2003), pp. 51–85.

leaders around the world acknowledged the extensive killing in Darfur, Sudan, but only Nigeria and Rwanda have been willing to respond militarily. They have not tried to defeat the perpetrators, opting instead for a much more modest military observer mission. Even so the African Union, which authorized the intervention, has been unable to provide the logistical support that the deployment requires. Other countries have been very reluctant to become involved beyond diplomatic protests.¹⁶⁰

The difficulty and danger of trying to defeat perpetrators mean that the intervener must have political motives in addition to humanitarian ones. This leads to several possible disadvantages. Political interests can outweigh humanitarian ones. UNOSOM II lost sight of its humanitarian mandate during the hunt for Aidid, and as a consequence all UN humanitarian agencies and international NGOs had to curtail their programmes. The Rwandan Patriotic Army committed its own atrocities—a common problem during war—as it strove to end the genocide.¹⁶¹

Intervention to stop the perpetrators of violence is essentially the same as intervention to ‘pick a winner’ where the oppressed group is the winner.¹⁶² This can lead to an unjust peace. In post-intervention Kosovo, the Albanian population killed and expelled the remaining Serbs. Picking a winner often leads to the formerly oppressed group dominating a country’s political and economic institutions to the exclusion of others. The Tutsi minority in Rwanda controls the government, the military and the legal system. The potential for long-term unrest and future violence in these circumstances is high.

Finally, when an intervener defeats a government, it is responsible for governing the territory until a new political order can take hold or until an international follow-on operation can take over. To act in the name of humanity and then leave a country in anarchy is unthinkable. Although anarchy in Somalia was not the UN’s fault, the international body was roundly, and rightly, criticized for doing such a bad job of bringing political coherence to the country. This responsibility can lead to a very long-term commitment in a country that is emerging from violence, where political institutions are weak or non-existent, the economy has been damaged and social tensions run deep. Ten years after the Dayton Agreement, the UN and the European Union maintain a substantial number of political and security personnel in Bosnia and Herzegovina. They are, in the opinion of many, the main reason why fighting has not resumed. Six years after the intervention in Kosovo, UN civil administrators and NATO sol-

¹⁶⁰ NATO agreed to provide the African Union with logistical assistance, but had delivered very little by Oct. 2006. The UN Security Council condemned the violence in Darfur and authorized a UN peace operation in Aug. 2006. UN Security Council Resolution 1706, 31 Aug. 2006. As of Oct. 2006, few countries had offered to provide troops, the Sudanese Government had refused to consent to the deployment of a UN force and no UN military action had been taken.

¹⁶¹ Des Forges, A., *Leave None to Tell the Story: Genocide in Rwanda* (Human Rights Watch and International Federation of Human Rights: New York, 1999).

¹⁶² Byman, D. and Seybolt, T., ‘Humanitarian intervention and communal civil wars: problems and alternative approaches’, *Security Studies*, vol. 13, no. 1 (autumn 2003), pp. 64–68.

diers keep the province running and maintain peace. East Timor remains a UN protectorate six years after the Australian-led operation to secure its independence. In short, this kind of ‘humanitarian’ intervention carries significant political responsibilities.

IV. Summary

Military intervention to defeat the perpetrators of violence is not humanitarian in character but it can be humanitarian in outcome. An intervener must prepare for war and in most cases must actually engage in offensive action until the perpetrators negotiate or are defeated. This kind of intervention is very difficult and dangerous and runs a serious risk of failure. If the intervener fails to dominate the perpetrators within the cost limits that its interests will allow, then it has to withdraw in defeat and give up almost all influence over the course of events. Intervention to defeat the perpetrators of violence can lead to more civilian deaths, the deaths of soldiers and long-term instability. On the other hand, if done right, it can stop genocide and mass killing.

The war-fighting nature of intervention to defeat perpetrators and its political objective of changing the political order that led to mass killing make this type of intervention very controversial. Only one-half of the interventions to defeat perpetrators were authorized by the UN Security Council. That proportion is low enough to cause concern. Because this type of humanitarian intervention comes so close to traditional, selfishly motivated intervention, and because offence and compellence tend to be nasty and brutish, it is important that interveners strive to adhere to the just war principles.

The cause of stopping mass killing is certainly just. The intention of defeating the people responsible for mass killing is also just, but there must be some kind of verification of an intervener’s intentions. The US Administration of President George W. Bush, for example, claimed for a brief period that its invasion of Iraq to overthrow Saddam Hussein was a humanitarian intervention. It clearly was not, and the Bush Administration, which tried and failed to get Security Council authorization for its intervention, stopped making the claim when challenged. The best verification of intentions is authorization by an inter-governmental organization. Authorization is a method for publicly identifying the purposes of an intervention and for establishing its limits. The UN provides the most legitimacy but, barring that, authorization by a regional organization can add transparency to an intervention. The Economic Community of West African States (ECOWAS) authorized interventions in Liberia and Sierra Leone, for example. Less desirable, but better than unilateral action, is authorization by member governments of an alliance, such as NATO.

An intervener with humanitarian intent and with authorization from an international body is more likely to adhere to the principle of proportionate response; but the meaning of proportionate response is difficult to discern when the problem being addressed is mass killing. Mass killing by the intervener is

not just. The invading military will, presumably, focus its destructive power on fighting forces and go to considerable effort to avoid causing civilian casualties.¹⁶³ It must be recognized, however, that bombing campaigns and ground invasions invariably will kill some innocent people. If that price is too high, then governments must try another type of intervention or simply stand aside and watch.

Meeting the principle of a reasonable prospect of success depends, in most cases, on acting swiftly. The principle of last resort should not be abandoned but the efficacy of alternatives to military invasion must be assessed quickly so that they can be bypassed if they are unlikely to work. The prospect of success depends also on the factors at work in strategies of compellence and offence: the local balance of power, the balance of wills, communication and commitment, and local variables such as popular support and terrain.

Although intervention to defeat the perpetrators of violence is difficult, dangerous and full of disadvantages, a large majority of the interventions of this type have succeeded. Overall, adherence to the principles of just war has been mixed, but a variety of interveners in many different situations have shown that it is possible to save civilian lives by fighting a war.

¹⁶³ This is the *jus in bello* (just action during war) principle of non-combatant immunity. Professional militaries try not to kill civilians when they fight. Nonetheless, they sometimes justify killing civilians as a necessary evil in the pursuit of national interests. That justification is not valid during a humanitarian intervention.

8. The prospects for success and the limits of humanitarian intervention

It is not an exaggeration to say that humanitarian military intervention has been common since the end of the cold war. The 17 landmark cases in six countries or territories from the 1990s which this book analyses from multiple perspectives are but a subset of all the humanitarian interventions during the past decade and a half. Other instances of military force being used in the service of humanitarian objectives (often in conjunction with political objectives) include, but are not limited to, interventions in Liberia and Sierra Leone by the Economic Community of West African States (in 1990 and 1998, respectively), the United Kingdom's intervention in Sierra Leone in 2001, France's intervention in Côte d'Ivoire in 2003 and Australia's intervention in the Solomon Islands in 2003. Most of the interventions have been controversial.

The controversy is welcome: scepticism is always in order about the need to use military force because the consequences of military action can be so dire. When governments say that they are using military force out of goodwill to help strangers, the reasons for scepticism multiply. Is the intervener really acting out of goodwill, or is there a hidden agenda? How can the blunt instrument of military power help displaced, starving or endangered civilians? What gives one government, or group of governments, the right to interfere in the internal affairs of another state? Does military intervention threaten to undermine the international system of states, based on the principles of state sovereignty and non-intervention, and thus increase the frequency of war?

Yet it has become equally controversial for a government to deny its citizens basic human rights. International conventions recognize the rights of individuals to live free from the well-founded fear of death and torture, to make a living and to live in a place of their choice. All too often a government or other organized group uses violence to deny these rights to large numbers of people. What should be done in the face of massive violations of human rights, and who should do it?

One option is to ignore the problem. This option is morally corrupt, it fails to live up to obligations contained in international conventions and it often leads to more violence. A better option is to embrace the recently emergent normative interpretation of sovereignty as embodying responsibilities as well as rights: a government is responsible for protecting the rights of individuals. If a government cannot or will not provide protection, then other governments, inter-governmental bodies and NGOs can (some would say must) try to encourage the recalcitrant government to fulfil its responsibility. In short, the right to interfere in a state comes from that state's failure to meet its responsibilities as a sovereign member of the international system. Actions can be benign, such as

building the capacity of the judicial system; they can be persuasive, such as applying diplomatic pressure; they can be coercive, such as imposing economic sanctions; and they can be hostile, such as intervening militarily.

The balance between state sovereignty and individual rights can be maintained by paying close attention to the set of principles known as just war doctrine. These principles can help political leaders decide, by answering six questions, when to use military force against a sovereign state in the service of human rights.¹

1. Is the cause just?
2. Is the intervention intended to help the needy population?
3. Has the UN or (less desirably) another intergovernmental body authorized the intervention?
4. Is military force the last resort, all reasonable alternatives having been tried or considered?
5. Is the intervention proportionate to the need?
6. Is there a reasonable chance of success?

These same questions can be asked by observers to help them judge the actions of the intervener. Such public judgement discourages (but does not prevent) abuse of humanitarian rhetoric to justify self-interested interventions.

The tension between state sovereignty and individual rights, and the effort to strike a balance between them, are important because war and violence will continue to be a part of the human experience. Some observers argue that the US-led 'war on terrorism' has made humanitarian intervention obsolete because national interests obviously now dominate foreign security policy. Yet the military involvement of the African Union, with NATO support, in response to atrocities committed in Darfur, Sudan, belies that position. The continued prominence in diplomatic circles of the idea that states have a responsibility to protect their citizens and that outsiders can intervene to enforce that responsibility is a further indication that the practice of humanitarian military intervention will remain a part of international affairs for the foreseeable future.² If humanitarian intervention is going to be a part of international affairs, it is necessary to understand the conditions under which it is justifiable.

¹ Of course, political leaders do not think primarily about just war principles when considering military intervention. They consider national interests, their own political priorities and public opinion. Nevertheless, public statements by prominent leaders, notably British Prime Minister Tony Blair and UN Secretary-General Kofi Annan, demonstrate that the just war principles have become an important part of the decision calculus.

² United Nations, 'A more secure world: our shared responsibility', Report of the High-level Panel on Threats, Challenges and Change, UN documents A/59/565, 4 Dec. 2004, and A/59/565/Corr., 6 Dec. 2004, URL <<http://www.un.org/secureworld/>>; and UN General Assembly Resolution 59/314, 26 Oct. 2005. Even the USA, the central proponent of the 'war on terrorism', promotes the idea that a government has the responsibility to protect its citizens and other governments have a right to intervene if that responsibility is not upheld. United States Institute of Peace, *American Interests and UN Reform: Report of the Task Force on the United Nations* (United States Institute of Peace: Washington, DC, 2005).

A central argument of this book is that the principle of a reasonable prospect of success is fundamentally important to legitimate humanitarian intervention. The reason is that humanitarian military intervention is a form of warfare (unless soldiers just deliver supplies). Since war is destructive and violent, it is almost a contradiction to say that it can be an instrument for saving lives. The balance between military means and humanitarian ends is delicate—political leaders should decide to use force only when they are reasonably certain that it will serve humanitarian ends.

Once the benchmark of just cause is reached, the prospect of success is the most important consideration for justifiable intervention. The intention and authority of the intervener are serious concerns, but they do not matter if the intervention has no effect or makes conditions worse for the people it is supposed to help. The first and second UN operations in Somalia are good examples of the point. The principles of the use of force only as a last resort and its use in proportion to the need are important mostly in the way they relate to the prospects for success. Military intervention should never be the first option but, given the speed with which civilians are killed when targeted by armies and militia, it should not be delayed for long. The chance of saving people diminishes with time. Proportionality means that an intervener should use no more force than necessary. To increase the chance of keeping violence to a minimum, however, the intervener should arrive with disproportionate strength compared to the local belligerents. An obviously dominant intervener will be better able to deter violence and, if it must fight, to keep the period of fighting short.

This book also argues that the question of how to intervene with a reasonable prospect of success is essentially a question of strategy. As a general concept, strategy is the process of selecting goals and choosing appropriate means to achieve them. What is the objective of the intervention and what must be done to achieve it? The intervener must know whether people are dying or being forced to leave their homes because of privation, violence or both. It must then decide whether the best course of action is to focus on the victims or on the perpetrators. These two considerations should guide the intervener towards the appropriate type or types of intervention: helping to deliver aid, protecting aid operations, saving the victims of violence, or defeating the perpetrators of violence.

As an operational concept, strategy is a plan for linking a distinct objective with the methods to achieve it and for focusing available resources on the effort. Policymakers must ask a number of questions. What is the distinct objective? What military strategies can achieve the objective? What are the material and political requirements of those strategies? Each of the four generic humanitarian intervention objectives places different demands on the intervener. These demands are a function of the five military strategies of avoidance, deterrence, defence, compellence and offence. The material and political demands of these strategies differ considerably and become more intense as one progresses from avoidance to offence.

If a government or coalition is considering launching a humanitarian intervention, its prospects for success are much stronger when it responds quickly and pursues an objective that addresses the problems on the ground—for example, it does not just feed people if they also need protection from gunmen. The intervener must understand which military strategy is required to achieve the objective—for example, it should not expect deterrence to work when atrocities are under way and the perpetrators must be compelled to stop. Further, the intervener must be able and prepared to commit sufficient material resources to make the strategy work. Crucially, it also must be willing politically to accept the costs in ‘blood and treasure’ of military action. The more ambitious objectives and correspondingly harder military strategies are more likely to impose high costs on the intervener. When these conditions of speed, appropriate objective, military strategy, material requirements and political will are not met, the prospects for success diminish.

I. Taking stock

The experience of humanitarian intervention of the 1990s was nothing if not diverse. Even the limited set of cases studied here spanned the globe; occurred in authoritarian, failed and newly emergent states; involved multiple political, humanitarian and military actors; and addressed starvation, genocide and expulsion. There were 17 different military interventions in six countries and territories ranging from post-war Iraq in 1991 to post-referendum East Timor in 1999. Table 8.1 lists the interventions by place and operation name, identifies the type of objectives each pursued and indicates whether it succeeded in saving lives.

This tally allows several observations to be made.

1. Humanitarian military intervention succeeded more often than it failed. Of the 17 interventions, nine succeeded in saving lives;³ four failed to save lives and two of these made life worse for at least a short time;⁴ and four had a mixed record, meaning that they saved lives but in the context of failing to save many more.⁵

Humanitarian intervention is usually judged on the basis of what happened in a country or a territory overall, rather than on the basis of separate operations

³ The operations that saved lives were Operation Provide Comfort in northern Iraq; operations Provide Relief and Restore Hope in Somalia; Operation Deliberate Force in Bosnia and Herzegovina; the Rwandan Patriotic Army and Operation Support Hope in Rwanda; operations Allied Harbor and Joint Guardian in Kosovo; and INTERFET in East Timor.

⁴ The operations that failed to save lives were the UN Guard Contingent in Iraq, the first and second UN operations in Somalia (UNOSOM I and II), and Operation Allied Force in Kosovo. UNOSOM II and Operation Allied Force made the humanitarian situation worse by increasing the level of violence, which killed people and drove out aid organizations. Operation Allied Force succeeded in defeating the FRY security forces, but not before they had unleashed a killing spree that NATO's actions triggered.

⁵ The operations with a mixed record were UNPROFOR in Bosnia and Herzegovina, UNAMIR and Operation Turquoise in Rwanda, and KFOR in Kosovo.

within a country. Keeping in mind that the standard of success in this book is lives saved (a humanitarian standard), not the achievement of stable peace (a political standard), it can be said that northern Iraq and East Timor were clear successes overall. In both cases the effort provided succour for displaced people and enabled them to return home in relative security. Somalia and Rwanda stand out as overall failures. Despite early success in saving lives, the various interventions in Somalia left such a mess that people continued to die of privation and violence more than a decade later. In Rwanda the small life-saving successes pale in comparison to the overall tragedy of the genocide. Bosnia and Herzegovina and Kosovo are more difficult to categorize and should be judged as mixtures of success and failure. The UN Protection Force in Bosnia and Herzegovina helped to feed and protect some people but also regularly failed at these endeavours, and it may have helped to prolong the war. The international effort in Kosovo was largely successful but could not prevent the short-term displacement of hundreds of thousands of people. In short, whether one looks at individual operations or the six cases overall, the record leaves plenty of room for improvement, but it also indicates that using military force to save lives is not a fool's errand.

2. The size and strength of the target countries shows some variation, but all are near the bottom of the hierarchy of power.⁶ Some observers and many governments who oppose humanitarian intervention consider that it is just another way for the strong to do what they will while the weak suffer what they must.⁷ To some extent these sceptics make a legitimate point. Certain countries are too big or too powerful to target for intervention, no matter how badly they treat their people. An intervention to protect people in the Russian republic of Chechnya would be a disaster. Some of the hesitation about acting more forcefully in Darfur, Sudan, is due to Sudan's size and importance. Nevertheless, the fear of strong countries running amok in the name of humanity is exaggerated. Interveners have shown themselves to be acutely interested in gaining international legitimacy by seeking permission to act and by drawing together coalitions so that they do not unilaterally breach another state's sovereign right to non-interference. A far more common problem is the failure of strong states to devote attention and resources to tragic wars in places such as northern Uganda.

3. Who intervenes is important. Coalitions of states and unilateral actors have better records than the United Nations. Out of five UN operations—in Iraq, Somalia (two), Bosnia and Herzegovina, and Rwanda—the best that can be said is that the UN missions in Bosnia and Herzegovina and Rwanda had a mixed

⁶ Iraq in 1991 was an exceptional case. Normally the country would have been considered too strong to be subject to humanitarian intervention, but it had just been defeated in the Gulf War.

⁷ Duffield, M., *Global Governance and the New Wars: The Merging of Development and Security* (Zed Books: London, 2001).

Table 8.1. Success and failure in humanitarian military intervention in the 1990s

Intervention	Help deliver aid	Protect aid operations	Save the victims	Defeat the perpetrators
<i>Northern Iraq</i>				
Operation Provide Comfort	Success	Success	Success	..
UN Guard Contingent in Iraq	..	Failure	..	..
<i>Somalia</i>				
UNOSOM I	..	Failure	..	..
Operation Provide Relief	Success	..	..	..
Operation Restore Hope	Success	Success	..	..
UNOSOM II	..	Failure	..	Failure
<i>Bosnia and Herzegovina</i>				
UNPROFOR	Success	Mostly failure	Mostly failure	..
Operation Deliberate Force	..	..	..	Success
<i>Rwanda</i>				
Rwandan Patriotic Army	..	..	Mostly failure	Success
UNAMIR	..	..	Mostly failure	..
Operation Turquoise	..	..	Mostly failure	..
Operation Support Hope (Zaire)	Small success	..	..	..
<i>Kosovo</i>				
Operation Allied Force	..	..	Failure	Success
Operation Allied Harbor (Albania)	Success	..	..	..
Operation Joint Guardian (FYROM)	Success	..	..	..
KFOR	..	Success	Mostly success	..
<i>East Timor</i>				
INTERFET	..	Success	..	Success

FYROM = Former Yugoslav Republic of Macedonia; INTERFET = International Force for East Timor; KFOR = Kosovo Force; UNAMIR = UN Assistance Mission for Rwanda; UNOSOM = UN Operation in Somalia; UNPROFOR = UN Protection Force; .. = Not applicable.

record while the other three were abject failures.⁸ In comparison, seven out of nine coalition efforts saved lives, while two out of three unilateral efforts succeeded and one achieved mixed results.⁹

Does this mean that the UN should not attempt humanitarian interventions under its own command? Yes, it does. To succeed, an intervener must act

⁸ Some readers will think this judgement too generous. Yet UNPROFOR did help to deliver life-sustaining aid and UNAMIR did protect many thousands of people.

⁹ The unilateral efforts were the Rwandan Patriotic Front, the US Operation Support Hope response to Rwandan refugees in Zaire and Operation Turquoise. The latter was technically a coalition effort, but the only non-French troops were a few hundred from Senegal who played a small supporting role.

quickly, devote considerable military strength and be willing to accept costs. Because the UN does not have a standing military it has trouble meeting any of these requirements. It must raise a military force from scratch for each and every operation, which takes a considerable time. It must cobble together a force with the often inadequate troops and equipment that member states offer. Most of the soldiers offered for UN missions are undertrained and poorly equipped. Extreme sensitivity in the UN towards maintaining political balance and about fair representation of the different regions of the world and the availability of support from troop-contributing countries prevent the international body from selecting mission personnel on the basis of their abilities. Many UN mission personnel are highly dedicated and good at what they do, but many are not. All these factors make UN operations militarily weaker than voluntary coalitions. Finally, UN operations are less well able to persevere in the face of rising costs, especially casualties. Troop-contributing countries are more likely to pull out of a UN operation than a non-UN coalition because they can blame the UN and do not have to take responsibility for failure. The USA in Somalia is an example. Because the UN does not want its missions to fall apart, UN forces tend to be timid. As is shown above, timidity in the face of violence does not stop that violence.

Efforts to strengthen the military capability of the United Nations are welcome and have begun to overcome some of its worst weaknesses.¹⁰ UN peace operations, however, should remain confined to post-peace agreement situations where UN troops provide stability in a permissive or semi-permissive environment.¹¹ Over the years, many observers and some governments have proposed a standing military force for the UN in order to give the world body real military power. The idea is attractive to the extent that it would enable fast reaction to at least some crises. (The reaction to others would be slow if the force were already engaged elsewhere.) There is little reason, however, to believe that a UN force would escape many of the quality and command problems of current, ad hoc UN forces that result from the need to satisfy multiple states' interests and fears. A humanitarian intervention is far more likely to succeed when it is undertaken by a coalition of states with UN authorization and a strong lead country that can provide overall direction and a unified chain of command.¹²

The UN has critically important roles to play in humanitarian interventions even if military involvement is not one of them. It is by far the most preferable forum to authorize intervention. Its legitimacy and legal authority to sanction the use of force are recognized worldwide. In addition, UN assistance agencies such as the UNHCR and the World Food Programme are the backbone of the

¹⁰ United Nations, Report of the Panel on United Nations Peace Operations [the Brahimi Report], UN document A/55/305, S/2000/809, 21 Aug. 2001; and Dorch, W. J. et al., *The Brahimi Report and the Future of UN Peace Operations* (Henry L. Stimson Center: Washington, DC, 2003).

¹¹ Even in a relatively benign environment a UN force should be prepared to dominate any spoilers who try to return to war.

¹² Australia, France, Nigeria, the UK and the USA have all played the role of lead country on at least 1 occasion.

humanitarian aid system. The UN plays crucial fund-raising and coordination roles during complex emergencies. Of course, it also provides a diplomatic forum in which a lasting solution can be sought to the problems that created the humanitarian crisis. Finally, the UN is in a strong position to provide a long-term follow-on mission, after a peace accord is signed, to stabilize a country and help it recover from conflict.

4. The final observation to make about this compilation of successes and failures is that the 'easiest' and 'hardest' types of intervention have worked more often than the others. Helping to deliver aid saved lives seven out of seven times; defeating the perpetrators worked four out of five times. In contrast, protecting aid operations worked only half the time (four times out of eight) and seven attempts to save the victims of violence enjoyed only one clear success, with four mixed results and two failures.

What accounts for this surprising pattern? One possible explanation is that there is not a simple progression of difficulty from one type of intervention to the next. It is certainly true that all types of humanitarian intervention are challenging. In addition, appropriate military strategies overlap, with defence, deterrence and compellence all being potentially appropriate in more than one type of intervention. Yet a better explanation is needed. While the progression of difficulty is not as simple as the analytical model makes it appear, it would be hard to argue that defeating the perpetrators is no more difficult than protecting aid operations.

The success of helping to deliver aid is not surprising. The success of defeating perpetrators suggests that interveners know that they are up against a demanding mission and go in prepared. The poor record of protecting aid operations and saving victims of violence suggests that interveners tend to underestimate the demands of the middle options. How difficult can it be, after all, to protect humanitarian workers and civilians from untrained and ill-disciplined militiamen? Difficult enough, it turns out, when those militiamen and army soldiers are battle-hardened and motivated to fight, kill and loot. An intervener can be unprepared to confront such an adversary because it fails to understand the kind of military strategy needed. It can also be unprepared if it picks the right strategy but fails to appreciate the material resources and political will that are needed to see the strategy through.

II. Choosing among types and strategies

Under the right conditions, all four types of intervention discussed in this book can save lives. The appropriate question is not which works best, but which has the strongest chance of success in a given set of circumstances. When deciding how to proceed, an intervener must pay attention to the characteristics of the complex emergency and to its own capabilities and interests.

The first task is to *determine the proximate causes of death and displacement*. When people are dying because they do not have food, clean water, shelter or

basic medical care, an intervener can make a difference by helping to deliver aid or protecting aid operations. Helping to deliver aid is most useful when aid organizations cannot meet the need by themselves, as is often the case when the needy population is in a remote location or the crisis developed very rapidly, or both. The Kurds of northern Iraq fled to rugged mountains in a matter of days, for example, and humanitarian relief organizations were unable to reach them for weeks. Protecting aid operations is most useful when aid organizations are present but bandits, militiamen or soldiers hinder relief work by looting supplies and threatening aid workers' safety. Aid organizations in Somalia were under severe pressure from militiamen and bandits who stole humanitarian supplies and made travelling extremely hazardous.

When people are dying because militiamen or government soldiers attack them, an intervener can make a difference by protecting the victims or defeating the perpetrators. Protecting victims is most useful when the people who need protection are in a concentrated, homogeneous group. It is much more difficult to protect individuals who are scattered over a wide area or who are intermixed with their killers. This was part of the reason why France's protection effort in Rwanda was less successful than it might have been. Defeating the perpetrators of violence is most useful when temporary protection is insufficient and killers are highly motivated to continue their bloody work. NATO decided to force the Serbs to the negotiating table when the Bosnian safe areas failed.

Once an intervener has worked out the type or types of intervention needed to address the causes of death, it must work out *the best way to implement the intervention*. As discussed in chapters 4–7, each type of intervention has a number of variants that correspond to specific needs. For example, helping to deliver aid can involve, among other things, providing airlift capacity, as Operation Provide Relief did in Somalia, or building refugee camps, as NATO troops did in Albania and the FYROM during the Kosovo war. Protecting aid operations can take several forms, including convoy escorts, as in Somalia, and deterring attacks on large safe zones, as in northern Iraq. Protecting the victims of violence can be done at specific sites, in small safe areas or over large safe zones, as shown (with different degrees of success) in Rwanda, Bosnia and Herzegovina and northern Iraq. Defeating the perpetrators can end in negotiations or in the defeat of one party or the other. Often an intervener will find that the situation demands more than one type of intervention or more than one variant within a type.

The decision on how to proceed must be informed by *the intervener's capabilities*. Some types of intervention that seem appropriate in the light of the situation on the ground might not be feasible. Most national militaries have limited capacity to intervene because they have few soldiers and very limited ability to deploy and sustain them.¹³ Some crisis situations are simply too large or too fast-moving for interested parties to make a meaningful contribution. For

¹³ O'Hanlon, M., *Expanding Global Military Capacity for Humanitarian Intervention* (Brookings Institution Press: Washington, DC, 2003).

example, when civil war broke out in Zaire in 1996 because of the presence of Rwandan Hutu extremists among the refugees and the Rwandan Tutsi government's attempt to get rid of them, Canada planned to lead an intervention to protect the refugees who were caught between the two sides; but Canada did not have the capacity to act alone, and before it could pull together a coalition the war had moved deeper into Zaire and most of the refugees had returned to Rwanda after two years in exile.

Finally, when deciding whether and how to intervene, a government or inter-governmental body must *weigh its interests against the military and political risks* of the act it is contemplating. Despite its name, humanitarian intervention is a political activity. Humanitarian crises arise because of actions taken by one or more parties who have strong interests in political power and other spoils of war. Foreign troops who enter such an environment will be seen by some parties to the conflict as challengers and by other parties as saviours. How much of a challenge the intervener presents depends, in large measure, on what it tries to do. Delivering aid is less challenging than protecting aid operations because the former represents a potential source of supplies while the latter denies access to those supplies. Aid protection, in turn, is less challenging than protecting victims because denying a belligerent the ability to kill or expel a group of people stops it from achieving a strategic goal. Trying to defeat the perpetrators of violence presents the biggest threat, for obvious reasons. In general, the more the intervener threatens an indigenous group, the harder that group will fight against the intervener. If a government does not have the political will to devote substantial military capabilities and to risk its soldiers' lives, it should not choose a challenging type of intervention, even if the needs on the ground warrant it. The chance of success in a challenging type of intervention while acting 'on the cheap' is low.

III. The limits of humanitarian military intervention

It is necessary to be ruthlessly modest about what humanitarian intervention can do. It can, under the right circumstances, 'stop the dying' in the short term and it can protect some fundamental human rights. The most challenging type of intervention—defeating the perpetrators—can bring an end to the conflict, if all goes well, but the other three types of humanitarian intervention do no more than treat the symptoms of violence. What is worse, in the noble effort to help people, humanitarian intervention can have unintended harmful consequences. The following paragraphs briefly touch on some of the most important limits to and drawbacks of humanitarian military intervention.

Humanitarian intervention does not offer a long-term solution to violent conflict. Even defeating the perpetrators is no more than an exercise in clearing away an obstacle so that a new political and social edifice can be built. Humanitarian intervention can be defended simply on the grounds that it saves lives in extreme circumstances, but it has far more meaning and legitimacy when it is

accompanied by a long-term commitment to conflict resolution and reconstruction of the political, economic and social systems of the war-torn country. Without long-term resolution, reconstruction and reconciliation, a country is likely to fall back into war.

The skills required to rebuild a country emerging from violent conflict are very different from the skills needed to feed and protect civilians in an emergency. Security issues offer an example. Soldiers are not trained to provide police services: on patrol they are inclined to use deadly violence; they cannot investigate a crime scene; and they have very limited capacity to hold suspects in custody.¹⁴ A constabulary force is needed instead and must be provided by international actors if local actors are unable to provide one.¹⁵ In non-security areas it is readily obvious that neither military actors nor emergency relief organizations are prepared to deliver what is needed: consider the diverse, non-military skills needed for civil administration, reconstruction of political institutions, and economic reconstruction and development. Long-term reconstruction is an ideal role for the United Nations, which has the authority to pull together and coordinate civil and military experts to help local actors to rebuild, or build for the first time, stable political, social and economic institutions. In fact, this kind of follow-on mission is common: it has been put in place, for example, in Bosnia and Herzegovina, Kosovo, and East Timor. Although all three places are still under a high degree of international governance and cannot stand on their own, it is fair to say that the international administration of each one has for the most part been successful.¹⁶

If humanitarian intervention treats only the symptoms of conflict and not its causes, should it be done at all? Is there not a better and less risky way to spend limited resources? Those who are sceptical about humanitarian intervention go beyond these questions and argue that the unintended consequences are worse than the potential benefits.¹⁷ Humanitarian intervention, they contend, prolongs wars, makes wars more violent, politicizes aid, distorts economies, creates economic dependence and inhibits the development of strong states. The big question is whether these observable problems are inherent in humanitarian intervention or are a function of the way in which intervention has been practised, and therefore amenable to correction.

This debate is likely to continue for a long time and will not be resolved here. Nonetheless, it is worth briefly noting what the conclusions of this book imply in regard to the unintended consequences of humanitarian intervention.

¹⁴ See e.g. Dwan, R., *Executive Policing: Enforcing the Law in Peace Operations*, SIPRI Research Report no. 16 (Oxford University Press: Oxford, 2002).

¹⁵ Perito, R., *Where Is the Lone Ranger When We Need Him? America's Search for a Postconflict Stability Force* (United States Institute of Peace Press: Washington, DC, 2004).

¹⁶ Caplan, R., *International Governance of War-Torn Territories: Rule and Reconstruction* (Oxford University Press: Oxford, 2005).

¹⁷ Sometimes this critique is aimed at military intervention and sometimes at non-military humanitarian assistance.

A central premise throughout this book is that interveners have a great deal of control over the outcome of an intervention; its contention that the problems with humanitarian military intervention are manageable should therefore not surprise readers. This is not a naive argument that the problems can be solved or that future interventions can be assured of success. War and violence are unregulated human endeavours in which people have competing and incompatible objectives. The contest is inherently uncertain and at least one side will find that things do not turn out as planned. Mistakes will be made and unforeseen consequences will occur. Yet, to the extent that problems can be foreseen, they can be addressed. The five principal problems highlighted by sceptics are addressed below.

1. Humanitarian intervention can prolong a war in at least three ways—by inadvertently supplying food and medicine to local fighting forces; by allowing outsiders to use humanitarian aid as an excuse for not taking concerted political action to stop the war; or by helping the weaker party (the ‘victims’) just enough so that they are not defeated, but not enough so that they can win. The problem of ‘feeding the war’ is often worse when humanitarian aid organizations are present and foreign militaries are not. The use of military force to protect aid operations helps to solve this problem, not make it worse.

Sceptics are right that humanitarian intervention has been used as an excuse not to take stronger action, most notably in Bosnia and Herzegovina for several years and in the Rwandan refugee camps in Zaire. This is not a problem inherent in humanitarian intervention, however, as efforts in many other countries have shown. If outsiders do not have the political will to stop a war, taking action to relieve suffering is unlikely to reduce their interest further.

On the third point, creating a power balance might help prevent mass killing or expulsion but it does also tend to prolong the period of violence because neither side can prevail, nor do they feel a need to give in. The stalemate can offer an opportunity for diplomacy, but when neither side experiences significant military pain, diplomats will have to work hard to manipulate positive and negative incentives to bring an end to the war. In general, the sceptics are right on this point: non-hurting stalemates tend to last a long time. Unless they have strong diplomatic levers to use, interveners should do their best to avoid creating stalemates, for example, by focusing on delivering aid or defeating one side. Simply protecting people is probably the worst option in this regard.

2. Critics argue that humanitarian intervention can make wars more violent in three ways—by bringing in valuable commodities over which rivals fight; by creating refugee camps that act as recruiting grounds and rear bases for rebels and thus expand the war; or when foreign troops use their firepower to try to deter or compel local actors. The first dynamic is similar to the first way in which aid can prolong a war, except that it is more actively contentious. It can be handled, in theory, by protecting aid operations. The second is also created by humanitarian action, not by military intervention. Humanitarian organiza-

tions, the UNHCR in particular, strive to avoid the problem by locating camps far from the border across which the refugees fled. Often, however, camps are established where people can reach them, which tends to be close to the border. Again, protecting aid operations and protecting civilians are options for mitigating a problem with aid but not with military intervention to support aid. Finally, it is true that military intervention can, and sometimes does, raise the level of violence because local forces resist. The problem is heightened when the intervener tries to defeat a party to the conflict (a ‘perpetrator’). The best that can be hoped for in this situation is to keep the fighting to a minimum by intervening with a powerful enough force that the local parties do not resist, as in northern Iraq in 1991 and East Timor in 1999. However, interveners must be aware that increased violence is a real possibility, as in Somalia in 1993 and Kosovo in 1999.

3. Humanitarian intervention politicizes aid by forcing humanitarian organizations to associate with soldiers in the field and by treating aid as one among several tools that can be manipulated to bring peace and stability. There is no simple response to this criticism, except to note that most humanitarian aid has always been more political than humanitarian practitioners care to admit.¹⁸ Aid is not politically neutral, as many humanitarian organizations insist it is. Aid is valuable and therefore has a political and economic impact in zones of conflict. This is exactly the point of the criticism that aid makes conflicts worse and distorts economies. A more nuanced response recognizes the importance for aid organizations of access to needy people and of personal safety for their staff.

Access and safety often depend on the people with guns trusting that the aid workers do not have a political agenda—that they are impartial, even if their work is not politically neutral. An aura of impartiality is difficult to maintain when soldiers and aid workers are seen together. It is understandable that aid workers keep their distance from the military whenever they can. Yet there are circumstances, as in Somalia and Bosnia and Herzegovina, where military protection seems necessary. A third possible response—a minority view—is that aid most certainly should be treated as a political tool. Ending a war is the best way to protect people, allow them to return home and get a country working again. If making aid conditional on the behaviour of the belligerents advances the cause of peace, then it should be done.¹⁹

¹⁸ When the Communist Vietnamese regime overthrew the Khmer Rouge, disagreements over who ‘deserved’ support—Cambodians who stayed in their country and were under Vietnamese control or those who fled and were under Khmer Rouge control—were exacerbated by states that sought to bolster or undermine the new Vietnamese-imposed government in the Cambodian capital. The central role of politics in decisions about aid was obvious. Shawcross, W., *The Quality of Mercy: Cambodia, Holocaust and Modern Conscience* (Simon & Schuster: New York, 1984), pp. 207–24.

¹⁹ An interesting collection of articles offers 3 positions on the preferred relationship between humanitarian and political actors and objectives: (a) humanitarian organizations’ complete independence is critically important; (b) organizations should be allowed to retain independent decision making while collaborating systematically; and (c) a centralized coordination mechanism should be established to bring peace, stability and security. *Ethics and International Affairs*, vol. 18, no. 2 (fall 2004), pp. 1–51.

4. The objection that humanitarian assistance distorts economies and creates economic dependence is directed at the aid community and is not much related to military intervention. Foreign intervention forces tend to be self-contained, sheltering in tents and bringing in only their own food, unlike aid organizations which rent offices and houses and bring in commodities that flood the local markets. When an intervention force helps to deliver aid, it makes the market distortion problem worse. The issue really is not whether to deliver aid to people whose livelihoods have already been destroyed by war, but how to do it, and for how long, so that it does not foster dependence. It is a problem independent of the military aspects of humanitarian intervention.

5. The argument that humanitarian intervention inhibits strong state development is not supported by direct evidence. It is based on the work of Charles Tilly, among others. Tilly contends that war is a process that results (eventually) in a strong central power holder who establishes state control over its rivals.²⁰ The argument for the historical precedent in Europe is convincing. It is difficult, however, to make a convincing argument that any particular country would eventually have stronger and better-functioning political institutions if it were allowed to experience violence until only one actor is left standing. It is true that of the countries studied here only Rwanda, where the rebels won a decisive victory, now has a strong government and political institutions that function independently from international oversight. (An increasing number of observers contend that the Rwandan Government has become too strong and has undermined the development of a balanced political system.) At the same time, Somalia was allowed to fester in violence after intervention failed and it is no model to emulate. Furthermore, it can be imagined that East Timor, which was fully under an international protectorate, will eventually be a stronger and more stable state than Chechnya, which has tried through years of war to forge an autonomous existence.

IV. Concluding comments

Humanitarian military intervention will be the exception rather than the rule for the foreseeable future. Some governments accept the concept of sovereignty as a responsibility to protect individuals, but most governments do not. Those who do accept the idea of legitimate humanitarian intervention see it as an optional action, not a universal cosmopolitan duty. This is as it should be, for the use of military force holds the potential for great harm, as well as for good.

This book establishes that humanitarian military intervention has, in fact, done some good in the past by saving innocent lives. It has saved lives in a

²⁰ Tilly, C., *Contention and Democracy in Europe, 1650–2000* (Cambridge University Press: Cambridge, 2004); and Tilly, C., 'War making and state making as organized crime', eds P. Evans, D. Rueschemeyer and T. Skocpol, *Bringing the State Back In* (Cambridge University Press: Cambridge, 1985), pp. 169–87.

wide variety of circumstances, using a range of strategies and techniques. Yet it is also clear that humanitarian intervention has failed to save people on many occasions and that it involves a number of practical and ethical problems.

Military intervention without a reasonable prospect of success is unjustifiable, especially when it is done in the name of humanity. It is incumbent upon anyone who accepts the premise that humanitarian military intervention will be tried again in future to find ways of maximizing the chance that it will succeed.

Index

- Afghanistan:
 humanitarian military intervention 17
 provincial reconstruction teams (PRTs) 3,
 17, 96
 USA and 173
- African Union 4, 25, 27, 264, 268
- African Union Mission in Sudan (AMIS) 27
- aid:
 conflict sustained by 135, 136, 174
 economic distortion and 19, 279, 280
 impartiality of 18
 market distortion and 19
 militarization of 17
 mortality and 94
 as non-political 16–19
 as political 19–21, 279
 politicization of 17, 18, 132–33, 175–76,
 279
 as substitute for political action 20, 133
 wars fed by 133
 workers killed 133
 see also following entry and humanitarian
 aid workers
- aid delivery, troops helping with 42, 96–134:
 administration of aid 104
 advantages of 131–32, 134
 aid workers, friction with 96
 airdrops 96, 102–103
 airlift capacity 100
 attractions of 131–32
 authorization 98
 avoidance and 97–100, 106
 camp construction 102, 103–104
 capabilities 99–100
 consent 98, 100, 131, 132
 constraints 101
 coordination 100
 difficulty of 276
 disadvantages of 132–33, 134
 environmental requirements 106
 flexibility of 134
 forms of 102–106
 geography and 101
 health of population and 101
 infrastructure and 105–106
 lives saved 131, 176
 magnitude of crisis 101
 political will and 98–99
 provision, 1990s 106–31
 speed 101
 strategies for 97–106
 success of 106, 274
 summary 133–34
 timing 99, 100, 132
 transport infrastructure 101
 usefulness of 275
 war and 133
 see also logistical assistance
- aid operations, protecting:
 advantages 172–73, 174–75
 aid organizations:
 attitude of 143, 174–75
 coordinating with 142
 communication of intent 138, 144
 conditions for success 171–72
 conflict continues 173
 consent absent 141
 convoys 137, 141, 142–43, 145, 171
 difficulty of 276
 disadvantages 173, 175–76
 ease of, relative 172
 environmental factors 141
 force and 135, 138, 139
 forms of 141–45
 guarding 137, 141, 142, 145, 171
 local populations and 141, 143
 military capability 140
 objectives of 137
 people protected too 173
 political context 139, 171, 172, 175–76
 roadblocks 138, 143
 safe areas/zones 137, 141, 143–45:
 large 141, 143, 144–45, 171–72, 174
 secession and 144, 220
 small 141, 143, 144, 145
 strategies for 136–45:
 compellence 137
 defence 137, 140–41, 145
 deterrence 137, 138–40, 141, 145
 success of 171–72, 274
 summary 176
 usefulness 275

- aid organizations:
 independence of 136, 175–76
 silence of 136
- Aidid, Muhammad Farah 17–18, 53, 153:
 hunt for 59, 230, 233–34, 235
 local support for 226
 UN and 57, 58, 100, 150, 151, 152, 156,
 158, 174, 230, 231, 232, 263
- Akashi, Yasushi 162, 199
- Albania 82, 83–84, 124, 126, 131:
 NATO and 126
 NATO troops in 251
 Tirana airport 126–27
 USA and 126
- Albright, Madeleine 244, 252
- Ali Mahdi Muhammad 53, 100, 152, 153, 174,
 231
- Amin, President Idi 10, 222, 223
- Annan, Kofi 1, 2, 13, 78fn., 190
- Arusha Peace Agreement (1993) 71, 72, 74,
 240
- Australia:
 East Timor and 170, 229, 259
 Solomon Islands and 267
see also East Timor: Australian troops in
- Aziz, Tariq 192
- Balladur, Edouard 212
- Barre, President Mohammed Siyad 52, 231
- Belgrade, FRY: attacks on 18, 247, 248
- Bizimungu, Augustin 211
- Bosnia and Herzegovina:
 aid to 64–65, 104:
 manipulation of 94
 Bosnian Army 63, 64, 69
 Canada and 118
 ceasefire 237, 238
 compellence 238
 Contact Group 197
 Croats in 63, 65, 69, 162, 202, 203
 ethnic cleansing *see* population
 displacement
 EU and 264
 food, need for 159–60
 France and 67, 116, 118, 203, 239
 Germany and 116, 118, 239
 humanitarian military intervention:
 aid delivered 116–17, 118
 aid operations, protecting 159–63
 airdrops 102, 116–17, 160
 convoys 137, 160, 161, 237
 failure 43, 60–70, 262
 force used 198
 judgement of 271
 lives saved by 65, 67, 68, 69, 131
 opposition to 116
 political will lacking 70, 163, 236
 prolongation 26
 as substitute 163, 195
 independence referendum 62
 international governance 277
 killings in 1, 22, 177
 malnutrition 159
 Muslims (Bosniaks) 22, 63, 65, 66, 67, 162,
 177, 188, 195, 238, 239
 NATO bombing 63, 68–69, 162, 198,
 200–201, 202, 204, 223, 227, 236–40, 263
 NGOs in 65, 160
 perpetrators of violence, defeating 236–40
 population displacement 62, 63, 194–95
 Rapid Reaction Force in 67, 203, 237–38
 refugees 163
 Republika Srpska 62, 203
 Republika Srpska Army (VRS) 64, 69
 roadblocks 143, 160, 161
 Russia and 239
 safe areas 41, 45, 63, 66–67, 102, 116, 138–
 39, 143, 162, 188, 190, 195, 196–205, 238
 Serbs in 22, 41, 62, 63, 67, 69, 94, 116, 119,
 137, 138, 162, 177, 239
 Srebrenica:
 Dayton Agreement and 203
 massacre 41, 44, 67, 195, 202
 UK and 67, 118, 203, 239
 UN and 6, 41, 45, 62, 64, 67, 116, 160, 197,
 237 *see also* UNPROFOR
 USA and 116, 117, 118, 237, 238, 239
 victims of violence, saving 194–205
 war in 62–70
see also Dayton Agreement; Operation
 Deliberate Force; UNPROFOR
- Boutros-Ghali, Boutros 53, 55, 56, 156, 208
- Brahimi Report 22
- Bush, President George W.:
 Iraq and 2, 25–26, 265
 preventive war doctrine 4
 Somalia and 55
- Byman, Daniel 24–25
- Cambodia:
 assistance given to 175
 Khmer Rouge 19, 222
 Viet Nam and 10, 222, 223, 225
- Canada 13, 54, 66

- CARE (Cooperative for Assistance and Relief Everywhere) 56, 110, 146
- Centers for Disease Control and Prevention 54
- China 251
- civil–military information centres (CIMICs) 100
- civil–military operation centre (CMOCs) 100, 110, 122, 155
- civilians:
- attacking as strategic plan 181
 - deaths 177
 - state responsibilities to 1, 2, 12, 14, 189
 - targeting of 177
 - see also* victims of violence, saving
- Clark, Wesley 251
- Clinton, President Bill 56, 76, 80–81, 233, 244
- conflicts:
- data on, collecting 33–34
 - political outcome 31–32
- Congo, Democratic Republic of the (DRC), *see* Zaire
- Cook, Robin 252
- Cosgrove, Peter 255, 256, 260
- Croatia:
- Serbia, war with 62, 63:
 - ground offensive 63, 202, 203, 223, 227, 238, 239
 - UN and 62
- Dallaire, Roméo 21, 74, 164, 165, 206, 207
- Darfur, Sudan:
- African Union and 4, 268
 - aid diverted 19
 - genocide accusation 1
 - humanitarian intervention called for 1
 - killings in 1:
 - inactivity over 23, 211, 218, 228, 271
 - NATO and 268
 - people driven from homes 1
 - USA and 1
 - see also* African Union Mission in Sudan
- Dayton Agreement (1995) 62, 203, 230, 239–40, 246, 263, 264
- Deng, Francis 13–14
- displaced people:
- return of 99, 105
 - as symptom 133
 - vulnerability of 97
 - see also under names of countries*
- East Timor:
- Australian troops in 10, 89, 93, 129, 130, 168, 169, 229, 254, 256, 257:
 - strength of 260–61
 - civil war 86
 - compellence 230, 255, 261
 - FALINTIL 86
 - FRETILIN 86
 - future of 280
 - health of population 91
 - humanitarian military intervention 6, 87–93, 127–31:
 - aid operations, protecting 168–70
 - area protection 169
 - consent to 128, 130, 256, 257, 258
 - convoy escorts 168
 - military dominance 26, 258, 259
 - point protection 169, 170
 - political aspects 91
 - speed of 257
 - success of 271
 - independence 87, 168, 230, 254
 - Indonesian Army and (TNI) 87, 88, 91, 100, 127, 168, 169–70, 254–55, 256, 257, 261
 - Indonesian Government and 255
 - infrastructure repairs 129, 130
 - international governance 277
 - logistical assistance 128, 129
 - media and 258
 - militias 87, 88, 89–90, 91, 127, 128, 168, 254–55, 256, 258, 259–60
 - mortality estimates 89, 93
 - New Zealand and 129
 - NGOs and 128, 129, 254, 257
 - people displaced 88, 90, 254:
 - hunger and disease among 88
 - perpetrators of violence, defeating 254
 - referendum 87, 88
 - rules of engagement 255
 - secessionist movements 256
 - UK and 129
 - UN and 87, 88, 92, 168, 257, 259, 265
 - USA and 259, 260
 - water 129
 - see also* INTERFET; UNTAET; UNAMET
- ECOWAS (Economic Community of West African States) 265, 267
- Ethiopia 52

- famine 36 *see also under* Somalia
 field hospitals 104
 food 19:
 as weapon 136, 174
 France *see* Operation Turquoise
- Garner, Jay 192
 Genocide Convention (1948) 9
 Germany 54
 Gulf War, 1991 47, 49, 108, 147, 189
- Habibie, President Bacharuddin Jusuf 87, 89, 100, 169, 256, 258
 Habyarimana, President Juvénal 71, 73, 205, 208, 240
 Haiti: UN intervention 2
 Holbrooke, Richard 239, 258
 Howard, John 170
 Howe, Jonathan 58, 156, 158, 231, 232
 human rights:
 state sovereignty and 8–9, 11, 12, 13–14, 189, 267–68, 280
 states denying 267
 violations of 267
 Human Rights Watch 217
 humanitarian aid workers:
 front-line diplomacy 143
 military perspective and 3, 18
 political perspective and 18
 safety of 18
 security environment 175
 soldiers and 3, 17, 24
 as targets 137
 workers killed 133
 humanitarian crises:
 government-created 6, 39
 natural disasters and 39
 humanitarian military intervention:
 authorization 25, 98, 176, 265, 268 *see also under* United Nations: humanitarian
 military intervention
 cause of crisis 274–75
 centrality of 1
 coalitions 271, 272, 273
 consent to 6, 21–22
 controversies about 1–29, 267
 counterfactual arguments 12, 36–37
 debate about 7–28
 definition 5–6
 differences in 46
 difficulty of 21–23, 27
 domination 22
 effectiveness 3, 4, 6, 13, 15, 16, 34–37, 47, 93–95:
 counterfactual propositions 12, 36–37, 38, 43, 93
 data 37–38
 environment of 6–7
 failures 26, 43–45, 47, 94, 281
 false rhetoric and 5
 feeding wars 5
 frequency of 267
 future 94–95, 268
 governments defeated by 264
 judgement of 270–76
 just cause 14, 25, 266, 267
 justification of 2, 3–4, 6, 7–15, 30
 last resort 14, 26, 266
 legal/moral perspectives 7–15, 20
 limits of 276–80
 literature surveys 15, 16
 lives saved 4, 6, 26, 30–38, 46, 93, 94, 176:
 methodology 32–36
 military capability and 275–76
 military requirements 21, 22, 26, 27
 moral/legal perspectives 7–15, 20
 mortality estimates 93–94
 motives of interveners 13, 276
 as non-political 16–19
 normative context 7–8
 opposition to 23, 271
 outcomes varied 46–47
 peace-building and 6
 philosophical debates about 7–28
 political concerns essential to 20, 26, 27, 264
 political context 6, 16–21, 31, 38, 85, 133, 175, 276:
 awareness of 27
 political outcome 31–32
 political solutions needed 46
 powerful countries and 271
 proportional means 14, 26, 265, 269
 questions about 2–3
 questions determining 12
 reasonable prospects 14, 15–16, 23, 26, 30, 45, 266, 269, 281
 reconstruction and 277
 refugee camps and 278–79
 resources 94
 right authority 14, 25
 right intention 14, 25–26, 221
 scepticism about 267, 271, 277–80
 sources 36

- sovereignty and 1
- state development and 280
- strategic requirements, underestimation of 44
- strategies for 269, 274, 275:
 - avoidance 40–41, 45, 97–100, 107, 112
 - compellence 40, 42–43, 44, 45, 123, 266
 - defence 40, 41–42, 44
 - deterrence 40, 41, 42, 123, 173
 - importance of 24, 28
 - literature and 24
 - meaning 23
 - objectives and 95
 - offence 40, 43, 266
 - typology of 38–45
 - see also under* aid delivery, troops
 - helping with; aid operations,
 - protecting; perpetrators of violence,
 - defeating; victims of violence, saving
- as substitute for stronger action 27, 173, 278
- success 47, 270, 280–81:
 - defining 30–32
- summary 25–28
- summing up experience of 270–76
- supplies, delivery of 41
- taking stock 270–76
- timing 21–23, 27–28, 94, 270
- types of 38–45, 274–76
- UN and 271–73 *see also under names of UN missions*
- violence intensity increased 17–18
- war prolonged by 278
- war worsened by 278–79
- withdrawal 27
- see also* aid delivery, troops helping with *and under names of countries*
- ‘humanitarian space’ 59, 61, 136–37, 176
- ICRC (International Committee of the Red Cross) 54, 66, 113, 128, 152, 164, 176, 206
- India: East Pakistan intervention 10, 26, 223, 225
- Indonesia:
 - East Timor, military control of 86
 - East Timor’s independence approved 91
 - Indonesian Defence Forces (TNI) 87, 88, 91, 100
- Innocent IV, Pope 8
- INTERFET (International Force for East Timor) 87, 100, 128, 171:
 - aid delivered by 129
 - authorization 89, 128, 168
 - as coalition of willing states 92
 - convoy escorts 169
 - damage done by 130
 - lives saved by 90–91
 - logistical assistance 128
 - perpetrators of violence, defeating 255–57
 - success of 89, 257–61
 - UNTAET succeeds 257
 - warehouse security 142
- International Commission on Intervention and State Sovereignty 13–14
- International Federation of Red Cross and Red Crescent Societies 85
- international law 8–9
- Iran:
 - Iraqi refugees 48
 - Kurds in 49
 - Red Crescent Society 49
- Iraq:
 - Army routed in Gulf War 147
 - invasion, humanitarian justification 2
 - Kurdistan 52
 - Shia Arabs 47
 - USA and 2, 25–26, 47
 - see also following entry*
- Iraq, northern:
 - aid organizations 175
 - air strikes 148
 - autonomous zone 47, 51, 219–20
 - France and 22, 49, 107, 147, 148
 - humanitarian military intervention 22, 26, 47–52, 107–11:
 - aid operations, protection of 145–49, 175
 - airdrops 102, 111
 - authorization 190
 - consent absent 193
 - cooperation with civilians 109–10
 - effect 109
 - lives saved 49, 51, 131
 - political interests and 50–51
 - success 52, 109, 271, 272
 - Iraqi Army expelled 49, 227
- Kurds:
 - deaths of 47, 48–49
 - oppression of 47–52
 - poison gas used against 48
 - rescued 22
 - revolt of 47, 108
 - saving 191–94
- Military Coordination Centre 147–48
- NGOs 109–10, 111

- no-fly zone 50, 146, 149, 193
- refugees 48, 49, 93, 107, 145, 146:
 - camps 50, 107
 - safe zone 50, 51, 143, 145–46, 171, 178, 189, 190, 192, 219–20
 - secret police 192
 - Turkomans 47
 - UK and 22, 49, 50, 107, 108, 147, 148, 192
 - UN and 49, 51–52, 142, 146, 171
 - USA and 22, 49, 50, 107, 108, 147, 148, 192
 - victims of violence, saving 191–94:
 - local forces and 190, 193
 - see also* joint task forces; Operation Northern Watch; Operation Provide Comfort
- Izetbegovic, President Alija 239
- Jackson, Mike 215
- Jess, Ahmed Omar 153
- Johnston, Robert 151, 152
- joint task forces (JTFs, Iraq) 108:
 - airdrops 102, 111
 - Alpha 107, 108, 109, 111, 180
 - Bravo 43, 107, 111, 146, 147, 180, 192–93, 193
 - Iraqi Army displaced by 43, 107, 111
 - tasks 107, 109
- Journal of the American Medical Association* 35
- just war:
 - natural war and 8
 - principles of 11–12, 13, 14–15, 25, 133, 268
- Kagame, Paul 213
- Kahn, Shaharyar 213
- Kenya 112
- Kosovo:
 - Albanians and 78, 79, 94, 124, 243, 249:
 - killed 83
 - persecuted 18, 79, 81, 82, 83
 - Austria and 124
 - autonomy for 215
 - battle of Kosovo Polje 79
 - ceasefire agreement 82, 85
 - coalition of like-minded states 2
 - compellence 246, 250
 - Contact Group 81, 244
 - data collection 35
 - deaths in 217, 245–46
 - ethnic expulsions 82, 83, 94, 124, 244, 245, 249
 - EU and 216
 - final status stalled 220
 - France and 216, 248
 - FRY forces 216, 227, 243, 244–46, 248, 249, 253
 - Germany and 216
 - Greece and 124
 - ground attacks and 217
 - ground troops and 182
 - human rights abuses, punishing 252
 - humanitarian military intervention 1, 2, 6, 13, 18, 82, 84, 123–27, 215–18:
 - consent 216
 - failures 85, 249, 250, 253, 263
 - judgement of 271
 - lives saved 84–85, 127, 131
 - political motives 81, 123, 125, 127
 - precipitancy of 228
 - summary 85–86
 - independence 251
 - international governance 277
 - Italy and 124
 - KFOR 80, 81, 85, 215–18
 - KLA (Kosovo Liberation Army) 79, 80, 83, 126, 181, 182, 215, 243–44, 249, 250, 253
 - KVM (Kosovo Verification Mission) 79–80, 83, 84, 244
 - Military Technical Agreement 215
 - mortality estimates 93
 - NATO and 13, 81, 82, 86, 123, 124, 126–27, 216, 243, 245, 246, 247–48, 250, 251, 253, 264–65:
 - air campaign 18, 46, 81, 82–83, 94, 123, 182, 215, 227, 247, 248, 250
 - forces deployed 252–53
 - NGOs and 84, 124
 - OSCE and 216, 244
 - perpetrators of violence, defeating 243–54
 - population displacement, size of 83
 - population mix 79
 - Rambouillet negotiations 80–81, 82, 244, 246, 251, 253
 - reconstruction 215, 216
 - refugees 82, 83–84, 85, 124–25, 217, 249–50, 251:
 - camps 84, 123, 124–25
 - return of 215, 217
 - road repair 105
 - Roma in 79, 85, 217

- Russia and 25, 244, 251, 254
 as safe zone 215, 217
 secessionism 79
 Serbs and 78, 79, 80, 83, 85, 124, 217–18, 264
 Serbs leave 217–18
 UK and 216
 UN and 1, 13, 81, 82, 216, 223, 264
 USA and 216, 244, 248, 250, 253
 victims of violence, saving 215–18
see also Operation Allied Force; UNMIK
- Kurdistan 52
 Kuwait 47
- Lafourcade, Jean-Claude 75, 166, 209–10, 213, 214
Lancet, The 35
 Liberia 265, 267
 logistical assistance:
 constraints on 96
 need for 104–105
 provision, 1990s 106–31
 varieties of 102
- Lomé Peace Agreement (1999) 182
- Macedonia, Former Yugoslavian Republic of (FYROM):
 NATO troops in 251
 refugees in 81, 82, 83–84, 84, 124, 125, 126, 131
- Marjanovic, Svetozar 215
 mass violence: data on 35
- Médecins du Monde 128
- Médecins sans Frontière 128, 164, 206
- military power: countries' capabilities 263
- Milosevic, President Slobodan:
 Bosnia and Herzegovina and 63, 203, 238, 247, 249, 263
 Kosovo and 79, 81, 82, 123–24, 216, 229, 250, 252, 253
 untrustworthiness 251
 Yugoslav unity and 61
 ‘mission creep’ 44–45, 173
- Mitterrand, President François 118, 212
- Mladic, Ratko 69, 199, 202
- Mobutu Sese Seko, President 122
- Mogadishu, Somalia:
 aid operations protected 150, 151, 157
 airport 55, 104, 114, 115, 151, 157
 conflict in 22, 52, 58, 235
 foreign presence in 151, 152
 Humanitarian Operation Centre 155
 seaport 55, 104, 105, 114, 142, 157
- Montenegro 248
- Montgomery, Thomas 233
- Moore, John 170, 258
- moral reasoning: natural law and 8
Morbidity and Mortality Weekly Report 35
 ‘more secure world, A’ 14–15
- Morgan, Mohamed Said Hersi 153
- NATO (North Atlantic Treaty Organization):
 force first used 199
 relevance of 252
 see also under Bosnia and Herzegovina;
 Kosovo
- natural law: moral reasoning and 8, 9, 11–12, 14
- New Zealand 129
- NGOs (non-governmental organizations):
 conflicts and 20–21
 independence of 18, 132
 Somalia and 59, 61
 see also under names of
- Nigeria 264
- North Atlantic Council 82, 85, 216, 247
- Oakley, Robert 56, 57, 100, 113, 151, 152
- Ogata, Sadako 162
- Operation Allied Force (Kosovo) 80, 81, 82–83, 92, 190, 216, 246–53
- Operation Allied Harbor (Kosovo) 80, 81, 84, 124–26
- Operation Arrow (Kosovo) 250–51
- Operation Deliberate Force (Bosnia and Herzegovina) 63, 68–69, 119, 179, 204, 230, 236–40, 246, 262
- Operation Joint Guardian (FYROM) 80, 81, 84
- Operation Northern Watch (Iraq) 148
- Operation Provide Comfort (Iraq) 43, 49–52, 101, 171:
 aid delivery 102, 107–11, 111:
 amounts 108–109
 area protection 146–48, 149, 174
 compellence 179, 180, 194
 Kurdish independence and 174
 lives saved 49, 51, 107, 111
 logistical assistance given by 50, 107–11, 111
 relief deliveries 50
 safe zone 50, 51, 143, 145–46, 171, 178, 191–92

- success of 50, 272
 - see also* joint task forces
- Operation Provide Relief (Somalia) 41, 54–55, 104, 112–13, 115–16:
 - lives saved 54, 60
- Operation Rainbow (Kosovo) 124–25
- Operation Restore Hope *see* UNITAF
- Operation Storm (Bosnia and Herzegovina) 238–39, 240
- Operation Support Hope (Rwanda) 72–73, 76–77, 120–22:
 - exclusively humanitarian character 122
 - judgement of 122
 - lives saved 77
- Operation Turquoise (Rwanda):
 - convoy protection 171
 - failures 166–67, 168, 190, 210, 214
 - humanitarian organizations and 167, 168
 - lives saved by 76, 210, 213, 214, 215
 - military strength 213
 - motives behind 166, 167, 209, 211–14, 215
 - point protection 163
 - political interests 208, 215
 - RPA and 73, 209, 241
 - Rwandan Army and 211
 - safe zone 75, 143, 165–66, 167, 190, 209, 210, 213
 - successes 210
 - UN approval 72
 - victims of violence, saving 190, 210
- Organization for Security and Co-operation in Europe (OSCE) 79, 216, 244
- Oxfam 120

- Pakistan: Afghan camps in 19
- Pakistan, East: Indian intervention in 10, 26, 223, 225
- Perez de Cuellar, Javier 108
- perpetrators of violence, defeating:
 - advantages 262
 - aid organizations and 224
 - assumptions 228–29
 - attacking 226–27
 - authorization of 265
 - balance of power 224
 - controversy over 265
 - difficulty of 178, 265, 276
 - disadvantages 262–65
 - environmental factors 225
 - failure, risk of 265
 - force and 222, 224, 226, 228, 229
 - interveners' withdrawal 227–28, 229
 - just war principles and 265
 - local population's attitude and 224
 - military strengths 228
 - operations, 1990s 230–61
 - perpetrators' reactions 229–30
 - political aspects 223, 224
 - safe areas and 223
 - strategies for 224–30:
 - compellence 223, 226, 228
 - offence 223, 228
 - successes 230, 274
 - summary 265–66
 - total defeat 227
 - traditional war-fighting and 223–24
 - UN and 265
 - victim saving and 222–23
 - violence increased 223
- Philippines 129
- Pol Pot 10, 222
- Portugal 86, 87, 258
- Posen, Barry 24
- positive law 8, 9, 11, 14
- Potter, Richard 108
- Powell, Colin 228
- Prunier, Gérard 212

- Ramsbotham, Oliver 9, 12
- Red Crescent *see* ICRC; International Federation of Red Cross and Red Crescent Societies *and under* Iran; Somalia
- Red Cross *see* ICRC; International Federation of Red Cross and Red Crescent Societies
- refugee camps:
 - conflict sustained by 19
 - construction 102, 103–104, 132
 - criteria for 103
 - disease in 36, 49, 50
 - as recruitment centres 133
 - UN and 103
 - see also under names of countries*
- Refugee Policy Group 54
- refugees:
 - data on incomplete 33, 35
 - identifying 33
 - 'military remedies' 24
 - UN and 52, *see also* United Nations High Commissioner for Refugees *and under names of countries*
 - see also* refugee camps *and under names of countries*
- Responsibility to Protect* 2, 13–14, 22–23, 26, 189

- Roberts, Adam 16
 Robertson, George 249
 Rose, Michael 199
 Rugova, Ibrahim 79, 83
 Russia 25, 239, 244, 251, 254, 271
 Rwanda:
 aid organizations flee 137
 army 71, 241–42
 Arusha Peace Agreement (1993) 71, 72, 74, 240
 Belgian troops 206, 207
 Canadian troops 121
 civil war 71, 72–73, 208
 data collection and 35
 France and 72, 75, 76, 121, 123, 165–68, 171, 206, 242, 275 *see also* Operation Turquoise
 genocide in 1, 21, 43, 44, 70–78, 163, 177, 205, 209, 214:
 beginning of 240
 failures in face of 205, 207
 force against 222
 government directing 73, 242
 intensification of 210
 international awareness of 72
 speed of 72, 243
 stopped 72, 227
 UN troops and 207
 Government now strong 280
 humanitarian aid 72–73
 humanitarian military intervention 71, 72–73, 74–78, 119–23:
 aid operations, protecting 163–68
 airlift 120, 121
 failure of 271
 guarding 185
 inadequacies of 77–78
 lives saved 46, 74–75, 76, 131, 210, 213, 240
 logistical assistance 120
 Hutu 42, 70, 76, 164, 166, 177, 186, 206, 207, 211, 212, 227, 240:
 refugees 72, 119, 210, 276
 Interahamwe militia 71, 177, 206, 210, 242
 militia 208, 242
 mortality estimates 93
 Nayarushishi camp 75, 210, 212
 NGOs 121, 164, 165
 peacekeepers killed 164, 182
 perpetrators of violence, defeating 240–43
 point protection 167, 206
 refugees:
 camps 44, 72, 76, 77, 103, 120
 deaths 120, 121
 return of 186
 Rwandan Patriotic Army (RPA) 72, 73, 76, 167, 207, 208, 210, 220, 229, 230, 240, 241, 242–43, 263, 264
 Rwandan Patriotic Front (RPF) 43, 71, 72, 173, 206, 210, 211, 213, 227, 240
 safe zone 75, 143, 165–66, 167, 171, 188, 213 *see also under* Operation Turquoise
 Senegalese troops in 165, 166, 208, 213
 Tutsi 42, 70, 75, 164, 207, 209, 211, 212, 214, 240, 241, 242, 264, 276
 UK and 121
 UN and 21, 42, 46, 72, 121, 122, 164, 165, 205:
 troops killed 74, 207
 withdrawal 207
 USA and 72, 120, 121, 122, 123, 229
 victims of violence, saving 205–15
 water 120–21, 122
 Western governments and 24, 182
 see also Operation Turquoise; UNAMIR
- Saddam Hussein, President:
 coalition tested by 147
 humanitarian military intervention and 107
 revolts against 47, 194
 safe zone and 193
 weapons of mass destruction 2
 safe areas/zones 143–45, 187–90:
 as autonomous zones 219–20
 see also under names of countries
- Sahnoun, Mohamed 53, 57, 150, 151, 231
- Sarajevo:
 airlift 63–64, 117–19, 201
 airport 64, 65, 117, 118
 artillery around 238
 Bosnian Army and 67
 Dayton Agreement and 203
 deaths in 64–65, 117–18, 195
 food, need for 160, 196
 lives saved 94
 market square mortar 198–99, 237
 NATO and 198, 199
 NGOs in 198
 as safe area 196, 197, 198, 204
 Serb bombardment 195, 198, 201
 siege of 63–65, 68, 117, 162, 195, 198, 262
 UN and 64, 67, 162, 178, 196, 198
- Schelling, Thomas 40fn., 226

- Serbia:
- Croatia, war with 62, 63
 - 'greater Serbia' 62, 67, 177, 203
 - NATO air campaign over 18
- Serbia and Montenegro 218 *see also*
- Yugoslavia, Federal Republic of
- Shalikashvili, John 192
- Shelton, Henry 259
- Sierra Leone 177, 182, 265, 267
- Slovenia 62
- Smith, Rupert 236, 237
- Solomon Islands 267
- Somalia:
- aid organizations 175
 - aid stolen 19, 53
 - Belgian troops 153
 - Canadian troops 54, 153
 - ceasefire in 53, 57, 149
 - cholera epidemic 59
 - civil war 230
 - convoys escorted 152, 155, 159
 - deaths in 53, 59–60
 - failed state 60, 230
 - famine 52, 53, 54, 113, 149, 153
 - Germany and 54
 - historical background 52–53
 - humanitarian military intervention 17, 43–44, 99, 111–16, 149–59, 263:
 - aid delivery 111–16
 - aid operations, protection of 149–59, 175
 - airlift operation 41, 54–55, 112, 113
 - cooperation with civilians 113
 - effects of 24, 56–57, 60–61
 - failures 263, 271
 - lives saved 54, 61, 113, 114, 131
 - opposition to 112
 - politics eschewed 57
 - prolongation 26
 - strategy misguided 229, 236
 - summary 60–61
 - humanitarian space 137
 - Italian troops 153
 - Kenya and 54
 - lawlessness in 59
 - lives saved 94
 - malnutrition 58
 - militias 53, 58
 - Moroccan troops 153
 - NGOs 58, 155, 157, 159
 - perpetrators of violence, defeating 230–36
 - point protection 149, 150, 151, 152, 155, 156, 159
 - reconstruction 57
 - Red Crescent Society 150
 - roads 114, 115
 - state failure 52–61
 - supplies guarded 152
 - UN and 6, 17–18, 53, 58, 59, 116, 159, 225–26, 263, 264:
 - disengagement 58, 234
 - USA and 17–18, 27, 43, 44, 45, 54, 55, 93, 105, 113, 150, 154, 155, 172:
 - disengagement 58, 154, 157, 236, 273
 - victims of violence, saving 178
 - warlords 53, 57, 112, 113, 157, 231
 - see also* Operation Provide Relief; UNITAF; UNOSOM I; UNOSOM II
- state responsibilities 1, 2, 12, 14, 189, 268
- state sovereignty:
- disagreement over 9, 10
 - duties inherent 13
 - individual human rights and 8–9, 11, 12, 13–14, 189, 267–68, 280
 - as ordering principle 8
 - Rwandan genocide and 78
 - sanctity of 9
 - weakening of 10
- Sudan *see* Darfur, Sudan
- Suharto, President 86, 87
- Tanzania:
- Hutu refugees 72, 119, 120, 122
 - Uganda and 10, 222, 223, 225
- terrorism, war on 4, 175, 268
- Thailand 129, 261:
- Khmer Rouge camps in 19
- Tilly, Charles 280
- Timor, East *see* East Timor
- Tito, President Josip Broz 61, 79
- Tudjman, President Franjo 239
- Turkey:
- Iraq and 51, 108
 - Iraqi Kurds and 48, 49, 50, 108, 109, 111, 194
 - PKK 51, 108
- Uganda:
- conflict in 242
 - Tanzania and 10, 222, 223, 225
 - US troops in 120
- UNAMET (UN Assistance Mission in East Timor) 87:
- authorization 88
 - lives not saved by 89

- mandate 168
- withdrawal 89
- UNAMIR (UN Assistance Mission for Rwanda) 77, 121:
 - achievements of 164
 - aid agencies and 167
 - designed purpose 205
 - limitations of 164
 - lives saved by 74–75, 206, 207, 214
 - mandate 74, 164
 - point protection 163, 171
 - reduction of 72, 74, 164
 - reinforcements for 72, 164
 - weakness 206, 214
- UNGCI (UN Guard Contingent in Iraq) 49, 51–52, 142, 171, 272:
 - agreement for establishing 148
 - limitations of 148–49
- UNICEF (UN Children’s Fund) 54
- UNITAF (Unified Task Force/Operation Restore Hope, Somalia) 55–57, 59, 111, 112, 113–15, 171, 233:
 - aid operations protected by 149, 151–55, 173
 - airfields and 115
 - convoy protection 142–43, 151
 - forces 114
 - lives saved 56, 60
 - military strength 153–54
 - political impact 57
 - rules of engagement 154
 - seaport 142
 - successes 153, 159
 - tasks 114–15
- United Kingdom: Sierra Leone and 267 *see also under names of other countries aided by*
- United Nations High Commissioner for Refugees (UNHCR):
 - Bosnia and Herzegovina and 63, 64, 65, 66, 116, 160
 - data and 33
 - Iraq and 49, 50, 103
 - Kosovo and 124, 216, 217
 - refugee camps and 103, 125, 279
 - Rwandans and 44, 120
 - Tanzania and 120
 - Zaire and 44, 120
- United Nations (UN):
 - assistance agencies 273
 - Charter 8–9, 11, 13, 75
 - civilian protection and 179
 - credibility 259
 - Department of Humanitarian Affairs 148
 - Development Programme (UNDP) 130
 - General Assembly 13
 - High-level Panel on Threats, Challenges and Change 2, 14
 - humanitarian military intervention and 46:
 - authorization of 1, 2, 5, 6, 9, 14, 25, 98, 176, 229, 265, 273
 - coordination 274
 - debate over 13
 - fund-raising 274
 - responsibility for 13
 - ‘In larger freedom’ 2
 - individual human rights and 9
 - military capability 273
 - Office for the Coordination of Humanitarian Affairs (OCHA) 128, 130, 155
 - Security Council Resolution 688 49, 52, 107
 - Security Council Resolution 749 62
 - Security Council Resolution 758 118
 - Security Council Resolution 761 118
 - Security Council Resolution 767 112
 - Security Council Resolution 770 118, 160
 - Security Council Resolution 776 65, 160
 - Security Council Resolution 794 55, 113
 - Security Council Resolution 814 158
 - Security Council Resolution 819 66, 198
 - Security Council Resolution 824 198
 - Security Council Resolution 837 58, 232
 - Security Council Resolution 844 198
 - Security Council Resolution 918 74, 205
 - Security Council Resolution 929 208–209
 - Security Council Resolution 1244 85, 215, 216
 - Security Council Resolution 1264 128, 255
 - World Summit, September 2005 2, 190fn.
- United States of America:
 - foreign conflicts, attitude to 61
 - logistics 131
 - Office of US Foreign Disaster Assistance 110, 152
 - see also* Bush, President George W. *and under other countries involved with*
- Universal Declaration of Human Rights 9
- UNMIK (UN Mission in Kosovo) 216, 217–18
- UNOSOM I (first UN Operation in Somalia):
 - aid operations protected by 149–51, 171
 - authorization 53

- establishment of 149, 231
 - history of 53–54
 - limitations of 150, 151, 159, 173
 - success, prospects for 269
- UNOSOM II (second UN Operation in Somalia):
 - aid operations, protection of 156–59, 171
 - command and control problems 235
 - compellence 231
 - defensive action 156
 - deterrence 156
 - failures 58, 59, 60, 155–59, 234
 - humanitarian objectives 156–59, 231
 - killings by 59–60
 - limitations 156, 158
 - lives saved 56, 59
 - mandates 57, 231, 236
 - military capability 158
 - offence 231, 232–33, 236
 - politics and 57, 156, 157
 - preparations for weak 57–58
 - Quick Reaction Force 233, 234, 235
 - Somali fighters 235
 - success, prospects for 269
 - Task Force Ranger 233–34, 235
 - weakness 235
- UNPROFOR (UN Protection Force, former Yugoslavia):
 - aid and 66
 - aid operations, protecting 160–63
 - air strikes 161, 199, 200
 - convoy protected by 65–66, 116, 142–43, 161
 - expansion authorized 62–63
 - failures of 63, 204
 - judgement of 271
 - limitations of 160–61, 162, 163
 - lives saved by 65, 67, 68, 69, 118
 - mandate 63, 160, 173–74
 - NATO and 236
 - peacekeeping mandate 160, 161, 163
 - personnel taken hostage 187, 199, 200, 201, 237
 - protection strategy 197–203
 - Rapid Reaction Force and 237
 - rules of engagement 161, 198
 - safe areas and 66–67, 190, 196, 197–203
 - Sarajevo and 67, 178:
 - airlift 64, 116, 117–19
 - Srebrenica and 66
 - victims of violence, saving 178, 186
 - weakness 201
- UNREO (UN Rwanda Emergency Office) 121, 167
- UNTAET (UN Transitional Administration in East Timor) 87, 90, 91–92
- Vance–Owen Peace Plan 66, 67, 196
- victims of violence, saving:
 - advantages 218–20
 - air power and 185
 - area protection 184, 185, 187–91
 - communications 188
 - consent 187
 - decision over difficult 177
 - demands to stop 181
 - difficulty of 178
 - disadvantages 219–20
 - failures 179
 - force and 177, 180, 181, 183, 188, 189
 - forms of 183–91
 - ground troops and 182
 - guarding 184, 185–86, 190
 - local forces and 190, 193
 - military capacity and 182
 - military deployments 182
 - military requirements 184, 185, 186, 188–89
 - military resources 188–89
 - motives ascribed to 181
 - nature of 177–78
 - operations, 1990s 191–218
 - perpetrators, defeating and 178, 218
 - perpetrators' perceptions and 181, 182, 183
 - point protection 184, 185–87, 262
 - political concerns and 218–19, 220
 - rules of engagement and 182, 183
 - safe passage 184, 186–87, 190
 - speed of 177, 182, 215, 220
 - strategies for 42, 180–83:
 - compellence 179, 180, 181, 184, 185, 189, 190
 - defence 178, 180, 184, 185, 191
 - deterrence 177, 180, 184, 185, 187, 189, 190, 191
 - success 179, 274
 - summary 220
 - threats and 181–82, 185, 186, 189
 - vital interests and 182
- Viet Nam 10, 222, 223, 225
- violence *see* perpetrators of violence, defeating; victims of violence, saving

Walzer, Michael 12, 13, 25

war: politics and 27

West Timor:

border area 169

deportation camps 88

Indonesian forces retreat into 255, 256

Westphalia, Treaty of (1648) 8, 9

Wheeler, Nicholas 12–13

WHO (World Health Organization) 84

Woodhouse, Tom 9, 12

World Food Programme (WFP) 54, 65, 66, 84,
104, 121, 129, 168

World Vision 128

Yugoslavia:

republics' independence 61, 62

Yugoslav People's Army (JNA) 62, 63

Yugoslavia, Federal Republic of (FRY) 79, 81

see also Kosovo; Serbia

Zaire:

civil wars in 44, 76, 123, 276

extremists in 44, 76

Rwandan refugees in 19, 72, 76, 119, 210,

276:

camps 44, 72, 76, 77, 103, 120, 122

deaths 76

UN and 121