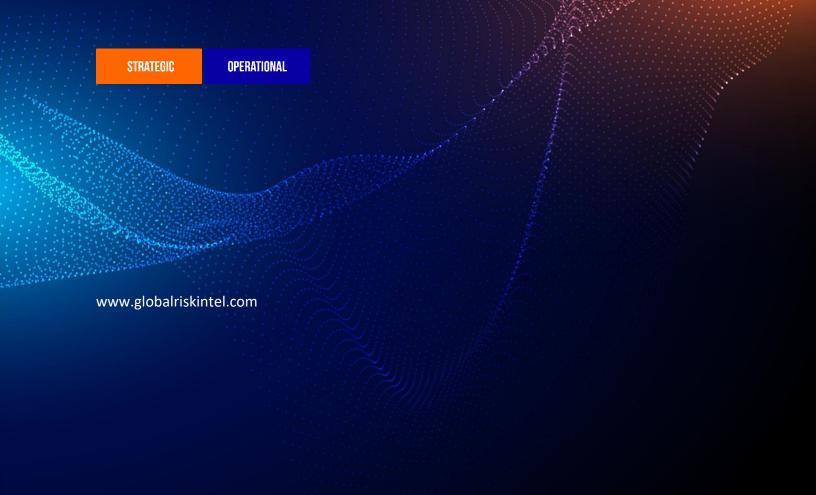


# **Risk Dossier**

# ARMED HUMANITARIAN INTERVENTION: LESSONS FROM AFRICA AND EUROPE





# **DISCLAIMER:**

THE VIEWS EXPRESSED IN THIS DOCUMENT ARE THE SOLE RESPONSIBILITY OF THE AUTHOR(S) AND DO NOT NECESSARILY REFLECT THE VIEW OF GLOBAL RISK INTELLIGENCE. THIS DOCUMENT IS ISSUED WITH THE UNDERSTANDING THAT IF ANY EXTRACT IS USED, THE AUTHOR(S) AND GLOBAL RISK INTELLIGENCE SHALL BE CREDITED, PREFERABLY WITH THE DATE OF THE PUBLICATION.

COPYRIGHT © GLOBAL RISK INTELLIGENCE. ALL RIGHTS RESERVED.



GLOBAL RISK INTEL

# ARMED HUMANITARIAN INTERVENTION

# **LESSONS FROM AFRICA AND EUROPE**

David Hutchins, MSc

**RISK DOSSIER** 

**Global Risk Intelligence** 

2019

Washington, D.C. · London · Dubai · Singapore

www.globalriskintel.com

FOR PUBLIC RELEASE



OPERATIONAL

GLOBAL RISK INTEL

> Global Risk Intelligence is a boutique risk advisory firm which provides consulting services to anticipate, assess and advise organizations. We utilize data to drive critical and confident decisions. We provide risk management training at all levels -enterprise, country and project specific. We identify, assess and evaluate risks, as well as opportunities, in existing operations. We monitor potential threats that impact operations, strategy and reputation.

# Why Global Risk Intelligence?

We are agile and flexible – we are ahead of the game with responsive innovation. Global Risk Intelligence embraces new ideas and anticipates and responds to changing customer and market opportunities.

We are collaborative and thrive on strategic partnerships and alliances. In this current world, where accurate data and information is at a premium, people need to be able to rely upon an advisor that is gather sufficient, reliable information, analyzing this information and making articulate decisions.

# **Gain a Competitive Advantage**

We DIVE DEEP – there is a true depth of research by our PhD and higher educated subject matter experts located globally. We offer detailed analysis to executive teams to assist in shaping business decisions.







**David Hutchins, MSc** is a Risk Analyst at Global Risk Intelligence. He earned his MSc in Defence, Development, and Diplomacy with Merit from the Durham Global Security Institute at Durham University. He maintains 6 years of military experience and serviced in the United States Marine Corps Forces Reserve.

GLOBAL RISK INTEL

# **Executive Summary:**

This Risk Dossier is an examination of military involvement within humanitarian intervention by the United Nations using the case studies of Somalia, Rwanda, and Bosnia. All case studies were prominent instances of armed humanitarian intervention during the 1990s, which was a critical period for international intervention. A dialogue on the controversy over intervention will explore contrasting perspectives on military involvement and the use of force. This dossier attempts to better understand the practical and ethical considerations of military involvement through a breakdown of Just War Theory. An inquiry into Just War Theory and its elements of pre-war and mid-conflict guidance will provide a criteria for the legitimate use of military force throughout a situation of humanitarian intervention. Analyzing the case studies of Somalia, Rwanda, and Bosnia exposes if and how military forces could be beneficial toward humanitarian interventions. A description of lessons learned from these case studies assists in formulating what can be done to alter future armed humanitarian intervention so that it is capable of producing positive outcomes. Based on the analysis of these case studies and the established criteria for military involvement, it is concluded that military involvement in humanitarian intervention scenarios can be beneficial on occasions when intervention meets the criteria established by Just War Theory and if respective military intervention is executed properly.



TAGS: AFRICA, EUROPE, BALKANS, CENTRAL AFRICA EAST AFRICA, HORN OF AFRICA, SUB — SAHARAN AFRICA, Bosnia, Bosnia — Herzegovina, Rwanda, Serbia, Somalia, UN, United Nations, UNSC, United Nations Security Council, Conflict, Conflict Studies, Ethnicity, Ethnic Cleansing, Genocide, International Affairs, International Politics, International Relations, Nation, Nationalism, Politics, State, Government and International Relations, Peacekeeping and Resolution, War and Conflict.



# List of Abbreviations:

ARBiH	English: Army of the Republic of Bosnia and Herzegovina	
	<i>Bosnian:</i> Armija Republike Bosne i Hercegovine	
FPR	English: Rwandan Patriotic Front	
	French: Front Patriotique Rwandais	
ICRC	International Committee of the Red Cross	
ISIL	Islamic State of Iraq and the Levant	
JWT	Just War Theory	
ΝΑΤΟ	North Atlantic Treaty Organization	
NGO	Non-Governmental Organization	
UN	United Nations	
UNAMIR	United Nations Assistance Mission for Rwanda	
UNHCR	United Nations High Commissioner for Refugees	
UNICEF	United Nations Children's Fund	
UNOSOM	United Nations Operation in Somalia	
UNPROFOR	United Nations Protection Force	
UNSC	United Nations Security Council	
UNITAF	Unified Task Force	
USA	United States of America	
WFP	World Food Programme	
WWII	World War II	



**Table of Contents:** 

Chapter 1: Understanding Armed Humanitarian Intervention		
An Introduction to Armed Humanitarian Intervention12		
What is Armed Humanitarian Intervention?12		
Importance13		
Significant Concepts13		
Aims and Objectives14		
A Literature Review of Military Intervention for Humanitarian Purposes14		
Methodology and Justification of Case Studies19		
Chapter 2: Just War Theory – Principles and Considerations of Intervention		
JWT and the Conditions for Intervention22		
Practical and Ethical Considerations24		
Ethical Considerations: Are Military Forces Appropriate?		
Sovereignty versus Human Rights25		
What Can Military Forces Accomplish?26		
Justification		
Responsibility to Protect		
Practical Considerations: What Can Go Wrong?		
Mandate27		
Rules of Engagement28		
Timing		
Equipment28		
Commitment		
Chapter 3: Case Studies		
Somalia: From Peacekeeping to Aggression		

#### FOR PUBLIC RELEASE

Historical Context
Role of UN Forces
Early Successes
Critical Errors
Lessons Learned
Rwanda: A Failure to Act35
Historical Context
Lessons Learned
Bosnia-Herzegovina: The Dangers of Neutrality
Historical Context
Role of UN Forces
Sarajevo Siege43
Critical Errors
Use of Force/Neutrality
Lessons Learned
Chapter 4: Retrospective Acknowledgements
Findings48
Comparison
Addressing the Correct Problem
JWT, Conditional Sovereignty, and the Responsibility to Protect
Timing & Equipment49
Commitment
Mandate and the Use of Force
Complications of Neutrality50
Peacekeepers

Benefits to Military Involvement?	51
Conclusion	52
References	53



# Chapter 1: Understanding Armed Humanitarian Intervention

# An Introduction to Armed Humanitarian Intervention

After the conclusion of World War II (WWII), the United Nations (UN) was founded following the defeat of Nazi Germany and Japan with the intention of protecting human rights and world peace. The enforcement of this protection of human rights would prove to be an incredibly complex and debatable issue.

Since the end of the Cold War era, the international community has re-approached the idea of armed humanitarian intervention. This type of intervention consists of military forces assisting with humanitarian efforts. In most cases of military humanitarian intervention, this involves the intended violation of sovereignty in order to protect the human rights of civilians within the country in conflict. In each case study that I will highlight — and many others like it — the accomplishments of the UN have been very limited. UN military humanitarian interventions, and especially the case studies on which this research is concentrated, have had some disastrous effects. To determine what can be done to potentially improve methods of humanitarian assistance, I proposed the following research question: Is humanitarian intervention improved by the inclusion of UN military forces?

# What is Armed Humanitarian Intervention?

Armed humanitarian intervention is the use of military means to enhance humanitarian organizations and their ability to conduct humanitarian assistance operations. Armed humanitarian intervention, as the name implies, includes military forces in humanitarian intervention. Armed humanitarian intervention can include naval blockades, supplying arms, supplying military advisors, conducting secret raids, protecting safe havens, enforcing no-fly zones, bombing military installations, or introducing a full-scale ground invasion (Scheid 2014: 3). All three case studies highlighted in this dissertation will involve UN military ground troops directly impacting the humanitarian setting.

GLOBAL RISK INTEL

## Importance

The topic of armed humanitarian intervention is significant because it is a relatively new concept. Its implement began in the 1990s as a new method to assist civilians within sovereign nations who were suffering at the hands of their governments or lack thereof. The use of armed humanitarian intervention is still debated by the international community today.

# **Significant Concepts**

When discussing armed humanitarian intervention, one must raise a few questions: Is it right to intervene militarily? If so, when to intervene? What level of force is to be used during this intervention? By examining Just War Theory (JWT) and its elements of pre-war and mid-conflict guidance, criteria for the legitimate commitment of military forces in a humanitarian intervention and the regulations for military conduct during the conflict can be provided.

Sovereignty and its relation to human rights are paramount to the discussion of committing military troops to a humanitarian intervention. Armed humanitarian intervention has undergone a revival in the 1990s in circumstances where national sovereignty has manifestly failed to serve the citizens of a given state. Again, we will use JWT to regulate when it is admissible to intentionally violate a nation's sovereignty in order to protect the human rights of the citizens within the country in conflict. The UN Declaration of Human Rights allowed the UN, as a community of nations, to represent a higher authority and trump another nation's sovereignty for the purposes of protecting human rights (Finnemore 2003: 4). As military involvement is indeed a violation of sovereignty, it should be subject to rigorous preconditions. The UN Charter was written in the context of extreme skepticism about humanitarian justifications for intervention and expressly prohibits the use of force or threats of the use of force by states except in self-defense (Ibid).

The element of neutrality will play a major role in the discussion of armed humanitarian intervention. The mandate dictating what UN armed forces are able to do and whether or not military force is used will have a significant impact on the intervention.

It is imperative to understand that each intervention has different relationships between the UN and the humanitarian organizations which it aims to assist. Within each intervention there exist different historical contexts, levels of resources and equipment to use, as well as different levels of commitment to their cause. Armed humanitarian interventions cannot be homogenized into



one clear method of perfect or imperfect intervention. Each attempt at armed humanitarian intervention must be examined individually.

# **Aims and Objectives**

These case studies which I have chosen need not be labeled as a success nor a failure because this research project focuses on the impact that UN military forces have on humanitarian operations, and there is undoubtedly evidence of both success and failure in each context. Alternatively, this research is intended to provide reflection and understanding of the impacts that UN military forces can have on humanitarian interventions and if the use of UN military forces are suitable to assist humanitarian operations.

### A Literature Review of Military Intervention for Humanitarian Purposes

The topic of armed humanitarian intervention is a relatively new concept and there are conflicting positions on its use within the international community. Essentially there are two main schools of thought: non-interventionism and proactive interventionism. Non-interventionism argues against intervention as a whole, and proactive interventionism argues for the use of intervention in necessary cases. Over time the global viewpoints on military humanitarian interventions have shifted between these two conflicting positions of thought.

The question of whether military force is justified and under what circumstances it may be used has been contemplated by military officers, political scientists, and governmental leaders for some time. Military intervention comes with both moral and legal dilemmas. When examining armed humanitarian intervention, James Mayall (1996) explains that both the moral and legal dilemmas are centralized around state sovereignty. He also explains what circumstances allow for the legitimate violation of sovereignty in order to uphold international law and the protection of human rights. Armed humanitarian interventions are 'legitimized' military interventions that require an understanding of these moral and legal questions. The post-cold war normative context shapes the rights and duties states believe they have and the means they believe are effective and legitimate to fulfill these duties. Taylor Seybolt (2007) writes about two perspectives to the dilemmas regarding military humanitarian interventions. The first is natural law, which is grounded in moral reasoning. Natural law recognizes the right of sovereign states to utilize force to uphold the good of the human community, particularly in cases where unjust injury is inflicted on

#### FOR PUBLIC RELEASE



innocents (Ibid: 8). The alternative is positive law, which is based on political reasoning. Positive law recognizes that a sovereign government has the right to rule within its own territory as it sees fit without fear of outside intervention (Ibid). Contemporary debate on the inclusion of military forces in humanitarian operations is between state sovereignty and human rights, between positive and natural and law.

The world's largest universal governing body, the United Nations, establishes guidelines for legitimate use of military force under Chapter VII of the UN Charter, which prohibits military force except in cases of self-defense (United Nations 2016). This charter operates with heavy scrutiny on the use of military force with the understanding that outside involvement may escalate the conflict. The UN also recognizes the importance of individual human rights under the Universal Declaration of Human Rights created in 1948 (Ibid). With the importance of human rights highlighted and the use of military force conditionally authorized by the UN Charter, we are again left with a debate between human rights and sovereignty. This debate raises the question: Is sovereignty absolute? Based on the writing of authors like Seybolt, Walzer, Scheid, Wheeler, and evidence from the interventions of the 1990s, the international community now assumes that sovereignty is based on the condition that the government of a state protects the human rights of its citizens.

Don Scheid (2014) defends the concept of conditional sovereignty, where states must respect the sovereignty of another nation as long as that state protects the human rights of its citizens. He further supports the responsibility of the international community to act and to intervene militarily if needed when gross violations of human rights occur.

The relationship between human rights and state sovereignty was summarized by Ramsbotham and Woodhouse who presented the logical steps that put individual rights before state rights and allow intervention when a state fails to fulfil its duty of protecting its citizens. According to Ramsbotham and Woodhouse (2000), the victim has a right to protection and assistance, the host government has a duty to provide it, and outside governments have both a duty to act in default and the right to intervene accordingly (lbid: 52).

Further arguing in favor of natural law and the support of necessary intervention, Michael Walzer (2015) 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 that there are limits to the legitimate use of military force but he does not adhere to a strict legalist paradigm. According to Walzer, "Humanitarian intervention is justified when it is a response







to acts that shock the moral conscience of mankind" (Ibid: 27). From this viewpoint, Walzer is promoting the use of military humanitarian intervention when there is a just cause. This just cause principle is a major component of JWT and its criteria for the use of military force. The complication of Walzer's viewpoint and this just war principle is that we are still left with the question of what constitutes a just cause.

The majority of those who write about military intervention would agree that JWT introduces appropriate principles for the use of military force. Just war principles have been widely recognized as an analytical framework for establishing the legitimacy of an intervention for humanitarian purposes. Nicholas Wheeler (2001) provides an extended evaluation of armed humanitarian intervention with explicit reference to the just war principles, most notably the principle of just cause. Wheeler clarifies a just case as a "supreme humanitarian emergency" (Ibid: 7). Wheeler attempts to capture the extraordinary circumstance for the legitimate use of military force in order to narrowly identify a threshold for intervention. With this narrow threshold for intervention, Wheeler attempts to limit the abuse of international law and the exploitation of humanitarian intervention for ulterior purposes. Like Walzer, Wheeler seeks to emphasize the principles of just war. However, unlike Walzer, he further identifies a just cause in favor of military intervention to protect civilians from predation by states (Wheeler 2001).



Seybolt (2007) suggests that new normative guidelines have embraced the natural law principles of just war as a useful framework. With a modern interpretation of the just war principles, it would seem that the international community has shifted toward natural law and the responsibility to protect. Former UN Secretary General Kofi Annan confronted UN General Assembly in 1999 to urge a unified agreement to intervene in cases of extreme need, such as the genocides that occurred in Srebrenica and Rwanda. In his address he stated: "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 (United Nations 1999).

The 1990s were a decisive time for justifiable military humanitarian intervention with the UN repeatedly intervening to help people subject to human rights abuses from Iraq in 1991 to East Timor in 1999. During this time period, military humanitarian intervention was used in an attempt to prevent or treat atrocities.

Despite the fact that the current global view of armed humanitarian intervention appears to be in favor of natural law and conditional intervention, there are others who would oppose this view in favor of non-intervention and a positive law approach.

Mark Duffield in his book, *Global Governance and the New Wars* (2001), argues against the inclusion of military forces. He claims that intervention can be prevented by quicker diplomatic and relief response. Duffield argues that diplomacy and relief response are the only acceptable methods of responding to a crisis, and a quick response is the best method with which to tackle human rights issues that arise within another sovereign state. While this is true in most cases, there are some severe cases, such as the situation in Somalia, where there is no government with which to negotiate. There are also extreme cases when all attempts at diplomacy have been exhausted and military force can be used as a last resort. I do agree with Duffield that quicker relief response is universally a good idea.

Duffield criticizes military intervention as a whole by stating that "military intervention cannot solve humanitarian or conflict resolution problems, it can only alter them" (Ibid: 8). Duffield is correct in assuming that all military forces included in humanitarian operations will undoubtedly have an impact on the context, just as humanitarian actors cannot hope to remain neutral throughout the conflict because their presence will always alter the context of the crisis. However, I would contradict Duffield because I believe that an appropriate coordination of humanitarian actors and military forces can solve humanitarian problems. However, the attempts at intervention

#### FOR PUBLIC RELEASE



in the 1990s mostly suggest that Duffield is correct; each intervention contained major errors by the international community that could have been corrected.

Duffield argues that military intervention does not necessarily address the strategic context of a disaster. He believes that within each particular there are several layers of complexity outside of the need for humanitarian aid, such as political crises and a need for developmental programs. According to Duffield, "military intervention does not solve diplomatic problems, it merely changes the diplomatic agenda" (Ibid: 8).

Duffield tells us that "Relief agencies must realize that military intervention does not make the job of fighting famine any easier, it merely makes it different" (Ibid: 7). He estimates that troops move slowly with their own massive logistical backup. In response to Duffield, I would answer that military involvement, while sometimes slow and cumbersome due to their logistical issues, is in some cases the best way to deliver aid to those in need. This can be done through the use of aircraft to deliver aid by means of an airlift or through the use of armored vehicles to protect humanitarian personnel in a combat zone. It is true that military forces may not address the diplomatic problems in a conflict and in some cases may even further complicate the situation. However, the role of the military forces is to assist the humanitarian efforts, not to engage in diplomatic action. Military forces should only be used as a last resort in cases where diplomatic strategy has already failed. In extreme circumstances when all other efforts have been exhausted and military force is used, the need for military assistance outweighs the political impact that these military forces will have.

Duffield encourages the use of sanctions over military involvement. He contends that in a case such as Somalia, where there is no central government, a mixture of sanctions imposed on the contending factions combined with an encouragement of a political settlement is appropriate (lbid: 6). Admittedly, Duffield estimates that the balancing of material relief and diplomatic interventions with sanctions is difficult to implement. These methods fail due to warring parties and incompetence or mixed motives by the UN or other representatives of the international community.

In his argument against the use of military forces, Duffield states that troops follow commands from military structures, not relief agencies (Ibid). Their operations are dictated by military strategy, which puts the security of military personnel as the first priority. His point is further supported by the events in both Somalia and Bosnia, where the safety of foreign military forces appeared to be the top priority when dealing with a humanitarian crisis. These events and the

#### FOR PUBLIC RELEASE



critical errors which occurred during them will be discussed in detail in the case studies section of this report.

Duffield (2001) suggests that during an armed humanitarian intervention, intervening military forces should strive for neutrality and must be accountable. Duffield is correct in saying that military forces should strive for neutrality during an armed humanitarian intervention. However, there are cases where neutrality is not the correct response and pursuing it can exacerbate the conflict. The concept of neutrality will be covered in future sections of this report.

In summary, while Duffield makes many worthwhile points about the dangers of using military forces in humanitarian interventions, the errors of armed humanitarian intervention that he points out are the fault of actors within the intervention itself. These errors can be corrected. The worldview has shifted in favor of natural law and the conditional justification of military intervention. This justification is based on the responsibility to protect human rights and the conditional sovereignty that is granted upon the preservation of these human rights.

# Methodology and Justification of Case Studies

This research was conducted by analyzing JWT, the investigating the ethical and practical considerations for the inclusion of military forces in a humanitarian intervention, and examining three highly significant case studies which took place during a crucial period for armed humanitarian intervention. The examinations of Somalia, Bosnia, and Rwanda were conducted in an exploratory fashion. Analysis was executed without any preconceived judgements of military involvement during humanitarian interventions. After considering all the facts about UN military involvement in each of the case studies, I was able to arrive at a conclusion.

I chose to use JWT to establish moral criteria for the inclusion of military forces and the creation of their mandate as well as rules of engagement. I designated JWT as my theory of choice because it is widely recognized as an analytical framework for establishing the legitimacy of an intervention for humanitarian purposes. JWT considers when military force is permissible and how military forces are able to act in a conflict setting. Once I establish clear guidelines of when military forces are acceptably deployed and what they can do, I shall discuss the effects that these UN military forces can have on humanitarian interventions.

Humanitarian activities are intended to be neutral. Therefore, it is pivotal to emphasize the considerations of what military forces are able to do in a conflict setting. In order to understand



what impact military forces can have on a humanitarian intervention, we must first consider if the inclusion of military forces is granted, and what those military forces would be permitted to do.

The sources I chose to utilize, in literature, online or any other category, were intended to answer a specific part of the overall question. Some sources such as: *The War in Bosnia-Herzegovina*: *Ethnic Conflict and International Intervention* by Steven L. Burg & Paul S. Shoup (1999), *Seeking Peace from Chaos: Humanitarian Intervention in Somalia* by Samuel M. Makinda (1993), or *The Limits of Humanitarian Intervention: Genocide in Rwanda* by Alan J. Kuperman (2001), were all used to study the conflicts themselves and the role that military forces played in each. *Just War Theory* by Thom Brooks (2013) was used to inquire into what JWT was and how to apply it to this research. *The Ethics of Armed Humanitarian Intervention* by Don E. Scheid (2014) was used to investigate the ethical considerations of military forces in a humanitarian intervention. *Humanitarian Military Intervention: the Conditions of Success and Failure* by Taylor B. Seybolt (2007), was used to identify the practical considerations for the inclusion of military forces and the lessons to be learned from each case study. All secondary sources were used to gather background knowledge on key topics.

Admittedly this research question is not without potential problems. As previously mentioned, the usage of military forces in humanitarian interventions is still debated today. This research question is predicated on the assumption that there are circumstances in which armed humanitarian intervention is justified. Any particular answer that can be given to it will therefore by necessity be an opinion based on the history of past events and what was considered to be a good or bad decision.

The case studies to be covered in this dissertation are: Somalia, Bosnia-Herzegovina, and Rwanda. These case studies have been chosen not only because they are examples of humanitarian intervention during the 1990s, but also because they each present valuable lessons to be learned by the international community. Through analysis of these case studies, we may discover ways to improve humanitarian intervention in the future. All three of these case studies involved UN military forces sent to intervene in a conflict and in each one UN military forces were operating under a different context.

The armed humanitarian interventions conducted by the United Nations in the 1990s were part of a new idea that the international community had decided to put to the test. After the Cold War, the international community began to contemplate the idea of armed humanitarian intervention. This type of intervention was not possible during the Cold War due to political



polarization across the globe and the threats that came with it. With the cold war over, the international community could engage in armed humanitarian intervention, which involved the violation of another state's sovereignty in order to protect the human rights of its citizens.

The case studies of Somalia, Bosnia, and Rwanda are each incredibly important when discussing military humanitarian intervention. Not only did these three case studies take place roughly around the same time frame during the 1990s, but these case studies took place during a period when armed humanitarian intervention by the international community was a relatively new concept. These case studies would set the tone for future military humanitarian interventions. Apart from the similar time frame in which these case studies took place, the other factor that makes each case study incredibly important was the impact that each case study had on the idea of armed humanitarian intervention as a whole. The lessons learned from Somalia, Bosnia, and Rwanda would shape the future of armed humanitarian intervention.

In all three case studies, the UN had chosen to intervene in the conflict. Each of these case studies is very different and involves many factors that would lead to different outcomes. While each case study involved different competing factions, different military forces, and different scenarios, we can compare the results of each case study to find crucial mistakes that led to disastrous consequences. By looking at each case study individually, we can see what mistakes were made and what was done correctly. With an analysis of all three case studies, we can discover what overall lessons can be learned about the inclusion of military forces in humanitarian interventions.

GLOBAL RISK INTEL

# Chapter 2: Just War Theory – Principles and Considerations of Intervention

# JWT and the Conditions for Intervention

JWT is a theory that assesses the pre-conflict, conflict, and post-conflict stages of a war and the ethical considerations of each. For the purpose of this dissertation the first two stages, preconflict and conflict, will be the most relevant. *Jus ad bellum*, Latin for "[the] justice of war", refers to the pre-conflict stage. This stage illustrates the necessary conditions for a state to go to war or, in this case, the necessary conditions for a state to intervene in a conflict (Brooks 2013). *Jus in bello*, Latin for "justice in war", refers to the conflict stage. *Jus in bello* is the stage at which the intervention takes place. *Jus in bello* illustrates the regulations for the conduct of war (Ibid). This stage will establish the rules of engagement and the actions that are unacceptable to carry out during the conflict, such as genocide. *Jus post bellum*, Latin for "justice after war", contains the portion of this theory that describes ethical considerations during the post-war period. For the purpose of this dissertation, I will focus on the first two, *jus ad bellum* and *jus in bello*.

JWT is a tool by which to examine criteria for including military forces in humanitarian operations and for setting the rules of engagement in a combat setting. During the pre-conflict stage, *jus ad bellum*, six criteria for the inclusion of military forces are established:

- 1. Just Cause
- 2. Proper Authority
- 3. Just Intention
- 4. High Probability of Success
- 5. Proportionality
- 6. Last Resort

According to this criteria, the first step is a just cause (Ibid). Under the framework of armed humanitarian intervention, a third party would be justified in sending military forces into another country in the case of a complex humanitarian emergency or the gross violation of human rights. Each case study highlighted in this report involved mass-suffering of civilians who were incapable of defending themselves. For this reason, the UN had just cause under the principles of armed humanitarian intervention to enter into the conflict. OPERATIONAL

The second step would be to obtain the approval to intervene from the proper authority, which in the cases studied was each time the UN itself. The third step is to establish good intention (Brooks, 2013). This criteria is also debated in the international community because the intentions of a state are never truly transparent. In recent history, nations such as the United States of America (USA) have claimed good intentions yet been criticized for having political interests that incentivized them to take the same course of action that their humanitarian goals would also suggest. This can be seen in the case of the USA launching a humanitarian war in Iraq. The fourth step is to assess the probability of success (Brooks, 2013). For an intervention to be carried out, there should be a high probability of success. This probability of success is usually assumed to be high because the states actually conducting the intervention and providing the military troops are often 'Western' nations such as the USA, France, or the United Kingdom, which are better equipped and better trained than the militia forces they usually encounter. This metric is particularly relevant when discussing the armed humanitarian intervention in Somalia. The probability of success was considered to be high, given the overwhelming number of UN troops committed to the operation, and the strong contingent of USA forces taking part in the operation. The result, however, would prove far different than initial estimates due to circumstances which will be discussed in another section.

The fifth step is to establish proportionality (Brooks, 2013). Proportionality refers to the means of achieving victory that must be justified. The term 'victory' would differ depending on the mandate authorized by the UN. In most humanitarian circumstances, victory would be defined by the successful delivery of aid to those in need. Therefore, the means of delivering aid to those in need must be justified. Proportionality plays a key role in the consideration of rules of engagement and neutrality. The last step is to only engage in armed humanitarian intervention as a last resort (Brooks, 2013). This means that all other efforts to solve the conflict such as diplomacy have to have failed and the last option available is to send in military troops.

During the conflict stage, *jus in bello*, JWT establishes five rules governing conduct in war, which in this case means the rules of engagement for UN military forces. The five rules are:

- 1. Non-combatant immunity;
- 2. Prohibition against crimes "mala in se" (inhumane crimes);
- 3. Proportionality;
- 4. Humane treatment of POWs; and



5. Moral and legal obligations to *jus ad bellum*.

The conflict stage of JWT when examining an armed humanitarian intervention refers to the actual intervention itself and the rules that govern it. Therefore the rules of engagement for armed humanitarian intervention will be based on the above-mentioned five rules. Military forces are not to harm any non-combatants. There are to be no inhumane crimes such as torture or humiliation, and this prohibition of inhumane crimes also applies to the combating forces. Any act of force must be proportional, meaning that the use of force must not be beyond what is necessary to engage the target. In agreement with proportional means, the rules of engagement must reflect the fact that intervention in complex emergencies is not the same as in total war (Biermann, 1998). Under the principle of proportionality, the mandate of military forces assisting in a humanitarian operations should allow for the use of force within the conditions of self-defense. UN military forces are to take prisoners if necessary and treat them humanely. The final principle relates to the criteria that was presented under *jus ad bellum.* The acts of military personnel must stay true to the criteria that were agreed upon prior to the deployment of troops. There must be a positive relationship between what was planned and what has happened.

Through the use of JWT, I can analyze both the ethical and practical consideration for the inclusion of military forces in a humanitarian intervention.

# **Practical and Ethical Considerations**

When considering the inclusion of military forces within humanitarian operations, one must look at both the ethical and practical considerations. The theoretical part of this discussion involves the ethical considerations that must be understood before sending military forces into another sovereign nation's territory in order to protect the human rights of civilians. These ethical considerations include:

- The debate between Sovereignty and Human Rights
- Justifications for Military Involvement
- The Responsibility to Protect

After the ethical considerations have been contemplated and it is decided that military forces are to be used in a humanitarian setting, there are practical considerations that are critical to the implementation of the armed humanitarian intervention. These practical considerations include:



- The mandate under which the UN military forces will operate
- The rules of engagement that dictate the actions of UN military forces
- The timing of the intervening forces and when to intervene
- The equipment that the UN forces are given to achieve their mandate
- The commitment of the UN military forces to their overall operation

Through an understanding of both the ethical and practical considerations, we can determine if military forces even belong in a humanitarian setting, and whether these military forces improve humanitarian intervention.

# **Ethical Considerations: Are Military Forces Appropriate?**

# Sovereignty versus Human Rights

There are many ethical considerations for including military forces in a humanitarian operation. The very use of military forces opens up a discussion of a nation's sovereignty and the protection of human rights. As previously discussed in JWT, the pre-conflict stage known as *jus ad* bellum presents criteria that must be met in order to commit military forces to battle or to humanitarian operations. This is especially relevant because the inclusion of military forces necessarily means the violation of another nation's sovereignty. This leads into a discussion that has been a critical part of international humanitarian foreign policy: whether violations of human rights justify outside intervention and the violation of sovereignty? This is both a legal and moral dilemma. Which takes precedence, sovereignty or human rights? Some would argue, including myself, that sovereignty is conditional, and should be based on the condition that the state will protect the human rights of their citizens. Under the idea of conditional sovereignty, military forces can be justifiably included in a humanitarian intervention when a state is failing to protect the human rights of its citizens. More specifically, looking at the case study of Rwanda, the Rwandan government lost its moral shield of sovereignty once it targeted its Tutsi citizens. This justifies a military intervention with the intention to protect civilians and the mandate to use force for the purpose of self-defense when attacked. In cases like Rwanda military force is not only justified but also crucial for protecting civilians.



GLOBAL RISK INTEL

# What Can Military Forces Accomplish?

According to Don Scheid (2014) "armed humanitarian interventions are foreign military actions that prevent or halt mass murder or other severe violations of human rights" (p.3). These armed humanitarian interventions can include far more than just ground troops. As mentioned in the introduction, armed humanitarian intervention can include naval blockades, arms supplies, military advisors, secret raids, the protecting of safe havens, the enforcement of no-fly zones, the bombing of military installations, or full-scale ground invasion (Scheid, 2014 p.3). The purpose of these armed humanitarian interventions as defined by Sinha (2002) is limited to protecting or rescuing innocent people. Paradigmatically, armed humanitarian intervention is intended to be strictly neutral concerning the parties to any conflict. This concept of neutrality will be further investigated in a later chapter.

### Justification

Humanitarian intervention, if justified at all, must meet a high threshold (Goodman, 2006). The next question that must be asked is if the UN Security Council has the authority to make these decisions. I would argue that there is no other international governing body better suited to make these decisions than the United Nations. According to the UN charter, human rights are the responsibility of the international society (United Nations, 2016). This means that the international community has the responsibility to ensure the protection of human rights worldwide. Personally, I believe that moral responsibility should not stop at state borders, and as long as the intervention fits the criteria set in place by JWT, the use of military forces is justified in a humanitarian setting in order to protect the human rights of citizens.

# **Responsibility to Protect**

This moral obligation to protect human rights is most commonly known as the responsibility to protect. This concept implies that there is a moral obligation of the international community to commit military forces to humanitarian operations under specific circumstances such as the gross violations of human rights. Armed humanitarian intervention has been controversial both when it happened, as in Somalia 1993, and Bosnia 1995 as well as when it failed to happen, as in Rwanda 1994. The theorist Grotius says "I may make war upon a man, tho' he and



I are of different nations, if he disturbs and molests his own country, which is an affair often attended with the defence of innocent subjects" (Recchia and Welsh, 2013 p.106). This statement by Grotius illustrates that a nation's duty to intervene in order to defend innocent lives from impermissible acts. In 2009, UN Secretary General Ban Ki-Moon listed pillars of strategy for implementing the responsibility to protect. These included (1) international assistance and capacity-building, or the duty to assist states in protecting their citizens, and (2) timely and decisive response (Bellamy, 2015 p.18). The unwillingness of the Western powers to intervene during the 1994 genocide in Rwanda is considered a moral failure by many. We must also remember that armed humanitarian intervention is a defensive war and intervening military forces must follow the rules of engagement established by the criteria of JWT.

When determining if the inclusion of military forces in a humanitarian intervention is justifiable the burden of proof lies with the state(s) planning to intervene for humanitarian reasons. For armed humanitarian intervention to be justified, it must fit the criteria listed under *jus ad bellum* in JWT, which includes a just cause for intervention. This type of intervention must be in response to impermissible crimes against civilians, such as genocide. Some argue that humanitarian intervention can be used as an excuse to violate sovereignty for the benefit of political agendas justified on human rights grounds. Admittedly, states that undertake armed humanitarian interventions usually do so in pursuit of both humanitarian and strategic goals.

# Practical Considerations: What Can Go Wrong?

#### Mandate

The practical considerations previously listed will all have a substantial impact on the humanitarian intervention. The mandate of the UN forces within a conflict is incredibly important. It defines what UN military forces are there to accomplish. This mandate may be subject to change throughout an intervention, yet most mandates for UN military intervention have involved a peacekeeping mandate. The mandate is such an important factor because it will determine what UN forces are there to accomplish and which rules of engagement they shall follow.



OPERATIONAL

GLOBAL RISK INTEL

Rules of engagement are the rules or directives to military forces that define the circumstances, conditions, degree, and the manner in which the use of force may be applied. (Moore 1998, p.43). The rules of engagement are significant because they will determine when and how UN military forces are able to engage the opposing groups. The rules of engagement play a pivotal role in each case study because of their impact on neutrality. As UN forces in all three of these case studies were at least initially considered a neutral peacekeeping force, the rules of engagement determined when these 'peacekeepers' were allowed to engage in combat. It seems impractical to include military forces and prohibit the use of force by any means.

#### Timing

Timing — which is especially relevant in the case of Rwanda, but also applies to both Somalia and Bosnia — is significant to an armed humanitarian intervention because if the international community responds too late, the damage that has been done might be irreversible. This situation was visible in Rwanda when assistance from the UN did not arrive until after the genocide had already been carried out, or in Somalia where UN forces did not arrive until thousands had already died of starvation.

# Equipment

The equipment which the UN military forces are given will have an impact as well. When improperly equipped, the UN forces are unable to carry out their mandate. This could be seen in Rwanda when UN forces were unable to transport Tutsi refugees fleeing from genocide due to the UN being supplied only with armored vehicles that were ineffective at transporting large numbers of people.

## Commitment

The last and arguably most crucial practical consideration for UN military involvement is the commitment that the UN forces have to their role in the conflict. This is especially relevant when discussing armed humanitarian intervention because the troops that will be providing the military assistance will not be from the country that is in conflict and their willingness to proceed with their operations may deteriorate over time. As the international community attempts to give aid during



complex humanitarian emergencies, it becomes very possible that the deployed troops will lose motivation rethink their commitment to their cause. This can be seen during the intervention in Somalia when the US withdrew its forces from the humanitarian effort after an incident in Mogadishu in which several US soldiers were killed. The withdrawal of the US forces negatively impacted the capabilities of the UN forces operating in Somalia. Lack of commitment to the operation can also have adverse effects for the people in need of aid. A closer look at the case studies will reveal how UN military forces embraced both the ethical and practical considerations. STRATEGIC OPERATIONAL

GLOBAL RISK INTEL

# **Chapter 3: Case Studies**

# **Somalia: From Peacekeeping to Aggression**

The attempt by the international community to rehabilitate the deteriorating political situation of the Somali government and distribute aid to the starving population demonstrates critical mistakes that can occur during an armed humanitarian intervention. Poor timing, lack of commitment, and an increasingly aggressive mandate would all



lead to the downfall of an intervention with just cause and just intentions.

#### **Historical Context**

The involvement of the UN in Somalia was a product of a new international climate created by the end of the Cold War and by the dramatic success of Operation Desert Storm in 1991 (Mayall, 1996). With a deteriorating situation in Somalia, the UN was to attempt a guick relief effort in order to protect the citizens of this politically and economically troubled country. At this time, Somalia was considered stateless. There was no government to request aid. The rebel United Somali Congress seized control of Mogadishu, Somalia's capital, but immediately split into two factions divided along clan lines. The stronger faction, the Somali National Alliance 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 (Makinda, 1993). Adding to the crisis was a drought that severely damaged the Somalis' ability to feed themselves. Drought and war brought famine, which killed 131,000-152,000 people between January 1991 and August 1992 (Seybolt, 2007 p.53). By August 1992, 1.5 million people —roughly 25% of Somalia's population — were at risk of starvation (Mayall, 1996 p.109). Only a few humanitarian organizations were able to continue operating during this time, and thousands of bandits stole much of the aid that non-governmental organizations (NGOs) attempted to provide (Makinda, 1993 p.53). Local factions levied heavy taxes on cargoes, took direct cuts of 10% to 20%

#### FOR PUBLIC RELEASE



of incoming aid, and charged exorbitant sums in exchange for providing relief agencies with armed escorts to 'protect' food deliveries which they frequently also looted (Makinda, 1993 p.108). The first commitment of UN military forces to humanitarian operations in Somalia was known as United Nations Operation in Somalia (UNOSOM). This UN force was mandated to monitor a ceasefire in Mogadishu, 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 (Connaughton, 1992 p.53). After receiving reports of humanitarian assistance failing to reach its intended targets, the UN Secretary General authorized 3,500 men to protect food convoys (Makinda, 1993 p.108). The implementation of this policy did not come until November, when Pakistani troops were able to take control of Mogadishu airport (Mayall, 1996 p.109). Before long it was clear that the small number of UN forces was incapable of maintaining the ceasefire between warring factions or protecting humanitarian aid convoys. Under UN Resolution 794 on December 1992, the UN Security Council invoked Chapter VII of the UN Charter to authorize the establishment of a Unified Task Force (UNITAF) under US command and control (Mayall, 1996 p.94). In addition to the Pakistani forces that were already committed to UNOSOM, support for the UNITAF was provided by sizable contingents from the US, France, Italy, Belgium, Saudi Arabia, Egypt, and Morocco (Makinda, 1993 p.111). The generous contribution of military troops suggested that the high probability of success threshold required through JWT was met. This intervention would prove difficult due to the lack of government in Somalia to negotiate with as well as the complexities of appeasing those in power or opposing them by force. On March 26<sup>th</sup> 1993, UN Resolution 814 approved a multinational force of 20,000 peacekeeping troops, 8,000 logistical support staff and some 3,000 civilian personnel. This new task force, UNOSOM II, would take over from UNITAF and UNOSOM I on May 4th 1993 (Makinda, 1993 p.118).

# **Role of UN Forces**

In total, there were three different UN military operations during this conflict. Although their mandate would change throughout the conflict, the overall intention of the UN forces was to successfully deliver relief to areas most in need and keep the peace between warring parties. It was believed that there would be limited need for the use of force due to their advanced capabilities, which the UN hoped would discourage attacks.



The inability of UNOSOM to fulfill their mandate of monitoring a ceasefire and escorting aid convoys led to the involvement of US ground troops in the conflict under UNITAF. The US agreed to involvement in Somalia under the conditions of securing the effective distribution of food, and of being limited in its deployment to the most devastated parts of the country in and around Mogadishu, Berbera and Baidoa. (Breau, 2005). US troops would also not wear the conventional blue UN berets. This move would symbolically blur the lines between peacekeeper and foreign aggressor. Operation Restore Hope was carried out by UNITAF and was empowered by UN Resolution 794 to employ 'all necessary means' to establish a secure environment for humanitarian relief operations in Somalia (Makinda, 1993 p.112). This mandate would imply that the use of force was not prohibited if used in self-defense. The operations carried out by US-led military forces would include some early success and many failures to improve humanitarian efforts.

### **Early Successes**

During the first two months of intervention, military engineers upgraded eight airfields across southern Somalia and repaired or built 2,500 kilometers of roads (Seybolt, 2007 p.56). Before UNITAF arrived, the port had been operating at 10% capacity. After UNITAF arrived in Mogadishu and repaired the seaport and airport, 40,000 tons of food, drugs, seeds, and tools were delivered between 10 December and 20 January (Seybolt, 2007 p.55). Possibly the greatest during the conflict came between September 1992 and February 1993. Operation Provide Relief was a combined effort of military personnel from USA, Germany, and Canada working with the WFP, United Nations Children's Fund (UNICEF), and the International Committee of the Red Cross (ICRC) to airlift relief aid to areas unreachable by road. An estimated 40,000 lives were saved (Weiss, 1999 p.54). Military presence also enabled local elders previously terrorized by rival militia to regain some of their traditional authority as community leaders (Mayall, 1996). Most observers concluded after a few weeks that UNITAF had succeeded in opening up supply routes and transporting food to most of the needy areas in southern Somalia (Mayall, 199). Mortality rates across the country declined sharply after October 1992, though it is worth noting that this decline began before large-scale intervention occurred. The early success of this armed humanitarian intervention would meet with later difficulties and a change in the UN mandate would spell disaster for the operations.

### **Critical Errors**

GLOBAL RISK INTEL

> When UN military forces first appeared, local warlords welcomed the new force and attempted to take advantage of the situation. Heavy weapons and military trucks disappeared from the streets. The UN force was too weak to prevent banditry or move beyond a restricted zone dictated by General Aidid. The US was not fully committed to operations in Somalia and wanted to establish a government and withdraw as soon as possible in order to mitigate any potential domestic criticism. To make things worse, UN forces in Somalia were referred to as "the Americans" by both Somalis and foreigners alike (Duffield, 2001 p.5). This confusion would lead to a negative view of UN military forces and further complicate their role as peacekeepers. A deteriorating security situation induced UNITAF into patrolling more aggressively, disarming townsmen who openly carried weapons, and raiding one of the most notorious arms markets in Mogadishu. Vast quantities of weapons from Kenya and Ethiopia made disarmament redundant. By May of 1993, the actions of UNOSOM II were seen by Aidid as a direct threat to his ambitions. On June 5th 1993, Aidid's forces attacked a unit of Pakistani UN forces and killed over 20 soldiers. One day later, UN Resolution 837 called for the arrest, trial, and punishment of the Somalis responsible for the attack on the Pakistani contingent. UN troops reacted by inflicting considerable Somali casualties. A number of these Somalis were not supporters of Aidid. (Mayall, 1996 p.116), however, and with the aid of simplistic media reporting, Aidid quickly gained an international reputation as an oppressed national hero bravely struggling against overwhelming 'imperialist' forces.

> The increasingly aggressive actions by UN military forces contradicted the criteria established in the conflict stage of JWT (*jus in bello*). The rules of engagement must stay true to the peacekeeping and defensive intentions stated in the pre-intervention stage. The rules change from peacekeeping operations to acts of aggression would lead to the downfall of UN operations in Somalia.

RATEGIC OPERATIONAL

GLOBAL RISK INTEL

In October of 1993, an attempt by US troops to capture General Aidid resulted in the capture of a US airmen and serious casualties among the US forces. This caused the American public to call

for withdrawal. US President Bill Clinton announced that US forces would leave Somalia by March of 1994 (Makina, 1993). After the US withdrawal, UNOSOM II lacked the ability to successfully protect humanitarian convoys. There were too few troops, and those that remained were too lightly armed to venture past defensive



positions where they could accomplish very little. Belgium, France, and Italy announced planned withdrawals as well (Makinda, 1993). UN Resolution 897 revised UNOSOM's mandate from peaceenforcement to peacekeeping (Mayall, 1996 p.120) but it was too late to fix the situation. Communication between soldiers and aid workers broke down, and UN forces reverted back to dealing primarily with local warlords instead of attempting to empower other local leaders (Mayall, 1996). After the US withdrawal in March 1994, aid organizations reliant on military protection found it impossible to count on negotiation with local faction leaders or elders. UNOSOM II gradually withdrew from everywhere except Baydhoba, Kismaayo, and Mogadishu. (Seybolt, 2007 p.59). Interclan violence and attacks on UN personnel across the country increased as the UN forces withdrew its garrisons to Mogadishu and prepared for the final withdrawal from Somalia by the end of March 1995 (Mayall, 1996).

# **Lessons Learned**

It would be an understatement to say that there were a few lessons to be learned from the UN's military involvement in Somalia. UN forces must be aware of the local context before they arrive. UN forces continued to control Mogadishu airport itself and to provide aid convoy protection while prudently turning a blind eye to the engagements which were becoming more and more frequent between rival Somali factions. (Mayall, 1996).

The 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. Between 625 and 1,500 Somalis were killed by UNOSOM II

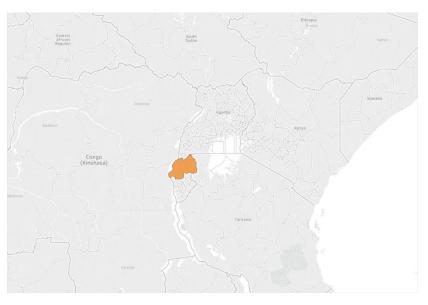


troops, more than half of them women and children (Makinda, 1993 p.59). It is even possible that in the time period after March 1993 UN troops killed or wounded as many people as humanitarian organizations managed to save during Operations Provide Relief and Restore Hope. Retrospectively, humanitarian organizations achieved a far greater proportional benefit with the help of a small airlift than with a large invasion. The UN operations in Somalia were criticized for being expensive, poorly led, poorly organized, and incredibly cumbersome. A total of 1.6 billion was allocated for UNOSOM's military operations. (Connaughton, 1992 p.52).

The UN chose to address humanitarian needs, but failed to address any political issues, and effectively had a negative political impact on the already government-void country. UNOSOM II achieved no political solution and a decade after it had withdrawn Somalia remained a failed state with practically no functioning government institutions. Seybolt (2007) emphasizes that aggressive use of force cannot be excused as a necessary evil to end whatever political situation might underlie a humanitarian crisis. In my opinion, military involvement in Somalia was beneficial until the UN forces' mandate changed from protection to aggression. While this was not the only mistake made by UN forces, it had arguably the most disastrous consequences. Unfortunately, some errors committed during this armed humanitarian intervention would reappear in both Bosnia and Rwanda.

# **Rwanda: A Failure to Act**

The issue of UN military involvement in Rwanda is that military troops did not arrive until after most of the damage had been done. When troops finally did arrive, their impartiality allowed much of the killing to continue. JWT prohibits crimes 'mala in se' or inhumane crimes. The act of genocide would most



definitely fit into this category. If such acts are being carried out, the international community is



justified in the use of military force to prevent these acts of genocide. The late contribution and impartiality of UN military forces amid such one-sided killing of civilians allowed for a colossal extermination of human life.

# **Historical Context**

Rwanda is famously recognized for the genocide which took place there in 1994. This genocide of the Tutsi people was planned and carried out by the Rwandan government. The Hutudominated government of President Juvenal Habyarimana had long persecuted the minority Tutsi population, prompting the rebel Rwandan Patriotic Front<sup>1</sup> (FPR) to launch a civil war from neighboring Uganda in 1990. In 1993, as a power-sharing agreement between the FPR and the government neared implementation, extremists within the government prepared to exterminate all the Tutsi in Rwanda rather than share power (Brutus, 1996). On April 6th 1994, the President was killed while returning from implementation talks, and extremists carried out their genocide with devastating speed and effect (Brutus, 1996). Within 100 days, Hutu extremists and ordinary Hutu peasants attacked their Tutsi neighbors, killing between 500,000 and 800,000 people (Brutus, 1996).

At the time of the President's assassination, Rwanda contained three military forces: the Rwandan government, the FPR rebels, and the United Nations Assistance Mission for Rwanda (UNAMIR). Government forces totaled about 40,000 including the army, national police and the 1,500-man Presidential Guard. Another 15,000 to 30,000 Hutu around Rwanda agreed to or were forced to participate in militias during the genocide (Kuperman, 2001 p.38). The Rwandan army and the militia, known as Interahamwe, were aided by local police and were the principal agents of the genocide.

It was the FPR that would bring an end to the genocide, not the UN forces. The FPR rapidly defeated the government and protected the population in areas it controlled. The FPR also launched rescue raids for large groups of people. 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 (Kuperman, 2001, p.74). This mandate was a classic UN peacekeeping mandate that was logical at the time it was issued but became ineffective when the killing began. General Romeo

<sup>&</sup>lt;sup>1</sup> French: "Front Patriotique Rwandais".



Dallaire, leader of the UN forces in Rwanda, was ordered to negotiate a ceasefire between the FPR and government forces. Had he been successful the FPR would have halted its advance and the genocide may have continued. Despite his orders, General Dallaire allowed his lightly armed soldiers to protect pockets of civilians in Kigali, the capital city, for as long as they could (Seybolt, 2007). The response of the UN to the events in Rwanda is shocking to say the least. The UN mandate would remain one of neutrality, which would only exacerbate the conflict.

# **Role of UN Forces**

The initial reaction of the UN was to reduce the size of the existing UNAMIR. When the Rwandan military killed 10 Belgian UN soldiers at the beginning of the genocide, the Security



Council voted to cut UNAMIR by 90% from 2,500 to a mere 250 lightly armed infantrymen, mainly from Ghana and Bangladesh (Kuperman, 2001 p.74). Virtually all Western UN forces withdrew from Rwanda after the killing of the Belgian troops by the Rwandan Presidential Guard, leaving the remaining UN forces and the Tutsi people to their fates. For those UN forces that remained, their mandate of implementing a ceasefire became obsolete, and their rules of

engagement were somewhat ambiguous but generally were interpreted to prohibit the use of force except in self-defense. By the time that outcry spurred the UN into taking action to stop the genocide, most of the Tutsi were already dead. As public awareness of the genocide became impossible to ignore and the active protection of civilians was imperative, the UN Security Council authorized reinforcements for UNAMIR and approved a French-led intervention known as Operation Turquoise (Kuperman, 2001). On June 22nd 1994, more than 2,500 French Foreign Legion troops launched a population protection operation, known as Operation Turquoise, 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 (Kuperman, 2001 p.78). This UN force established a 'neutral safe zone' in Southwestern



Rwanda. It is debatable whether this 'neutral safe zone' and the impartial nature of the French troops' mandate was the best course of action to save the Tutsi people from genocide or to mend the political state of the country. Officially, the initial French goals were to establish a presence, then move to stop massacres, counteract extremists, and protect the general population in southwestern Rwanda, where the RPF had not yet reached and the genocide continued (Kuperman, 2001 p.47). The impartial nature of their mandate and their limited equipment and personnel would restrict the UN forces' capability to protect the Tutsi people. According to Seybolt (2007) Operation Turquoise did not have enough troops to police many parts of the safe zone or enough trucks to transport people to safety. French patrols sometimes encountered pockets of endangered Tutsi in the course of their other duties but typically lacked sufficient troops and vehicles to conduct an immediate rescue (Kuperman, 2001). The French troops, lacking the forces, mandate, and interest to serve as a police force, did not intervene to stop looting or to arrest extremists.

Admittedly, the UN forces in Rwanda were not completely incapable of saving lives. As the only protective presence in the capital during the genocide, UN troops claimed to have saved the lives of most of the 20,000 Tutsi who were in Kigali when the rebels took control (Seybolt, 2007 p.74). A senior officer in Operation Turquoise claims that the killing of Tutsi in the Southern Rwanda ceased about a week after the arrival of French troops, but in all likelihood it continued at lower levels for several more weeks (Kuperman, 2001 p.49). Within the small portion of Rwanda in which the UN forces were stationed, it is difficult to say exactly what was accomplished by their presence. A lack of sufficient forces and equipment hindered their ability to defend or rescue Tutsi survivors of the genocide. Their mandate, based on the principle of impartiality, only allowed the use of force in the case of their own self-defense. The important question which must be asked is: can neutrality be considered the correct response in the case of such one-sided killing?

Toward the end of the conflict, the USA military became involved in a logistical effort called Operation Support Hope. This action was not directly part of the UN operation in Rwanda but it did assist UNAMIR in dealing with the large-scale humanitarian crisis. Operation Support Hope was able to save lives but the number saved was small. The military forces of Operation Support Hope collaborated with the overwhelmed humanitarian NGOs to fight the spread of cholera and dysentery within refugee camps. US troops were vital during this humanitarian operation. They set up water purification units, transported samples to laboratories, and flew in antibiotics. (Seybolt,

2007). This situation highlighted that in critical overwhelming circumstances, only a well-organized military logistics operation using heavy lift aircraft could hope to save so many people in such a short time.

# **Lessons Learned**

The UN forces operating in Rwanda had an difficult task given their limited size and their mandate of impartiality. The speed at which the slaughter took place was one of the primary factors hampering the success of the intervention. This difficulty was accompanied by a shortage of troops, a lack of large transports, and a belief in a two-sided civil war. According to Seybolt (2007), "UNAMIR could have done more if it had been bigger, fully equipped or more willing to take risks" (p.75). The UN military force was severely undercut by members of the UN that did not want to face the risks and costs of such aggressive action, even though aggressive action is what the responsibility to protect calls for in situations of such one-sided killing. A common theme between both Somalia and Rwanda is that in both cases the international community chose to treat the humanitarian symptoms of a political crisis rather than address the deeper causes of the suffering. One positive lesson from the case of the UNAMIR is that it showed that even a small force is capable of providing protection in dire circumstances, such as when General Romeo Dallaire and his 250 lightly armed UN troops were able to protect a large number of Tutsi people from genocide.

# **Bosnia-Herzegovina: The Dangers of Neutrality**

The conflict in Bosnia would once again highlight the dangers of impartiality and neutrality in situations involving the large-scale killing of civilian populations. Throughout the conflict, the mandate of UN military forces and their rules of engagement would hinder UN ability to save lives

and distribute aid to those in critical need. This conflict would also highlight the difficulties of attempting a peacekeeping mandate when there is no peace to keep.

# **Historical Context**

Before the wars of succession began, Yugoslavia was home to many different ethnic groups which had coexisted in relative harmony under the communist







government of Josip Broz Tito. Yugoslavia contained six republics: Slovenia, Croatia, Bosnia-Herzegovina, Serbia, Macedonia, and Montenegro. When Tito died in 1980, the Federative Republic began to fall apart. Newly elected Serbian President Slobodan Milosevic promised to hold Yugoslavia together under consolidated Serbian control, but despite this, Yugoslavia began to split along ethnic lines as the republics within Yugoslavia became more nationalistic.

After the secession of Slovenia and Croatia from Yugoslavia in 1991, Bosnia also sought to declare its independence. As was the case with Slovenia and Croatia, this effort was to result in violent conflict. Milosevic had political ambitions of creating a "greater Serbia" consisting of ethnically pure Serbs (Burg and Shoup, 1999). This goal would mean taking control of territory in Bosnia that was home to Bosnian Serbs. A majority of the conflict would take place within Bosnia due to the fact that Bosnia-Herzegovina contained three separate ethnicities: Bosnian Muslims, Bosnian Croats, and Bosnian Serbs. The war would result in atrocities being carried out by all sides, but most notably by the Bosnian Serb forces. The ethnic cleansing that occurred during the conflict created a clear need for international intervention.

The war in Bosnia was highly complex, with multiple factions and fronts, extensive international diplomatic and military involvement, and large-scale population displacement based on ethnicity. The main conflict within Bosnia was between the Bosnian Government Defense Forces (ARBiH) and the Bosnian Serb Army, also known as the Army of Republika Srpska. The Bosnian Serb Army was vastly more equipped than their opposition. This was mostly due to an arms embargo placed during the conflict by the UN.

#### **Role of UN Forces**

The UN military involvement in Bosnia-Herzegovina demonstrated both beneficial operations as well as ineffective and counterproductive methods of humanitarian intervention. As a result of the ethnic cleansing which took place throughout the conflict, over half the population of Bosnia was uprooted. Hundreds of thousands of people became dependent on humanitarian assistance, particularly in the besieged enclaves of Sarajevo, Srebrenica, Zepa, Gorazde and Bihac (McQueen, 2005). In an attempt to prevent civilian casualties, the UN would establish six 'safe areas' within Bosnia. In 1993 the UN declared the cities of Srebrenica, Sarajevo, Žepa, Goražde, Tuzla, and Bihać to be safe areas and placed them under the protection of the UN military forces. (Cutts, 1999). To this day, the establishment of the UN safe areas within Bosnia is considered a controversial move.



The resolution created by the UN was not entirely clear about how these safe areas would be protected, and it appears that the member states who initially supported the creation of safe areas were not willing to take the necessary steps to ensure their security.

The UN military intervention in this conflict was concentrated on the protection of civilians within Bosnia. The two main forces that the United Nations used to achieve their goal were the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Protection Force (UNPROFOR). The UNHCR was tasked with delivering aid to civilians within the conflict (Burg and Shoup, 1999). The UNPROFOR was tasked with protecting the safe zones declared by the UN and protecting the UNHCR and other humanitarian relief efforts (Burg and Shoup, 1999).

The UN forces' mandate would play a sizable role in their ability to accomplish their goals as it would change throughout the conflict and allow for varying degrees of military engagement. The UNPROFOR began with the mandate 'to create the conditions of peace and security required for the negotiation of an overall settlement of the Yugoslav crisis' (Seybolt, 2007 p.63). This initial mandate pushed UN military forces to engage in monitoring ceasefires and overall peacekeeping efforts. The mission was based on peacekeeping principles and the consent of conflicting parties with impartiality from the UN military forces, but it would soon become evident that there was no peace to keep. In the hope of limited involvement, the UN tasked the UNPROFOR with a peacekeeping mandate that included the escort of humanitarian relief convoys and the protection of Bosnian civilians in designated safe areas. The UN Secretary General stressed mediation rather than enforcement.

When the UNPROFOR proved incapable of providing humanitarian convoys with the protection they required, the mandate was again changed. In the fall of 1992, theUNPROFOR was mandated to use "all necessary measures" against Serbs who were intending to prevent provision of humanitarian assistance (Mayall, 1996 p.71). By 'all necessary measures' the UN military forces were entitled to the use of force in order to protect humanitarian convoys. UN Resolution 776 would then authorize the UNPROFOR to protect humanitarian convoys with the use of limited force and only in self-defense. (Seybolt, 2007 p.65). On 11 September 1992, the UN Security Council confirmed that UNPROFOR II, a force of 8,500 troops, could remove obstructing convoys by force if necessary (Mayall, 1996 p.73). By mid-November 1992, a British force of 2,400 men had arrived in Bosnia equipped with heavy armored personnel carrier and lighter vehicles (Mayall, 1996 p.73). In 1993 the UNPROFOR was acting under Chapter VII of the UN Charter, which meant that its role was



to maintain security and that the Secretary General now had the authority and the means to take all necessary measures, including military force, for the protection of UN personnel. According to Seybolt (2007, p65) 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.

The UNPROFOR was at times able to provide crucial security and logistical support for the UNHCR, yet their presence did not always help improve access for humanitarian efforts. The UNPROFOR had little success gaining access to areas which required movement through Bosnian Serb territory. Because the UNPROFOR required permission from the warring parties to move through their territory, they were often more restricted than the humanitarian organizations they were there to support.

The UNPROFOR attempted to protect their convoys by deciding which routes were secure, setting up outposts along regular routes, traveling with supply trucks, and giving shelter to their drivers in armored personnel carriers when convoys came under fire (Seybolt, 2007 p.65). Although some battalions were more willing to use force than others, the operational tendency was towards negotiation. It is important to note that the use of force by the UNPROFOR was very limited despite its inclusion in their mandate.

Although the UNPROFOR was tasked with providing security for humanitarian personnel, there were cases where they had the opposite effect. The Bosnian Serbs were very hostile toward the UNPROFOR, especially later in the conflict after North Atlantic Treaty Organization (NATO) air-strikes targeted Bosnian-Serb forces. The UNHCR's close co-operation with the UNPROFOR often had the effect of further jeopardizing its attempts to present itself as impartial. On a number of occasions, UNHCR convoy teams complained that the presence of UNPROFOR escorts had the effect of drawing fire onto them, and that they would be safer with no military escort (Weiss, 1999).

Convoy protection was one of the key responsibilities of the UNPROFOR performed but it appears to have had little discernible impact on the amount of aid that was successfully transported to its destination. Successful passage depended far more on the dynamics of the overall war and the diplomatic process than on the immediate presence of UN troops. (Seybolt, 2007).

The limited capabilities of the UNPROFOR during the conflict were largely due to the fact that they suffered greatly at the hands of the Bosnian Serbs. In 1995 hundreds of UNPROFOR soldiers were taken hostage by the Bosnian Serbs following NATO air-strikes. Some were even taken



to Serb military installations and chained to possible air-strike targets. At one point, an average of one UN vehicle per day was being stolen in Bosnian Serb territory (Weiss, 1999 p.38). The UNPROFOR was powerless to do anything about it. The over-running by Bosnian Serb forces of the inappropriately named 'safe areas' of Srebrenica and Zepa in the summer of 1995, and the subsequent withdrawal of all UNPROFOR troops from eastern Bosnia, marked the final humiliation of the UNPROFOR (Weiss, 1999).

#### Sarajevo Siege

A discussion about UN military involvement in Bosnia would not be complete without a review of the Sarajevo siege. Sarajevo was the headquarters of the Bosnian Government and its army as well as the largest concentration of UN troops in the country. 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 subject to years of death, terror, and hunger. This was the longest siege in modern history (Burg and Shoup, 1999 p.63). The majority of people in Sarajevo were entirely dependent on food distribution by humanitarian agencies (McQueen, 2005). One of the few available methods to deliver aid to the people starving in Sarajevo was through an airlift. In July of 1992, an airlift was launched to bring much needed aid supplies into Sarajevo. This combined operation of humanitarian and military resources had varying levels of success which were ultimately contingent upon diplomatic pressure and military activities elsewhere in the country. UN agencies met 70-80% of aid requirements for the city in 1993, and in 1994 they provided over 100% of minimum requirements, but in 1995 aid agencies met less than 10% of assessed requirements due to military pressure from the Serb forces after an attempted escape of the Bosnian army (Seybolt, 2007 p.64). Despite many setbacks, UN military forces managed the longest-running humanitarian air bridge in history. This enabled the UNHCR to sustain the population of Sarajevo and probably saved thousands of lives.

It is not possible to determine exactly how many lives the UN military forces can be credited with saving, but it is reasonable to say that their role in keeping the airport open and delivering aid kept a large number of people alive. According to Seybolt (2007, p.66) it is unclear how much of a role UN military forces played in getting aid delivered to those in need because the UNHCR and WFP already had a convoy program underway 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.

# **Critical Errors**

As previously mentioned, delivery of aid was complicated by the presence of Bosnian-Serb roadblocks and the restriction of aid delivery. The bulk of the aid was delivered by NGOs working with the UNHCR and the WFP. These NGOs used convoys of trucks traveling from distribution points located outside Bosnia. 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 (Seybolt, 2007). UN military forces, although allowed to use of force to pass these roadblocks, instead remained neutral and accomplished very little. The UNHCR was only able to deliver around 20% of estimated need (Burg and Shoup, 1999 p.17). The UN forces in general made the mistake of focusing all relief aid around basic needs such as food or medicine, and avoided developmental programs with any potential for political bias.

The safe areas established by the UN were a case of good intentions going horribly wrong. These designated safe areas were intended to protect enclaves of Bosnian Muslims who had

remained behind Serb lines after Bosnian Serb forces swept through most of Bosnia. In April 1993, UN Resolution 819 declared Srebrenica a safe area. Later that year the UN Security Council would declare five more safe zones in Bihac, Gorazde, Sarajevo, Tuzla, and Zepa (McQueen, 2005 p.67). Bosnian Muslims handed over their arms to UN forces in exchange for Serb forces allowing humanitarian convoys into



the enclave (McQueen, 2005). Between May of 1993 and May of 1995, Bosnia experienced only a small amount of fighting. This period of calm would not last because these safe zones stood in the way of Milosevic's plan for Greater Serbia. In 1995, Bosnian Serb forces moved against the safe areas. This was met great diplomatic outcry, but no military resistance by the UNPROFOR. On the contrary, UN troops in Srebrenica allowed Serb paramilitary forces to separate 8,000 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 (McQueen, 2005). When Zepa was overrun, UN troops helped to evacuate the population but did not include men and boys in the evacuation (McQueen, 2005). In Gorazde, UN troops had abandoned their observation posts by the time of the 1995 Serb offensive (McQueen, 2005).

These 'safe zones' represent the failure of the UN and their military forces. While the UN military forces did not conduct the massacre of Bosnian Muslims, they are partially to blame for them due to their refusal to defend the civilians under their protection. This is a clear case of the UN military forces failing to act on their mandate of using "all means necessary" to protect civilians. Had the UN military forces been bigger and more willing to act, countless lives could have been saved.

# **Use of Force/Neutrality**

During the conflict in Bosnia the UN forces found themselves in a similar situation to that of Rwanda, where the UN had entered the conflict with the intention of remaining neutral and acting solely as peacekeeper but was then confronted with the difficult task of attempting to conduct humanitarian efforts and diplomatic action while the war around them involved mostly one-sided killing and acts of genocide. I believe that unless a UN protection force is prepared to use force and accept the consequences, it will become a hostage of the combatants. According to Seybolt (2007) "UNPROFOR's unwillingness to use force to fulfill its mandate has resulted in a decline in the effectiveness of the safety net" (p.17).

At the beginning of the conflict in 1992, the UN's decision to limit their level of involvement was in order to prevent the escalation of force. This decision, however, would mean that there would be no military consequences for the Bosnian Serb army's actions. The UN focus on mediation and impartiality allowed for the Bosnian Serbs to continue their advances without risk of attack from UN forces. This resulted in further difficulty for humanitarian operations to provide aid.

The inclusion of military forces for the purpose of protecting humanitarian convoys and ensuring cease-fires made it more difficult to protect the organization's reputation for impartiality, because the adoption of any proactive role ran the risk of inciting retaliation against the existing UN forces. The UNPROFOR's mandate allowed for "all measures necessary" to ensure that humanitarian assistance was delivered, yet "all measures necessary" were rarely taken, and this was



most likely the first step in the decline of the credibility of the UN in Bosnia. In fact, I support the claim that the UNPROFOR's reluctance to use force is a representation of the international community's unwillingness to enforce humanitarian law.

### **Lessons Learned**

Certainly there are many lessons to grasp after the conclusion of this conflict. The involvement of the UN military forces did not always benefit humanitarian aid operations. At times their presence was counterproductive to the overall goal of delivering aid. Convoy protection did not consistently reduce the confiscation of aid at roadblocks. Aid workers eventually became identified with their military protectors and were targeted in the same manner. This problem first appeared in Somalia but it is clear that no lesson was learned.

The focus of the aid was to meet basic needs of the people. There was little to no attempt to develop greater capacities during the conflict by either the military forces or the humanitarian aid operations. This resulted in an even bigger mess to clean up after the fighting concluded.

The most recognizable lesson would come from the unwillingness of the UNPROFOR to use the military force allowed in their mandate. I argue that the UN was right to intervene under the principle of just cause, but their failure was caused by their inability to enforce their mandate of protection. This caused the military presence to have a counterproductive effect on humanitarian aid. Had the UNPROFOR been more assertive militarily, the mass slaughter of 8,000 men and boys may not have taken place, and UNHCR transports carrying vital relief supplies may have reached vital areas more frequently. UN military involvement was focused on restricting the escalation of force and preventing an even bigger war, yet their stance of neutrality is what allowed the genocide in Srebrenica and other atrocities. Safe areas proved to be the opposite of safe and instead became the site of the greatest massacre in Europe since the Holocaust. In his comments during the conflict, Mark Duffield (2001) said "the biggest problem is the paradigm of neutrality, the idea of only intervening in these situations with neutral aid (p.20). There are definite cases where military involvement is needed, such as Bosnia and Rwanda, yet the neutrality of military forces prevents their ability to carry out the mandate. I consider peacekeeping to be inadequate when mass killings of civilians occur.

It is possible that the gravest error executed by the UN and its military forces was the lack of follow-through on their intentions. On one hand they wanted to defend fundamental principles



without reserve or hesitation, but on the other, they were inexorably driven to seek compromise to save costs and lives for themselves. The weak UN military effort and lack of political will for stronger engagement was likely the result of the events of the previous intervention in Somalia. US military forces would also avoid their obligation to protect the people of Bosnia due to their ill-fated mission in Somalia.

In his book, The New Interventionism, James Mayall (2001) had this to say about armed humanitarian intervention: "There are some conclusions which must remain a matter of judgement rather than proof. These include the view that humanitarian intervention is a moral obligation and that as long as it cannot be proved that it costs more lives than it saves, it is incumbent on humanity do what it can protect life through all available mechanisms" (p. 87).



# Chapter 4: Retrospective Acknowledgements Findings

#### Comparison

It is imperative to understand that all three case studies — Somalia, Rwanda, and Bosnia — are connected. The UN committed to sending troops to Somalia for humanitarian assistance, but after the battle of Mogadishu, support for humanitarian intervention dropped substantially. As a result of this, when the situation in Rwanda eroded in 1994, the international community did not intervene despite the clear need for humanitarian aid. In fact, the USA intentionally avoided calling the conflict in Rwanda a genocide in order to avoid having to send troops to stop the bloodshed. According to the UN charter, it is the responsibility of the international community to protect human rights and prevent atrocities such as genocide. In Bosnia, the international community was again faced with a clear need to stop the ethnic cleansing of Bosnian Muslims. However, the military forces committed by the United Nations failed to take military action and instead became a liability that worsened the situation for the humanitarian convoys they were intended to protect. In some cases, humanitarian convoys were targeted due to their UN military escorts and some convoys had to use humanitarian supplies to feed their military escorts when they were unable to pass by Bosnian Serb roadblocks.

# **Addressing the Correct Problem**

While the UN was focused on remaining militarily intact and sustaining a politicallyacceptable level of casualties, there were other factors that were overlooked. A common theme across Somalia, Rwanda and Bosnia is that in each case the international community chose to treat the humanitarian symptoms of a political crisis rather than address the deeper causes of the suffering. Aid was focused on meeting basic needs and no attempt was made by either military or humanitarian forces to solve the deeper political issues. As seen in the case of Bosnia, military troops may actually do more harm than good if they confine themselves to protecting relief convoys and creating safe zones. In fact, the very creation of safe zones can prove to be detrimental. Safe zones can often prove to be unsafe if the situation on the ground changes, and the concentration of people in protected zones without adequate public health services can facilitate the spread of



disease. Overall the paramount concern of UN military forces in all three case studies would be the safety of UN military forces themselves.

# JWT, Conditional Sovereignty, and the Responsibility to Protect

When considering if military forces should be used in a humanitarian setting, one should look at JWT's conditions for military involvement. The conditions under *jus ad bellum* require a 'just cause' and implementation of military force as a last resort. This, combined with the concepts of 'responsibility to protect' and 'conditional sovereignty', will give clear guidelines for the acceptable inclusion of military forces in humanitarian operations. Therefore, the international community can and should use armed humanitarian intervention as a last resort to violate state sovereignty and protect civilians from crimes such as genocide. After the analysis of these three case studies, I believe that moral responsibility should not stop at state borders and that as long as the intervention fits the criteria set in place by JWT, the use of military forces in order to protect the human rights of citizens is justified. It is important to note that justification is just the first step. There are also practical considerations to observe in order to ensure that military involvement has a positive impact on humanitarian operations.

# **Timing & Equipment**

Timing and equipment will remain significant practical considerations of any intervention. If action is taken too late, the damage may be irreparable. Despite the importance of early action, a lack of political interest and institutional capacity from the international community can cause a delayed response or even a lack of response entirely. Prior to intervention, the famine in Somalia and the genocide in Rwanda had already claimed thousands of lives. Evidence in Rwanda showed that insufficient equipment would also limit the UN military forces' ability to assist in humanitarian operations.

# Commitment

The commitment of UN military forces to humanitarian intervention will also be an essential factor in their ability to provide assistance to humanitarian aid functions. This commitment incorporates troop size, level of involvement, and adherence to the mandate administered by the UN. In the Rwandan conflict, troop size was initially reduced when the mass killing began. In the

GLOBAL RISK INTEL

Somalian conflict, US troops wanted a limited involvement and thus withdrew from the conflict when popular opinion turned against overseas intervention. UN forces in Bosnia were unwilling to carry out their mandate to use force to protect humanitarian convoys and civilians. All of these instances represent an occasion when military forces could have improved the humanitarian situation but did not do so.

# Mandate and the Use of Force

The mandate and rules of engagement are crucial to the impact that military forces will have on a humanitarian operation. The UN Security Council is correct in allowing the use of force, but this use of force must not stray from its initial purpose of self-defense or the defense of targeted civilians, as it did in the conflict of Somalia. The direct targeting of General Aidid changed the appearance of UN military forces from peacekeepers to foreign invaders. A complete lack of military force is also incorrect. UN military forces are justified in using force and should do so in order to carry out their mandate of delivering aid to people in need. In cases like Rwanda and Bosnia where genocide takes place, the international community is justified in the use of military force to prevent these acts. I argue that neutrality cannot be considered correct in the case of such one-sided killing. If the international community has an obligation to protect civilians that cannot protect themselves, then the UN is justified in including military forces in humanitarian interventions with the intention to protect civilians and use military force in cases of self-defense. These military forces must be allowed the use of force in order to prevent crimes against humanity such as genocide.

# **Complications of Neutrality**

If the international community has a duty to protect human rights, then surely this duty extends to the use of force in order to protect the civilians who are being deprived of their human rights. At the very least, it extends to the protection of relief aid to those whose livelihoods are in danger. Protection implies the use of force to engage armed bodies targeting civilians, and therefore a mandate that includes protection can hardly be considered neutral. Military forces cannot adhere to principles of neutrality when they are required to defend civilians and humanitarian aid with the use of force. Military forces must be considered separate from the "neutral" humanitarian aid workers they are trying to protect. I would argue that humanitarian aid cannot be neutral at all. While the "principle" of neutrality may seem just, it is nearly impossible to



carry out and also ensure a humanitarian outcome. Intervening forces must understand that regardless of intended neutrality, the local population will not see the aid as completely neutral. Regardless of the context, the presence of humanitarian aid will always have an effect on the local area. Upon arrival, the intervening forces become part of the conflict. It is a delusion to think that they can operate above the fray. The belief that combating forces will refrain from targeting civilians and aid workers while foreign troops are present has been proven wrong in all three case studies.

#### Peacekeepers

The UN in each case study attempted to present itself as international peacekeepers. It chose a role of limited involvement to remain impartial and most likely to limit their risk as well. This approach may work in some cases, but it is not a universal approach to complex humanitarian emergencies. Peacekeeping can only work when there is peace to keep. During active conflicts which involve crimes against humanity such as genocide, peacekeeping efforts will have limited effect.

# **Benefits to Military Involvement?**

Military forces can have a positive impact on humanitarian interventions if used correctly. There are cases where military involvement is both needed and justifiable by criteria established under JWT. If the lessons from these three case studies are learned and acknowledged, armed humanitarian interventions could have positive impacts. Armed humanitarian intervention is not only justified in some cases but is crucial for the effective provisioning of humanitarian aid. Unfortunately, policymakers continue to sned small, poorly-equipped, and poorly-trained military forces into dangerous places and constrain them with mandates that further restrict their ability to act.



GLOBAL RISK INTEL

# Conclusion

Is humanitarian intervention improved by the inclusion of UN military forces? The question is not a simple one and many answers to it remain controversial. Concepts such as the responsibility to protect, international humanitarian law, and the overall neutrality of humanitarian intervention are still subject to ongoing debate. Humanitarian intervention is intended to be neutral and is intended to bring aid to those in need while remaining outside of the conflict. This runs contrary to this analysis, which indicates that humanitarian aid is never neutral and will always have an impact on the conflict. Furthermore, there are some situations that call for a military response from the international community. This 'responsibility to protect' would require a response to cases involving impermissible crimes against humanity, such as

genocide. Using JWT, the criteria in which the usage of military force is deemed acceptable can be established. When both the practical and ethical elements of intervention are taken into consideration, military forces can be used correctly and can be beneficial to humanitarian operations. Assessing and implementing the correct use of military force



is challenging and means adherence to a mandate and rules of engagement that allow for the use of force in self-defense when necessary. Ideally, military forces should be used as a last resort made necessary by a just cause, comparable to the use of force in combat as a last resort that is sometimes necessary. With proper timing and commitment to a just cause of involvement, military forces could have a positive impact on humanitarian intervention.

Armed humanitarian intervention is a relatively new type of operation and has been a central component of more recent debates in global politics, such as the debate within the international community around how to react to the complex humanitarian emergency in Syria. Ultimately, the United Nations decided not to commence armed humanitarian operations within Syria, which is in desperate need of humanitarian assistance. It is beneficial for the international community to learn from the experiences of the operations in Somalia, Rwanda and Bosnia. Constructive lessons can be gained and ideally applied to future armed humanitarian operations, which can produce a lasting positive impact.



# References

- Alston, P. and Macdonald, E. (2008). *Human rights, intervention and the use of force*. Oxford: Oxford University Press.
- Barnett, M. (2011). *The empire of humanity*. Ithaca [N.Y.]: Cornell University Press.
- BBC World Service. (2016). *MILITARY INTERVENTION FOR HUMAN RIGHTS*. [online] Available at: http://www.bbc.co.uk/worldservice/people/features/ihavearightto/four\_b/casestudy\_art28.s html [Accessed 12 Aug. 2016].
- Bellamy, A. (2015). The responsibility to protect.
- Biermann, W. and Vadset, M. (1998). *UN peacekeeping in trouble*. Aldershot, Hants, England: Ashgate.
- Breau, S. (2005). *Humanitarian intervention*. London: Cameron May.
- Brooks, T. (2013). Just War Theory. Leiden: Brill.
- Burg, S. and Shoup, P. (1999). The War in Bosnia-Herzegovina. Armonk, N.Y.: M.E. Sharpe.
- Butrus Galī, B. (1996). *The United Nations and Rwanda, 1993-1996*. New York: Department of Public Information, United Nations.
- Connaughton, R. (1992). *Military intervention in the 1990s*. London: Routledge.
- Cutts, M. (1999). The humanitarian operation in Bosnia, 1992-95: dilemmas of negotiating humanitarian access. [online] UNHCR Working Papers. Available at: http://www.unhcr.org/3ae6a0c58.pdf [Accessed 14 Aug. 2016].
- Donini, A., Fast, L., Hansen, G., Harris, S., Minear, L., Mowjee, T. and Wilder, A. (2008). *The State of Humanitarian Enterprise*. [online] Feinstein International Center. Available at: http://fic.tufts.edu/assets/ha2015-final-report.pdf [Accessed 11 Aug. 2016].
- Duffield, M. and Donini, A. (2001). Global Governance and the New Wars. London: Zed Books.
- Finnemore, M. (2003). The purpose of intervention. Ithaca: Cornell University Press.
- Golebiewski, D. (2013). *The Humanitarian Interventions of the UN*. [online] The Politic. Available at: http://thepolitic.org/the-security-councils-humanitarian-intervention/ [Accessed 19 Jun. 2016].
- Goodman, R. (2006). Humanitarian intervention and pretexts for war.
- Henderson, B. (2015). What have been the successes and failures of UN peacekeeping missions?. [online] The Telegraph. Available at:
  - http://www.telegraph.co.uk/news/worldnews/europe/bosnia/11729436/Srebrenica-20-



years-on-What-have-been-the-successes-and-failures-of-UN-peacekeeping-missions.html [Accessed 19 Aug. 2016].

- Humanitarian intervention and north-south politics in the 1990s. (1994). [Washington, D.C.]: Middle East Research & Information Project.
- Jacobson, T. (2012). U.N. Peacekeeping: Few Successes, Many Failures, Inherent Flaws. [online] INTERNATIONAL DIPLOMACY & PUBLIC POLICY CENTER, LLC. Available at:

http://www.idppcenter.com/UN\_Peacekeeping\_Failures.pdf [Accessed 10 Aug. 2016].

- Kertcher, C. (2003). *The search for peace -- or for a state*. Jerusalem: Harry S. Truman Research Institute for the Advancement of Peace, Hebrew University of Jerusalem.
- Kuperman, A. (2001). *The limits of humanitarian intervention*. Washington, D.C.: Brookings Institution Press.

Makinda, S. (1993). Seeking peace from chaos. Boulder, Colo.: L. Rienner.

- Mayall, J. (1996). The New interventionism, 1991-1994. New York: Cambridge University Press.
- McGreal, C. (2015). What's the point of peacekeepers when they don't keep the peace?. [online] The Guardian. Available at: https://www.theguardian.com/world/2015/sep/17/un-unitednations-peacekeepers-rwanda-bosnia [Accessed 12 Aug. 2016].
- McQueen, C. (2005). *Humanitarian intervention and safety zones*. Houndmills, Basingstoke, Hampshire: Palgrave Macmillan.
- Moore, J. (1998). Hard choices. Lanham, Md.: Rowman & Littlefield.
- Omaar, R. and de Wall, A. (2016). *Can Military Intervention Be "Humanitarian"? | Middle East Research and Information Project*. [online] Middle East Report. Available at: http://www.merip.org/mer/mer187/can-military-intervention-behumanitarian?ip\_login\_no\_cache=236b5388ecff06013216da02ac53b8b2 [Accessed 12 Aug. 2016].
- Recchia, S. and Welsh, J. (2013). Just and unjust military intervention.
- Scheid, D. (2014). The ethics of armed humanitarian intervention.

Seybolt, T. (2007). *Humanitarian military intervention*. Oxford, England: Oxford University Press.

- Sinha, M. (2002). *Humanitarian intervention by the United Nations*. New Delhi: Manak Publications.
- Sterland, B. (2006). *Civil Society Capacity Building in Post-Conflict Societies: The Experience of Bosnia and Herzegovina and Kosovo*. [online] International NGO Research and Training



Center. Available at: http://www.intrac.org/data/files/resources/404/Praxis-Paper-9-Civil-Society-Capacity-Buidling-in-Post-Conflict-Societies.pdf [Accessed 14 Jul. 2016].

- The United Nations and Somalia, 1992-1996. (1996). New York: Dept. of Public Information, United Nations.
- The WritePass Journal. (2015). *Can Military Force Promote Humanitarian Values?*. [online] Available at: http://writepass.com/journal/2015/10/can-military-force-promote-humanitarian-values/ [Accessed 28 Jul. 2016].
- United Nations. (2016). UN Charter (full text). [online] Available at: http://www.un.org/en/sections/un-charter/un-charter-full-text/index.html [Accessed 31 Jul. 2016].
- United Nations. (1999). SECRETARY-GENERAL PRESENTS HIS ANNUAL REPORT TO GENERAL ASSEMBLY | Meetings Coverage and Press Releases. [online] Available at: http://www.un.org/press/en/1999/19990920.sgsm7136.html [Accessed 18 Jun. 2016].
- United Nations. (2016). *The Universal Declaration of Human Rights*. [online] Available at: http://www.un.org/en/universal-declaration-human-rights/ [Accessed 24 Jul. 2016].
- UN.org. (2014). *List of UN Peacekeeping Operations*. [online] Available at: http://www.un.org/en/peacekeeping/documents/operationslist.pdf [Accessed 31 Jun. 2016].
- UN.org/preventgenocide. (2012). *The Responsibility to Protect*. [online] Available at: http://www.un.org/en/preventgenocide/rwanda/pdf/bgresponsibility.pdf [Accessed 31 Aug. 2016].
- United Nations Peacekeeping. (2016). *Success in Peacekeeping*. [online] Available at:

http://www.un.org/en/peacekeeping/operations/success.shtml [Accessed 31 Aug. 2016]. Walzer, M. (2015). *Just and unjust wars*.

Weiss, T. (1999). *Military-civilian interactions*. Lanham, Md.: Rowman & Littlefield.

Woodhouse, T. and Ramsbotham, O. (2000). *Peacekeeping and conflict resolution*. London: F. Cass.

Wheeler, N. (2016). "Legitimating Humanitarian Intervention: Principles and Procedures" [2001]
MelbJIIntLaw 21; (2001) 2(2) Melbourne Journal of International Law 550. [online] Austlii.edu.au.
Available at: http://www.austlii.edu.au/au/journals/MelbJIL/2001/21.html [Accessed 31 Aug.
2016].



www.globalriskintel.com