Is There a Duty of Humanitarian Intervention?

An Empirical Study with Moral Implications

Pierre Van Hoeylandt

Magdalen College

Trinity Term 2000 [ie 2001]



Thesis submitted in partial fulfilment of the requirements for the degree of

D.Phil. in International Relations at the University of Oxford

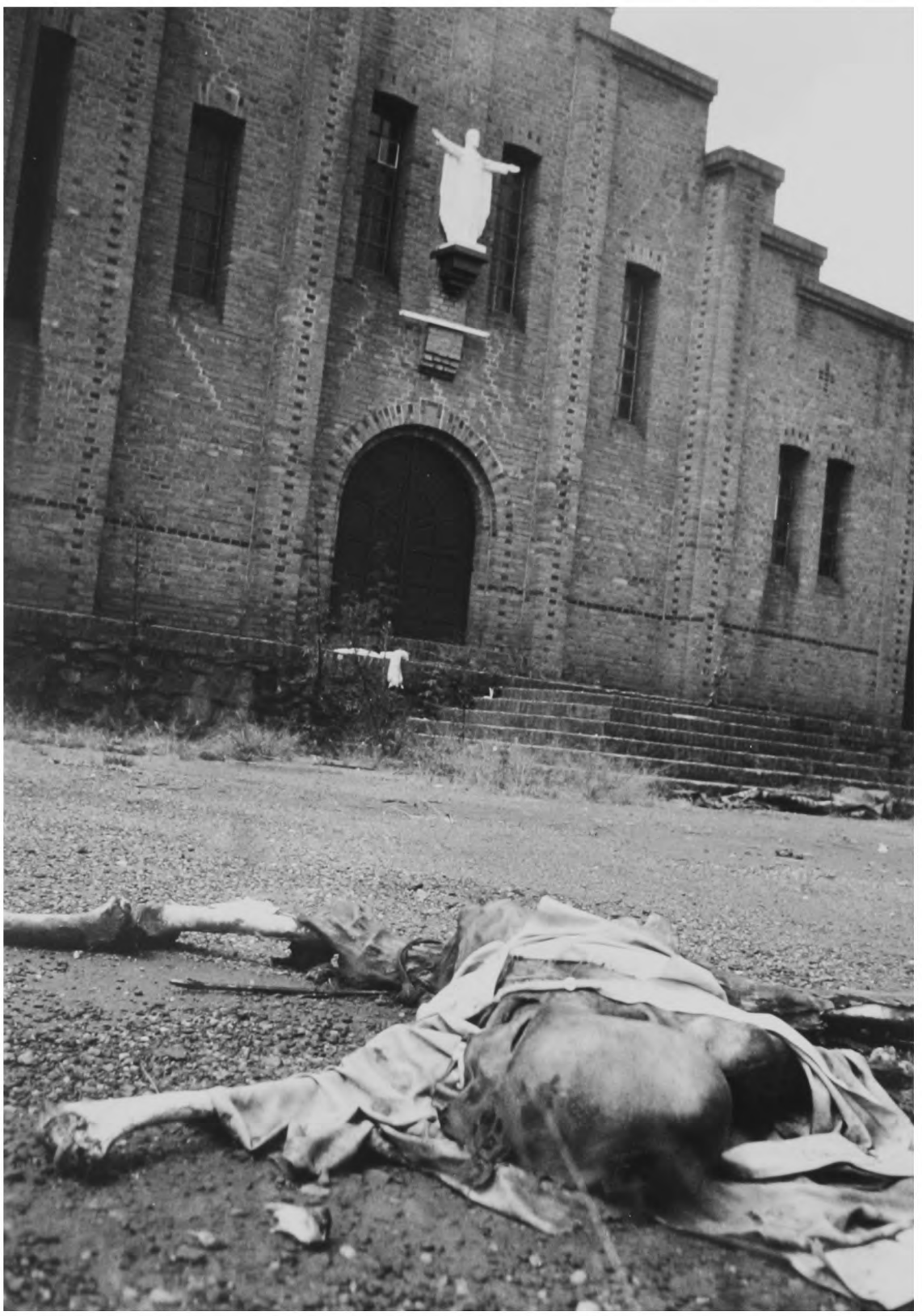
(Approximate word count: 100,000)



Abstract

Large-scale humanitarian crises in foreign countries raise the question of whether or not other countries have a duty to alleviate that suffering. In extreme cases, humanitarian intervention, that is: military intervention for the purpose of alleviating human suffering, is sometimes advocated as the morally required course of action. This thesis suggests that while the international community has a general moral responsibility to prevent and ameliorate humanitarian crises there is no simple duty of military humanitarian intervention. Hitherto, the question has typically been treated as a matter of either moral or legal principle. This thesis argues that empirical factors, which affect the international community's ability to carry out interventions effectively, have not been given their due weight in the debate. On the basis of evaluations of international responses to crises in Somalia and Rwanda, 1992 - 1994, it is suggested that a range of factors undermine the efficacy of humanitarian interventions. These factors include the impact of state interests, the effects of domestic politics in intervening states and, contrary to expectations, the role of humanitarian considerations in decision making on intervention. By showing the limitations of a simplistic view of a duty of humanitarian intervention the thesis seeks to contribute to reconciling idealism with realism in international crisis-responses. Based on sound moral and political judgment military interventions in humanitarian crises would hopefully be less ambitious and ultimately more effective.

To my mother



Photograph by the author, Nyarubuye, Rwanda, 4 September 1994.

Acknowledgements

Many people helped in the writing of this thesis. I would like to express my gratitude to my supervisor, Professor Adam Roberts, whose thoughtful, attentive, and often challenging comments have been invaluable.

I am greatly indebted to David Rodin, Thomas Kleine-Brockhoff, and Hilary Kivitz. Many of the ideas on the difficult balance between idealism and realism that are presented here were shaped by long discussions with them.

Chris Coleman, in the UN Department of Peacekeeping Operations, taught me the value of keeping a healthy dose of cynicism when writing about international military intervention. Many others have helped me to think through the issues that are touched upon in this thesis. I am particularly grateful to Charles Dobbie, Dominic Donald, James Gaessler, Lukas Haynes, David Keen, Antje Kuchenbecker, John Nagl, David Malone, David Shearer, and James Whitman.

Much of the field research in Somalia, Rwanda, at the United Nations in New York and valuable insights gained in Bosnia would not have been possible without the help of many good spirits. I can only name Sonia Bakaric, Ms. Dien, Taylor Freivel, Nana Mallet, and Cate Toups. I was also extremely lucky to have had the experienced advice of Colonel Mark Walsh, Alex Belida, John Dahlberg, Bettina Gauss, Pauline Jellinek, Mark Huband, Bob Press, Sheri Prasso, and Jane Standley.

The text benefited considerably from comments and suggestions by Claudia Josephs, Mary Meany, Oonagh Reitman, Juliet Borton, and Sarah Fitzpatrick who read draft chapters of this thesis and helped me iron out some of the worst linguistic bumps.

I am also grateful to the members of the Centre for International Studies at Oxford University and the participants of the 1998 MacArthur Foundation's conference on *Regional Security in a Global Context*, where parts of this thesis were presented, for their valuable comments and suggestions.

I am grateful for the generous support of the Cecil Rhodes Trust, which helped finance the first three years of my studies at Oxford. Part of this thesis was written during my time as a visiting scholar at New York University in the Department of Philosophy and I am indebted to Professor Paul Boghossian who made this possible.

Theses can't be written without good friends and I want to express my gratitude in particular to Dennis Chua, Milena Jovovic, Peter Nohrnberg, and Nina Arnth-Jensen.

Finally, I would like to thank my mother for her financial assistance, of course, but mostly for her unfailing encouragement and trust.

Table of Contents

Acknowledgments i

Detailed Table of Contents iii

Index of Maps & Graphs vii

Acronyms & Abbreviations viii

Introduction 1

Chapter 1 Ethics and Politics: A Framework for Analysis 18

Chapter 2 The Ethical Debate on Humanitarian Intervention 41

Chapter 3 The Changing Context of Humanitarian Intervention 79

Chapter 4 International Intervention in Somalia, 1992 - 1995 124

Chapter 5 Responses to Crisis and Genocide in Rwanda, 1993 - 1994 235

Conclusion 319

Interviews 347

Bibliography 352

Annex 377

Detailed Table of Contents

Acknowledgements i

Acronyms & Abbreviations viii

Introduction 1

Literature 6
Methodological Approach 8
Choice of Case Studies 10
Sources 14
Outline 16

Chapter 1 **Ethics and Politics: A Framework for Analysis** 18

1. The Need for Integrated Moral and Empirical Studies 18

The Basic Structure of Moral Duties 19
Moral and Empirical Complexity of International Humanitarian Intervention 20
Rationale for Case Studies 24
A Definition of Effectiveness 25

2. Factors Influencing the Effectiveness of Humanitarian Intervention 26

Politics in the International System 29
Domestic Politics 31
Humanitarian Considerations 33

3. Moral Implications 39

Chapter 2 **The Ethical Debate on Humanitarian Intervention** 41

1. The Case for Humanitarian Intervention 42

"Devoir d'Ingérence" and the Right to Humanitarian Assistance 43
Moral Arguments for Humanitarian Intervention in Ethics and International Law 47

2. What Ethical Yardstick? 53

3. The Case Against Humanitarian Intervention 56

The Moral Standing of States 57
World Order 58
The Danger of Abuse 61
The Danger of Moral Imperialism 63

4. Principles of Intervention 64

Just Cause 65
Legitimate Authority 67
Impartiality 69
Last Resort 71
Proportionality 72
Consistency 74
Prospect of Success 75

Chapter 3 **The Changing Context of Humanitarian Intervention** 79

1. Legality 80

Humanitarian Intervention and the UN Charter 80
Developments in International Human Rights and Humanitarian Law 82
State Practice 85

2. Doctrine of Humanitarian Intervention 92

Historical Origins 93
Legal Basis 97
Force Structure 98
Use of Force 99
The Issue of Consent 101
Safe Areas 103
Disarmament 105
The Issue of Impartiality 106
Sustainable Peace 108

3. Alternative Responses to Humanitarian Crises **109**

Preventive Diplomacy 110
Humanitarian Aid 113
Peacekeeping 115
Sanctions 118
Direct Military Support 120

Chapter 4 **International Intervention in Somalia, 1992 – 1995** **124**

1. Failure of Initial Military Responses to the Crisis **126**

Problems of Early Warning Mechanisms 132
Delays in United Nations Decision Making 136
Obstacles to the Implementation of UNOSOM 141

2. Large-scale Intervention despite Amelioration of the Situation **142**

UN Security Council Authorisation of UNITAF 148
The Decision off the United States Government 156
Perception and Reality of the Crisis in Somalia 175

3. UNITAF's Ambiguous Operational Approach **184**

Ambiguities of the Mandate 188
Purposes of Intervention 188
Political Authority 193
Pressures of Implementation 196

4. Escalation to Humanitarian War **200**

Origins of the Conflict with General Aideed 204
The Security Council's Decision to Launch a Humanitarian War 210
Implementing Escalation 215

5. Precipitate Withdrawal **218**

The Widening Gap between Goals and Means 222
Waning Commitment of the United States 224
Repercussions of the US Decision to Withdraw 230

Chapter 5 **Responses to Crisis and Genocide in Rwanda, 1993 – 1994** **235**

1. Failure of Conflict Prevention in Rwanda, August 1993 – April 1994 **237**

The Original Decision to Deploy UNAMIR 242
Local Challenges 244
Warning Signals of the Impending Crisis 246
Lack of Resolute Response by the UN Secretariat 250
Lack of International Commitment to UNAMIR 253
Lack of Humanitarian Concern 256

2. Withdrawal in the Face of Genocide **257**

International Reactions to the Crisis 261
Public Opinion and Humanitarian Concern 267
The Role of the UN Secretariat 271
Road-maps for the International Response to Genocide 274

3. Impartial Treatment of the "Genocidaires" and their Opponents **277**

Other Policy Options Against the Genocide 282
UN Culture of Impartiality 284
Systemic Predispositions to Support the "Interim-Government" 285
International Perception of the Rwandese Patriotic Front 286

4. Reinforcement of UNAMIR after the Genocide **288**

The Decision to Reinforce UNAMIR 293
Initiatives for Intervention 294
Resistance of the Security Council 296
Implementation 300

5. Authorisation of Opération Turquoise after the Peak of the Genocide **302**

The Debate in the Security Council 310
The Role of Humanitarian Considerations 314

Conclusion **319**

Conclusions from the Ethical Debate 319
Changes in the Emerging Doctrine of Humanitarian Intervention 324
Lessons from International Responses to Crises in Somalia and Rwanda 326
Moral Implications 346

Interviews 351

Bibliography 352

Maps & Graphs

Somalia

(1) General Map 129
(2) Famine Related Death Rates, 1991 – 1993 143
(3) Grain Prices, July – December 1992 144
(4) Media Coverage 1991 129
(5) Media Coverage 1992 131
(6) Combined Mortality Rates, Media Coverage and International Responses, January to December 1992 233

Rwanda

(1) General Map 238
(2) Advance of the RPA, April – June 1994 279
(3) Surviving Tutsi Population, April – July 1994 289
(4) Intensity of Genocide by Area 291
(5) Media Coverage, April – August 1994 317
(6) Combined Mortality Rates, Media Coverage and International Responses, April – August 1994 318

Annex Fax from UNAMIR, Kigali, to DPKO, New York, 11 January 1994 377

Acronyms & Abbreviations

ADFL	Alliance of Democratic Forces for the Liberation of Congo-Zaire
FAR	Forces Armées Rwandaises
ICRC	International Committee of the Red Cross
IFOR	Implementation Force (NATO operation in Bosnia, 1995-1997)
KFOR	Kosovo Force (NATO operation in Kosovo, 1999 - present)
KLA	Kosovo Liberation Army
LAS	League of Arab States
MPRI	Military Professional Resources Incorporated
MSF	Médecins sans Frontières
NATO	North Atlantic Treaty Organisation
NGO	Non-governmental organisation
NSC	National Security Council of the United States
OAU	Organisation of African Unity
OFDA	Office of Foreign Disaster Assistance within USAID
OIS	Organisation of Islamic States
RPF	Rwandese Patriotic Front
RUF	Revolutionary United Front (Sierra Leone)
SCF (UK)	Save the Children Fund (UK)
SFOR	Stabilisation Force (NATO operation in Bosnia, 1997 present)
SNA	Somali National Alliance
UNAMIR	United Nations Assistance Mission in Rwanda (1993 – 1996)
UNaHR Doc.	UN documents reprinted in *The United Nations and Human Rights, 1945-1995*, The United Nations Blue Book Series, vol. VII (New York: Department for Public Information, United Nations, 1995)
UNaR Doc.	UN documents reprinted in *The United Nations and Rwanda*, 1993 - 1996, The United Nations Blue Book Series, vol. X (New York: Department for Public Information, United Nations, 1996)
UNiS Doc.	UN documents reprinted in *The United Nations in Somalia, 1992 1996*, The United Nations Blue Book Series, vol. VIII (New York: Department for Public Information, United Nations, 1996)
UNITAF	United Task Force (US-led intervention in Somalia, 1992 – 1993)
UNOMUR	United Nations Observer Mission in Uganda and Rwanda (1993 – 1994)
UNOSOM I	United Nations Operation in Somalia (1992 – 1993)
UNOSOM II	United Nations Operation in Somalia (1993 – 1995)
USAID	United States Agency for International Development
USC	United Somali Congress

Introduction

Humanitarian crises in foreign countries have increasingly raised the question of whether outside military intervention is needed to stop the suffering. Faced with television images of large-scale human suffering many people share a sentiment that was expressed in simple terms by Michael Reisman in the 1970s: "When human beings are killed in another part of the globe, it upsets me very much and I want to do something about it."[1] In one sense, the will to come to the rescue of suffering people may be a mere short-term emotional or psychological reaction to the sight of suffering. But this is presumably not the only sense in which Reisman and others would conceive of it. In a deeper sense, their response can involve the belief that there is in fact a moral duty to stop the suffering, if necessary by military force. This thesis examines whether such a belief is compatible with ethical theory and to what extent it is grounded on sound judgement of political practice: is there, as some seem to suggest when such situations arise, a duty of humanitarian intervention?

The term "humanitarian intervention" is often used to refer to a wide variety of activities including humanitarian assistance, diplomatic involvement in humanitarian crises, humanitarian action by peace-keeping forces, protection of aid-workers and the delivery of humanitarian aid, protection of civilians in "safe areas", military intervention to stop genocide, assistance for the

---

1 Richard B. Lillich, ed., *Humanitarian Intervention and the United Nations* (Charlottesville: University Press of Virginia, 1973), p. 17.

establishment of democratic institutions,[2] and the temporary occupation of a country on humanitarian grounds,[3] or "United Nations Conservatorship."[4] This thesis focuses on what has become - despite alternative suggestions - the classic definition of "humanitarian intervention":

> military intervention in a state without the approval of its authorities, and with the purpose of preventing widespread suffering or death among the inhabitants.[5]

As a matter of fact, such international military interventions in humanitarian crises or with a strong humanitarian component became almost regular events during the 1990s. In 1991, in the aftermath of the second Gulf War, the United States, Britain, and France established protected zones for Kurds in Northern Iraq. In 1992, the United States led the multinational Unified Task Force, UNITAF, to fight famine and disorder in Somalia. From 1993 to 1995, that operation was succeeded by a large United Nations Operation in Somalia, UNOSOM II. The UN Protection Force in the former Yugoslavia, UNPROFOR, between 1992 and 1995 had strong humanitarian elements including through the establishment of a number of safe areas to protect Bosnian Muslims from "ethnic cleansing". In 1994, France led a multi-national intervention force, *Opération Turquoise*, to help end the genocide in Rwanda. Later that year, the United States intervened in Haiti to dispose of a regime that had been accused amongst other things of severe human rights violations. An air campaign by the North Atlantic Treaty Organisation against Bosnian Serbs in 1995 was at least partly the consequence of massacres of Bosnian Muslims. The following year, a multi-national military operation under Canadian command was ready to deploy to protect humanitarian assistance to Rwandan refugees in Eastern Zaire in 1996

---

2 Michael Mandelbaum, "The Reluctance to Intervene," *Foreign Policy*, vol. 95, summer 1994, pp. 3-18, 11.

3 Tom Farer, "Humanitarian Intervention: Lessons from the First Phase," *Human Rights Quarterly*, January 1996, p. 16.

4 Gerald B. Helman and Steven R. Ratner, "Saving Failed States," *Foreign Policy*, no. 89 (1992/93), p. 12.

5 Adam Roberts, *Humanitarian Action in War: Aid, Protection and Impartiality in a Policy Vacuum*, Adelphi Paper 305 (London: International Institute for Strategic Studies / Oxford University Press, 1996), p. 19. For a survey of alternative definitions of the term see: Oliver Ramsbotham and Tom Woodhouse,

before it was aborted due to changes of the situation on the ground. In 1997, Italy led a military operation in Albania following news about high levels of violence against civilians in the aftermath of civil unrest in the country. The decade of military interventions in humanitarian crises ended in 1999 with two large-scale operations: NATO launched an air campaign against Serbia that was officially aimed at protecting ethnic Albanians in Kosovo and that was followed by the deployment of a NATO-led military force. And an Australian-led multinational force intervened in East Timor where the transition towards independence from Indonesia had resulted in excesses against the civilian population.

Frequently, these operations were justified on humanitarian grounds. Sometimes governments went so far as to claim that military intervention was morally imperative. Two prominent statements, one from the beginning another one from the end of the 1990s, are indicative of this type of justification. On the eve of the US-led intervention in Somalia in December 1992, President George Bush argued in an Address to the Nation: "The people of Somalia, especially the children of Somalia, need our help. We're able to ease their suffering. We must help them live. We must give them hope. America must act."[6] In 1999, the British Prime Minister justified NATO's air-campaign in Kosovo on similar grounds: "This is a just war, based not on territorial ambitions but on values. We cannot let the evil of ethnic cleansing stand. We must not rest until it is reversed."[7] Just as in many cases military intervention was deemed necessary for humanitarian reasons, failure to intervene to stop large-scale human suffering was sometimes portrayed as a moral failure. One of the most notable examples is UN

Humanitarian Intervention in Contemporary Conflict. A Reconceptualization (Cambridge: Polity Press, 1996), p. 112ff.

6 George Bush, "Address to the Nation on the Situation in Somalia, December 4 1992," *Public Papers of the Presidents of the United States: George Bush*, book II, 1 August 1992 to 29 January 1993, p. 2175.

7 Tony Blair, *Doctrine of the International Community*, transcript of a speech given at the Hilton Hotel, Chicago, Illinois, 22 April 1999.

Secretary-General Boutros Boutros-Ghali's admission and moral condemnation of the international community's failure to prevent genocide in Rwanda in 1994: "We must all recognize that ... we have failed in our response to the agony in Rwanda, and thus have acquiesced in the continued loss of human lives."[8]

These statements resonated with a wider if not universal consensus emerging during the 1990s that the international community must not be indifferent to large-scale human suffering. Even academic scholars who, like Michael Walzer, had for a long-time opposed the idea of outside interference in the domestic affairs of states now argued that such suffering created an obligation to act, if necessary by military means:

> Massacre, rape, ethnic cleansing, state terrorism, contemporary versions of 'bastard feudalism', complete with ruthless warlords and lawless bands of armed men: these are the acts and occasions that invite us, or require us, to override the presumption against moving armies across borders and using force inside countries that have not threatened or attacked their neighbors.[9]

Similarly, some international lawyers are increasingly arguing on moral grounds that long-standing presumptions in international law against military interventions for humanitarian reasons should be modified. In 1999, Catherine Guicherd argued that there was an "incipient political and moral consensus that intervention is sometimes necessary to prevent human-rights violation on a major scale... [and that] it is now urgent that this consensus should be transformed into law."[10]

Such enthusiastic moral advocacy for humanitarian intervention stands in contrast with the sobering reality of many interventions. Numerous studies have pointed out various shortcomings including how humanitarian interventions are often deployed too late, how they

---

8 *Report of the Secretary-General on the Situation in Rwanda*, UN Doc. S/1994/640, 31 May 1994, para 43.

9 Michael Walzer, "The Politics of Rescue," *Social Research*, vol. 62, no. 1, Spring 1995, pp. 53-66, 54.

10 Catherine Guicherd, "International Law and the War in Kosovo", *Survival*, vol. 41, no. 2, Summer 1999, p. 19-34, 29. In 1999, Guicherd was Deputy for Policy Co-ordination to the Secretary General at the NATO Parliamentary Assembly (formerly North Atlantic Assembly), Brussels.

lack the mandate or means to effectively address humanitarian needs, how they are plagued by uncertain commitment from troop contributing countries, and how they are used as a substitute for political strategies.[11] These and other problems of military interventions in humanitarian crises which are examined below raise awkward moral questions: what implications do the shortcomings of interventions in practice have for the moral case for humanitarian intervention? Can there be a duty of humanitarian intervention in spite of the practical difficulties of intervention? Stanley Hoffmann has offered one way of answering these questions. Following an analysis of various shortcomings of interventions in his book *The Politics and Ethics of Humanitarian Intervention* he argued:

> The point of this long litany of conceptual, moral, and political difficulties is not to show that we are outside the domain of moral obligation, because reality blocks any attempt at applying the maxims we have recommended and because where there is no "can" there is no valid "ought." Some progress has already been made...and inconsistent collective interventions are better than none at all.[12]

Reconciling a sense of moral duty of humanitarian intervention with the experience of problems of implementation is a difficult matter. Hoffmann's argument that some progress has already been made is also valid.[13] However, whether "inconsistent" interventions are really better than none at all is an open question. Is there a point at which shortcomings of intervention would have implications for the validity of moral obligations? Are humanitarian interventions better than no intervention even if they cause more harm than good?

---

11 See Roberts, *Humanitarian Action in War,* 1996; Tobias Debiel and Franz Nuscheler, eds., *Der Neue Interventionismus: Humanitäre Einmischung zwischen Anspruch und Wirklichkeit,* Texte der Stiftung Entwicklung und Frieden (Bonn: Dietz Verlag, 1996); James Mayall, ed., *The New Interventionism. United Nations Experience in Cambodia, former Yugoslavia and Somalia* (Cambridge: Cambridge University Press, 1996); Jan Nederveen Pieterse, "Soziologie der humanitären Intervention. Bosnien, Somalia und Rwanda (sic) im Vergleich," *Das Argument. Zeitschrift für Philosophie und Sozialwissenschaften,* no. 217, 1996, pp. 781 - 800.

12 Stanley Hoffmann, "Sovereignty and the Ethics of Intervention," St. Hoffmann, ed., *The Politics and Ethics of Humanitarian Intervention* (Notre Dame, Indiana: University of Notre Dame Press, 1996), p. 34-35.

13 See chapter 3, *infra*.

This thesis argues that the shortcomings of humanitarian interventions have implications for the question of whether or not there is a duty to intervene militarily in humanitarian crises. Although there is a general moral obligation to help, there is no generalisable duty of humanitarian intervention because such a duty depends, *inter alia*, on the prospect for success. Without prospect of success, military intervention for the purpose of alleviating human suffering risks causing more harm than good. Under such circumstances there can be no duty to intervene. However, if in a particular case careful political judgement suggests that there is sufficient prospect for success, there may be a duty of humanitarian intervention.

Literature

With few exceptions, the real-world question of how to reconcile the idea of a moral duty of humanitarian intervention with the practical difficulties of intervention has not been addressed directly in the literature.[14] Traditionally, the topic of humanitarian intervention has been within the domain of International Law. As chapter 3 will illustrate in greater detail, international legal debate has focused predominantly on the question of whether there is a legal right of humanitarian intervention. Moral considerations played a role in that debate only in so far as some lawyers argued that humanitarian intervention *should be made* compatible with international law even if there was no sufficient basis for it in international treaties or in state

---

[14] Exceptions include: Stanley Hoffmann, ed., *The Politics and Ethics of Humanitarian Intervention*; Ramsbotham and Woodhouse, *Humanitarian Intervention in Contemporary Conflict*.

practice.[15] However, such arguments hardly ever considered the implications of practical difficulties of interventions for their argument.[16]

Ethical and political theory, which may be thought of as natural arenas for debate on moral duties of humanitarian intervention, did not typically address the tension between theory and reality of intervention either.[17] As chapter 2 indicates, philosophers inquired whether outsiders have a right to impose their particular view of human rights on other people or cultures.[18] They examined whether human suffering, even if it were universally recognised as such, would constitute an obligation for foreign countries to come to their rescue.[19] They pondered whether special obligations to the well-being of one's fellow countrymen can override potential obligations to assist foreigners on other continents.[20] On a more practical level, scholars revisited the traditional debates in the Ethics of War and established moral principles to govern the implementation of military intervention in humanitarian crises.[21] Few have examined the relation between practical difficulties of intervention and moral obligations. One of those

---

15 One of the best moral cases for a legal right of humanitarian intervention in the 1980s was presented in Fernando Tesón's *Humanitarian Intervention. An Inquiry into Law and Morality*, 1988. Ethical elements of the legal debate are examined in chapter 2.

16 A notable exception was Ian Brownlie, "Thoughts on Kind-Hearted Gunmen", in Richard Lillich, ed., *Humanitarian Intervention and the United Nations.*

17 See Fernando Téson, *Humanitarian Intervention*, 1988; David Luban, "Just War and Human Rights," *Philosophy & Public Affairs*, vol. 9, no.4, pp. 160-181; David Luban, "The Romance of the Nation-State," *Philosophy & Public Affairs* 9, no. 4, pp. 392-403; Gerald Doppelt, "Walzer's Theory of Morality in International Relations," *Philosophy and Public Affairs*, vol. 8, no. 1; Stanley Hoffmann, *Duties Beyond Borders. On the Limits and Possibilities of Ethical International Politics* (Syracuse: Syracuse University Press, 1981)

18 Michael Walzer, *Just and Unjust Wars. A Moral Argument With Historical Illustrations*, second edition, Basic Books (London: Harper Collins Publishers, 1992 [1977])

19 Alan H. Goldmann, "The Moral Significance of National Boundaries," in P. French *et alt.*, eds. *Midwest Studies in Philosophy VII* (Minnesota: Univ. Press Minnesota, 1982), pp. 437-453.

20 Robert E. Goodin, "What is so special about our fellow countrymen?," *Ethics*, vol. 98, July 1988, pp. 663 686.

21 H. Beach, *Do We Need a Doctrine of Just Intervention?* (London: Council for Arms Control, Centre for Defence Studies, 1993); David Fisher, "The Ethics of Intervention," *Survival*, vol. 36, no. 1, Spring 1994, pp. 511-59; Ian Forbes and Mark Hoffman, eds., *Political Theory, International Relations and the Ethics of Intervention* (London: Macmillan, 1993); K. Himes, "Just War, Pacifism and Humanitarian Intervention," *America*, no. 169, 14 August 1993, pp. 10-15, 28 31.

who did argued that the question whether there is a moral duty of humanitarian intervention was not so much an ethical question but a political one.[22]

Politics and International Relations represent the third field of literature where military interventions in humanitarian crises have been studied in detail. Every single intervention during the 1990s was the subject of considerable debate in the media and was scrutinised in academic literature. Particular elements of interventions have been examined across different cases: Military experts have studied problems of command and control in multinational operations. Regional specialists have focused on the effects of interventions on the target country. Others have examined the decision-making processes in international institutions on intervention and the impact of humanitarian interventions on humanitarian assistance, or have proposed ways to improve the effectiveness of interventions.[23] Most of these studies touch on the moral issues relating to humanitarian intervention only in passing, if at all. Beyond a general recognition that there is now a growing consensus that military interventions in humanitarian crises may sometimes be necessary there is generally little understanding of the complex interrelationship between notions of moral duties of humanitarian interventions and the practice of intervention.

Methodological Approach: Empirical Study with Moral Implications

This thesis seeks to contribute to a better understanding of how moral obligations that may arise from humanitarian crises can be reconciled with the difficulties that military interventions for humanitarian purposes face in practice. It hopes to illuminate to what extent

---

22 Bernard Williams, "Is International Rescue a Moral Issue?", *Social Research*, vol. 62, no. 1, Spring 1995, p. 67-75, 67.

23 A comprehensive bibliography of studies on all the interventions of the 1990s would fill a book in itself. For references to general articles on military interventions in humanitarian crises see chapter 3 and section 2 a) in the bibliographical appendix to this thesis.

appeals for humanitarian intervention are based on sound moral arguments or on simplistic humanitarian aspirations. In so doing, the thesis hopes to provide policy makers, journalists, soldiers, and practitioners of humanitarian assistance with a conceptual basis to reconcile their moral and political considerations.

The methodological approach of this thesis and its fundamental ethical argument are established in detail in chapters 1 and 2 respectively. At its core the thesis is based on an idea which has been central to a long tradition in ethics and just war theory: that there can be no duty of humanitarian intervention without the prospect that military intervention will contribute effectively to alleviating human suffering. In the absence of "can" there is no valid "ought" lest moral advocacy risks contributing to interventions that cause more harm than good. But this idea can only be a starting point for the examination of whether or not there is a duty of humanitarian intervention. If, as chapter 2 argues, such a duty depends amongst other conditions on the prospect of success, then the seemingly moral question raises a difficult empirical issue: under what conditions is military intervention in humanitarian crises likely to contribute to effective alleviation of human suffering? Or, if one approaches the question from the perspective of the international community, the most commonly cited addressee of a potential duty of intervention, then the empirical question at the heart of this thesis is: to what extent and under what condition is the international community able to intervene effectively by military means in humanitarian crises? The answer to this question has implications for the starting point of this thesis, i.e. the question of whether there is a moral duty of humanitarian intervention: if and when the international community lacks the ability to carry out humanitarian interventions effectively, it is not under an obligation to attempt such intervention.

Chapter 1 establishes in greater detail the framework on the basis of which this thesis examines what factors help or hinder the effectiveness of humanitarian intervention in practice. One way of assessing whether or not international military interventions in humanitarian crises have been effective is by studying a large number of cases. However, such an approach could not be sufficiently detailed to allow for in-depth study of the factors that may have hampered the effectiveness of interventions during various their various stages — from the decision-making process on intervention to implementation. For that reason, this thesis is limited to two in-depth case studies which seek answers to the following questions: first, to what extent have international responses to the humanitarian crises under examination succeeded in alleviating human suffering? What were there shortcomings? Second, how can that outcome be accounted for? What factors can explain the shortcomings of these interventions? The common set of questions permits a focused comparison across both cases.[24] On that basis, the conclusion of this thesis seeks to identify propositions about what factors help or hinder effective humanitarian interventions in practice.

Choice of Case Studies

Among the numerous cases during the 1990s, this thesis examines two that have become the central cases of international debate on the subject: international responses to crises in Somalia between 1992 and 1995 and Rwanda in 1994.[25] In both cases, the question was raised

---

24 Alexander Wendt, "Anarchy is what States Make of it: The Social Construction of Power Politics," International Organisation, vol. 46, no. 2, Spring 1992, reprinted in M.E. Brown, S. M. Lynn-Jones and S. E. Miller, eds., *The Perils of Anarchy: Contemporary Realism and International Security*, MIT Press, Cambridge, Mass, pp. 391 - 425.

25 On the use of case studies see: Harry Eckstein, "Case Study and Theory in Political Science," in Fred Greenstein and Nelson Polsby, eds., *Handbook of Political Science*, vol. 7, *Strategies of Inquiry*, (Reading, Massachusetts: Addison-Wesley, 1975), pp. 113 - 20; Alexander L. George, "Case Studies and Theory Development: The Method of Structured, Focused Comparison," in Paul Gordon Lauren, ed., *Diplomacy. New Approaches in History, Theory, and Policy* (New York: The Free Press, 1979), p. 43-68.

whether the international community should intervene militarily to alleviate large-scale human suffering in a country of little obvious strategic interest to the major powers. At first sight, the cases seem to differ in one crucial aspect: The United Nations authorised an intervention to stop the suffering in Somalia in December 1992 but it did not intervene to stop the genocide in Rwanda in April 1994. Upon closer examination, however, further questions arise about the international responses to these crises. As will be outlined below, the details of the Somalia case raise difficult questions regarding the timing, implementation and results of the intervention. The case of Rwanda is, in fact, not a case of non-intervention. Although the international community did not decide to intervene to stop the massacres in April 1994, it authorised the reinforcement of UN peacekeepers in May and authorised a French-led military intervention in June. At a deeper level, therefore, both cases raise several common questions: Why was the international community so slow to intervene? Why were the actions taken so limited? Were the actions taken at all effective in addressing the crisis? Beyond these common questions, several hard questions regarding particular aspects of both interventions need to be addressed.

Somalia

It is commonly assumed that the international intervention force UNITAF which was deployed in Somalia in December 1992 succeeded in saving thousands, if not hundreds of thousands of lives before it started to run into difficulties in early 1993. There are a number of reports, however, which argue that by the time UNITAF arrived in Somalia the worst of the humanitarian crisis in the country was already over. Put simply: UNITAF could not have saved the lives it claims to have saved because the period of massive starvation had ended before it

arrived.[26] These reports warrant serious examination. If true, they would raise the question of why the international community decided for a humanitarian intervention in the absence of a humanitarian crisis. Regarding the implementation of UNOSOM II, the UN operation which succeeded UNITAF, there is some evidence that its efforts to protect the delivery of humanitarian assistance and to establish a secure environment were not as effective as initially hoped for. If this were true, the question would again be: why? What factors prevented UNOSOM from achieving its stated goals? And what does the experience suggest about appropriate means to establish order?

Rwanda

According to some observers, the decision not to intervene to stop the genocide in Rwanda in April 1994 was particularly difficult to understand, or even morally blameworthy, because there had been ample warning signs of planned massacres.[27] At the beginning of the crisis some 2500 UN soldiers were already in the country as part of UNAMIR. Moreover, some 1400 additional élite forces from France, Belgium and the United States were dispatched to Rwanda to evacuate foreign nationals. The commanding officer of UNAMIR, General Romeo Dallaire, has frequently stated that he would have been able to halt, or at least hamper, the killings if he had been given the authority and more troops.[28] Both allegations — that there was sufficient information and sufficient capacity to stop the genocide — increase the complexity of

---

26 Ronny Brauman, *Humanitäre Hilfe*, p. 174; quoted in Matthias Pape, *Humanitäre Intervention. Zur Bedeutung der Menschenrechte in den Vereinten Nationen*, Schriftenreihe Demokratie, Sicherheit, Frieden, vol. 108, diss. Freiburg i.B. 1996 (Baden-Baden: Nomos-Verlagsgesellschaft, 1997), p. 189; Alex de Waal, *Famine Crimes. Politics & The Disaster Relief Industry in Africa* (Bloomington: Indiana University Press, 1997), p. 179ff.

27 *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience* (Copenhagen: Joint Evaluation of Emergency Assistance to Rwanda, March 1996), vol. 2, p. 88-89.

28 In a statement to the International Tribunal in Arusha, General Dallaire said: "if it [UNAMIR] had had the tools, it would've been a lot more effective;" CNN, February 25, 1998.

the question why the international community did not prevent the killings. Could the international community have prevented or stopped the genocide?

One factor that is commonly given to explain the decision against early intervention is lack of political will. Yet, in the months of April, May and June 1994 considerable efforts were made to foster sufficient political will for intervention. The interesting question is why did these efforts fail to succeed? Three months after the beginning of the massacres, the UN Security Council decided to authorise a "strictly humanitarian" French-led military intervention into Rwanda. There are reports, however, that this operation was aimed more at preventing the military defeat of the perpetrators of the genocide than at stopping the killing. It is also sometimes argued, that the number of lives saved by *Operation Turquoise* amounted to less than 3% of those killed during the genocide.[29] If these allegations were true, two kinds of questions would arise. First, what factors contributed to the French decision to intervene? And secondly, why did the UN Security Council authorise a military operation which many suspected was using the humanitarian "label" merely as a justification?

The first purpose of the case studies is to examine to what extent these allegations can be supported by evidence and to come to a conclusion on the extent to which the international community succeeded in effectively alleviating human suffering in Somalia and Rwanda. Secondly, the case studies attempt to identify those factors that were conducive to effective alleviation of human suffering and those that contributed to dysfunctional responses. By asking these same questions across both cases some more general conclusions may be drawn about the extent to which the international community is able or unable to conduct humanitarian intervention effectively. On that basis and informed by the lessons from the ethical debate on

humanitarian intervention, the conclusion will seek to identify what issues need to be considered when a decision is made whether military intervention is the morally required response to large-scale suffering.

Sources

Most of the relevant literature on international law and on the ethics of humanitarian intervention has already been mentioned above.[30] In its empirical part this study considers UN documents, reports by humanitarian organisations and a variety of NGOs and UN agencies, public policy statements by national governments, and a rich secondary literature on both cases. Two useful collections of UN sources on United Nations operations in Somalia and Rwanda are "The United Nations and Somalia, 1992-1996" and "The United Nations and Rwanda, 1993-1996" which were published as volumes VIII and X of *The United Nations Blue Books Series*. Both volumes contain all the reports of the Secretary General to the Security Council, Security Council statements and resolutions, letters from and to both the Security Council and the Secretary General, including many letters not published as United Nations documents. Not included in these volumes are transcripts of the debates and discussions that preceded the public statements of the Secretary-General and the Security Council. This part of the decision making process at the Council can be reconstructed from the provisional verbatim records of the Meetings of the Security Council which were consulted in UN depository libraries in New York and Oxford. These documents do not, however, cover the informal consultations of the UN Secretariat with Members of the Security Council. Nor do they provide information on internal files of the Secretariat and governments of troop contributing countries. For Rwanda, a report of

---

[29] Gerard Prunier in a study for *The International Response to Conflict and Genocide: Lessons from the*

an independent inquiry provides a detailed account of UN decision-making processes during 1994 based on extensive access to internal files.[31] Remaining gaps can be closed with some certainty by interviews with participants in the debates and on the basis of media reports at the time.

Public opinion in the United States can be ascertained partly by consulting opinion polls conducted by major polling institutes. The *American Public Opinion Index* provides an overview of the questions that were asked on various topics by different institutions.[32] Print- and television-media are also valuable in this regard. They reflected and contributed to the way crises in Somalia and Rwanda were perceived by the public. Moreover, articles in particular on the op-ed pages of leading newspapers contributed to the domestic pressure on governments on how to respond to these crises.

Archives consulted in the course of this thesis include the UN depository library in the Radcliffe Camera in Oxford, the Bodleian Law Library, various libraries of Oxford Colleges, the British Library, the Dag Hammarskjöld Library at the United Nations, the New York Public Library, the Bobst Library at New York University, the library of the Institut d'études politique in Paris, UNOSOM's temporary archives in Nairobi, the Berliner Staatsbibliothek, and the Hamburger Weltwirtschafts-Archiv (HWWA).

Interviews play an important role in the research for this study, especially because some key actors have not published their observations yet, or may never do so. In particular, motivations for political decisions are only rarely fully admitted in written form, but are to some

---

Rwanda Experience, vol. 3, p. 55.

30 See p. 6ff.

31 *Report of the Independent Inquiry Into the Actions of the United Nations During the 1994 Genocide in Rwanda*, by Ingvar Carlsson, Han Sung-Joo, and Rufus M. Kupolati, 15 December 1999. No page numbers (published as html document on the internet at www.un.org/News/ossg/rwanda_report.htm)

extent accessible through interviews. Some of the necessary interviews were conducted during my research in Somalia and Rwanda in 1994, in Bosnia in 1995 and 1996 and at the United Nations in New York in 1995, 1996 and 1998. The use of interviews particularly for research on contemporary and, to some extent emotionally charged topics obviously involves many problems. Witnesses may have incomplete or distorted memory of events. They may be tempted to make their own role or knowledge seem more or less important that it in fact was. They may for various reasons withhold crucial elements of information. The reliability of interviews depends, therefore, upon careful cross- and double checking of the responses of different witnesses with other sources and literature. As a rule, information from interviews is considered here reliable only when based on at least two independent sources.

Outline

This thesis's core idea of addressing a moral question on the basis of empirical studies challenges traditional methodological approaches to the subject of humanitarian intervention. Chapter 1 presents in detail the Analytical Framework of this thesis and argues that the question whether or not there is a duty of humanitarian intervention can only be answered satisfactorily on the basis of integrated ethical and empirical studies. The chapter explains the need for empirical study and presents the hypotheses and causal propositions that are examined in the cases studies in chapters 4 and 5. Chapter 2 reviews the Ethical Debate on Humanitarian Intervention. It examines the ethical case for humanitarian intervention, discusses the ethical yardstick by which the morality of humanitarian intervention needs to be evaluated and provides an outline of the conditions for legitimate intervention. The historical context of the case studies is examined in

---

32 *American Public Opinion Index*, 1992 - 1994 (Bethesda, MD: Opinion Research Service, 1994)

Chapter 3, which offers an outline of the Changing Context of "Humanitarian Intervention" in the 1990s. In particular, the chapter examines the legality of humanitarian intervention in international law, provides an outline of the changing operational doctrines of humanitarian intervention and discusses the benefits and shortcomings of potential alternative responses to humanitarian crises. Chapters 4 and 5 examine the cases of International Responses to Crises in Somalia and Rwanda. The case studies begin by identifying some of the key shortcomings of international responses to these crises. Subsequently, they seek to establish why the international community responded in the way it did and to identify those factors that were conducive to an effective alleviation of human suffering and those that contributed to dysfunctional responses. The Conclusion evaluates to what extent, in the cases under examination, the international community was able to conduct humanitarian intervention effectively. It evaluates to what extent the case studies confirm or refute the original empirical hypotheses and it develops more detailed subsidiary propositions about how diverging state interests, domestic politics and humanitarian considerations affected international military responses to humanitarian crises in Somalia and Rwanda. On that basis, a view is offered as to whether or not the international community was under an obligation to humanitarian intervention in Somalia and Rwanda and to what extent and under what condition the international community may have a duty of humanitarian intervention more generally.

Chapter 1

Ethics and Politics: A Framework for Analysis

This chapter provides a conceptual framework to integrate moral and political reasoning on humanitarian intervention. It makes an argument for why there is a need for empirical analysis in an area that has been dominated by ethical and legal studies and that has been sometimes obscured by simplistic public debate. It examines the common idea that a duty of humanitarian intervention is a duty of the "international community". Based on the argument that the international community can have no duty of humanitarian intervention without the ability to intervene effectively, the chapter develops hypotheses that will help assess this ability in two in-depth case studies in Chapters 4 and 5. The Chapter closes with a discussion of how the findings of an empirical examination may have implications for the question of whether or not humanitarian crises give rise to a moral duty of humanitarian intervention.

1. The Need for Integrated Moral and Empirical Study

Examining a moral question on the basis of empirical studies leads to some obvious objections. Political scientists may feel that moral questions invite answers that are inherently subjective, lack academic rigour and are hard to prove or disprove. Moral philosophers will be less concerned with the subject matter but may have doubts as to whether empirical studies can

contribute something to what has long been a predominantly ethical debate.[1] There is also an issue as to what extent questions about moral duties of humanitarian intervention imply an interest in policy prescription that sits uncomfortably with the idea of detached academic inquiry. The fact that in the 1990s humanitarian crises have frequently triggered moral appeals for military intervention nevertheless requires that one examines whether these appeals are well-intended but somewhat naive responses to the experience of gross human rights violations or whether they are grounded in sound moral argument based on informed political judgement.

The Basic Structure of Moral Duties

Moral appeals for military intervention to stop humanitarian crises are typically based on the general argument that large-scale human suffering requires the international community to take exceptional measures to stop it. More formally speaking, they are based on the idea that if a large number of people are in grave peril the international community has a duty to intervene.[2] Even a cursory look at ethical theory reveals that such a model is simplistic. According to Bernard Williams the basic structure of moral duties, or the general moral principle of rescue, has the following form:

> If (1) X is in peril, and
> (2) Y is saliently related to X's peril, and
> (3) Y can hope to offer effective aid to X,
> (4) at a cost to Y which is not unreasonably high,
> Y ought to help X;[3]

A short example may serve to illustrate this model. Consider the case of an armed policeman who witnesses how a man is about to kill a child. Must he intervene to save the child?

---

1 See also the discussion on the dichotomy between morality and politics in Kalevi J. Holsti, *International Politics: A Framework of Analysis*, 5th edition (Englewood Cliffs, N.J.: Prentice Hall, 1988), p. 381.

2 See the examples given in the introduction.

Condition 1 is fulfilled because the child is in peril. The policeman is saliently related to the child — condition 2 — at least in that his professional obligations require him to prevent this crime. Assuming that the murderer poses no threat to the policeman — condition 4 — one might think that the policeman is under a moral obligation to use his gun to disable the murderer and rescue the child. However, suppose the policeman were short-sighted and possessed only a shotgun. The chances that he, using the shotgun, would leave the child unharmed — condition 3 — would be limited. In those circumstances the policeman would therefore not be under an moral obligation to use the gun to attempt to rescue the child.

One can think of many other questions that are raised by the moral principle of rescue in general and by this particular example. Its main purpose here is to illustrate that an idea of a moral duty of humanitarian intervention that would be based merely on the existence of a large-scale humanitarian crisis, i.e. condition 1, is too simplistic to comply with the basic structure of moral duties even in the case of an individual agent. The practical context needs to be considered as well. In the case of military intervention in humanitarian crises, which typically involves a multitude of actors, the issue is even more complex.

Moral and Empirical Complexity of International Humanitarian Intervention

(1) One obvious factor that makes humanitarian intervention more complex than individual rescue is that it constitutes an intervention by one state or by a coalition of states in another state. That state may be the holder of rights which require outsiders to refrain from intervening militarily in what is often described as its internal affairs.[4] Against a potential duty

---

3 Bernard Williams, "Is International Rescue a Moral Issue?", *Social Research*, vol. 62, no. 1 (Spring 1995), p. 67-75, 67.

4 See *ibid.*

of humanitarian intervention may therefore stand a duty of non-intervention. The question how these competing duties can be reconciled is a problem that has been discussed at length in ethical theory and international law. The issue will be examined in detail in chapters 2 and 3.

(2) A second set of problems stems from the fact that humanitarian intervention involves the organised use of force. Whether and under what conditions the use of force is justified has been the subject of considerable debate particularly in ethics and just war theory. For military intervention to be legitimate it has to comply with numerous principles which will also be explored in chapter 2. Crucially, these principles include the condition that for military intervention to be morally legitimate it must have a prospect of success. This condition fundamentally expands the question of whether or not there is a moral duty of humanitarian intervention: it requires an evaluation of whether or not a proposed intervention is likely to achieve its intended purpose. Such an evaluation involves not ethical analysis but empirical research. The moral condition that for humanitarian intervention to be legitimate it must be likely to succeed is thus the crucial link which necessitates an integrated ethical and empirical study of the question whether there is a duty of humanitarian intervention.

(3) A third important element of moral complexity of humanitarian intervention is hidden in the addressee of moral appeals for military intervention in humanitarian crises. Typically, such appeals are addressed to a collective "us" or to the "international community". Whether there is a duty of humanitarian intervention is therefore a question that may be understood to mean whether the international community has such a duty.

On the face of it, the international community is an appropriate addressee of a duty of humanitarian intervention. This community is defined by a growing consensus that all of humanity shares some of the core universal values that underpin the idea of humanitarian intervention. In so far as

these values are in fact shared, they may give rise to obligations to uphold and protect them. As a representation of everybody, or every state of the world, the "international community" also seems to command virtually unlimited means to act in accordance with these values. The costs of even large-scale military interventions in humanitarian crises seem small if compared to, for example, global defence expenditure.[5]

In reality however, the international community is deeply imperfect. Consensus about universal values is still incomplete. Members of the international community have different opinions about whether, when, and how to intervene in humanitarian crises. Moreover, these differences of opinion affect the international community's collective ability – which is different from its theoretical capacity – to carry out effective intervention: The capacity of the international community comprises everything that is potentially at its disposal. In contrast, the ability of the international community to act depends on a more complex set of factors that will be discussed in detail in the course of this thesis. In cases when the international community is collectively unable to intervene effectively, as has been outlined before, it cannot have a duty to intervene and it is therefore not an appropriate addressee of a duty of intervention. Whether individual states are better addresses of a duty of intervention in a particular case requires careful analysis of whether their intervention would be in accordance with principles of legitimate intervention that will be discussed in detail in chapter 3.

One of the factors that can affect the ability of the international community to intervene effectively was identified by UN Secretary-General Boutros-Ghali when he deplored the failure of the international community to stop genocide in Rwanda in 1994: "Our readiness and capacity

---

5 Global defence expenditure in 1998 was in excess of US$ 785 bn (United States: US$ 266 bn). Costs of UN peacekeeping that year was US$ 1,3 bn after a peak of US$ 3.4 bn in 1994; International Institute for Strategic Studies, *The Military Balance 1999-2000* (London: Oxford University Press/IISS, 1999), pp. 291, 300-305.

for action has been demonstrated to be inadequate at best, and deplorable at worst, owing to the *absence of the collective political will.*"[6]

The dictionary defines will as "energy of intention" or "the faculty by which a person decides or is regarded as deciding on and initiating action."[7] Strength of will is a key factor that determines an individual person's ability to achieve a set objective, particularly in the face of obstacles. A person's strength of will may be robust and deeply felt or it may be fickle and be superseded by other priorities when circumstances change.

Collective will, and in particular the political will of the international community, is more complex. The international community represents not a single actor but many actors. In the contemporary international system, decisions on whether or not the international community intervenes in a humanitarian crisis and how it intervenes depend on the willingness of states. Different states may have different objectives and priorities. Thus, alignment among states may not be perfect. The strength of collective political will may be dependent on the leadership of a few influential states. Moreover, the determination of individual states may change over time. This is because the will of an individual state is itself an expression of the collective political will within that state. It may be affected by changing priorities of a government, of the political parties upon which its power rests, or of the people who vote for them.

Assessing the strength of the collective will of the international community to intervene is thus a complex undertaking that requires analysis of strength and depth of determination of individual states and of the decision-makers within states. Such an assessment is nevertheless

---

6 *Report of the Secretary-General on the Situation in Rwanda*, UN Doc. S/1994/640, 31 May 1994, para 43; *UNaR Doc.* 64, p. 290ff.; emphasis added.

7 "Will", *The Concise Oxford Dictionary*, eighth edition (Oxford: Clarendon Press, 1990), p. 1403.

crucial to determine the international community's ability to intervene because without sufficient collective will there can be no effective action.

Rationale for Case Studies

In order to establish whether or under what conditions there is duty of humanitarian intervention one has to examine not only the ethical conditions for and principles of legitimate military intervention.[8] As the preceding section has already indicated and as Chapter 2 will argue in greater detail, this question also depends on whether or not the international community has the ability to intervene effectively. That ability in turn depends not only on the theoretical military or economic capacity of the community of states but on the way the members of the international community decide whether to intervene and how to intervene. Also, that ability will depend on a host of other factors that influence the implementation of decisions for intervention. All three aspects — the decision whether or not to intervene, the decision how to intervene, and the implementation of intervention — are likely to involve many complexly interrelated factors. A good way to gain an understanding of how the international community intervenes in humanitarian crises is therefore to examine historical cases in depth.[9]

Chapters 4 and 5 embark on a historical examination of international responses to crises in Somalia and Rwanda in 1992 and 1994 respectively. The examination proceeds in three steps. It begins by establishing, as a point of reference, the achievements and shortcomings of those

---

8 Chapter 2 offers an analysis of the ethical debate on this issue.

9 On the role of case studies in the study of international relations see: Harry Eckstein, "Case Study and Theory in Political Science," in *Handbook of Political Science*, vol. 7, *Strategies of Inquiry*, Fred Greenstein and Nelson Polsby (Reading, Massachusetts: Addison-Wesley, 1975), pp. 113 - 20; Alexander L. George, "Case Studies and Theory Development: The Method of Structured, Focused Comparison," Paul Gordon Lauren, ed., *Diplomacy. New Approaches in History, Theory, and Policy* (New York: The

interventions: to what extent did they succeed in alleviating human suffering? This question requires one to establish the nature and dimension of the humanitarian crisis, the stated aims of the intervening forces, and the effects of the intervention during the implementation phases. On that basis it is possible to establish to what extent the stated aims of intervention appropriately addressed the nature of the crisis, to what extent the effects of intervention achieved the stated aims of the interveners and hence to identify the achievements and shortcomings of these interventions. In a second step, an account needs to be given of the causal factors that were responsible for determining the particular outcomes in each case. The analysis begins with an examination of the decision-making process on whether or not to intervene, continues with an inquiry into how the aims of intervention were formulated, and ends with a historical study of the process of implementation of intervention. The third step, to be presented in the conclusion of this thesis, draws together the findings of the two case studies in order to identify generalisable hypotheses about the ability of the international community to intervene effectively in humanitarian crises.

A Definition of Effectiveness

One further clarification is required before the following section explores in greater detail what factors one might be looking for to explain the successes and failures of interventions in Somalia and Rwanda. It concerns the question: what is an effective humanitarian intervention? Military interventions are conducted for a variety of purposes. Different actors may have different ideas about what an intervention is supposed to achieve. Preventing or stopping large-scale human suffering is just one possible aim. Others include containing a conflict, preventing

---

Free Press, 1979), p. 43-68. Stephen Van Evera, *Guide to Methods for Students of Political Science*

refugee migration, or demonstrating political leadership or the cohesion of a military alliance. There may thus be a variety of different criteria for the "effectiveness" of an intervention. Since this examination is concerned with the question of whether the international community has a duty to intervene militarily to alleviate large-scale human suffering the criteria for effectiveness is comparatively simple. One must assess the effectiveness of military interventions under examination on the basis of the stated purpose that was intrinsic in their justifications as humanitarian interventions: their ability to alleviate large-scale human suffering. Effective humanitarian intervention is thus defined here as the effective alleviation of large-scale human suffering.

2. Factors Influencing the Effectiveness of Humanitarian Intervention

The ability of the international community to conduct humanitarian interventions effectively is influenced by two simple facts: somebody has to decide to do it; and somebody has to do it. Most military interventions in humanitarian crises during the 1990s were authorised by the United Nations and implemented by coalitions of states.[10] The United Nations is not a unified single actor and its highest decision-making body on matters of peace and security, the UN Security Council, consists of representatives of individual nation states. The same holds true for coalitions of states including the North Atlantic Treaty Organisation (NATO). On a first level of analysis the case studies in chapters 4 and 5 will therefore aim at identifying factors that influence the United Nations' or any other coalition of states' ability to initiate humanitarian interventions and to implement them effectively. In particular, the case studies examine to what

---

(Ithaca: Cornell University Press, 1997)

extent potentially diverging state interests helped or hindered the authorisation and implementation of humanitarian interventions. A second level of analysis is in turn concerned with the factors that influence the ability of the members of the Security Council, or members of other coalitions of states, to agree on authorising a humanitarian intervention and to support their implementation. In particular, the cases studied examine how domestic politics influence states' policies on humanitarian intervention. A third angle of analysis in the case studies focuses on a less familiar factor that influences the actions of multi-national institutions, states, and individuals: humanitarian considerations, ranging from empathy with the victims of large scale humanitarian crises to a belief that there is a moral duty of humanitarian intervention. It is difficult to prove how such humanitarian considerations influence policy-making. Yet, it is a factor worth examining because it may be thought that the more policy is influenced by humanitarian considerations the more likely it is to lead to humanitarian results.

In order to give the examination of the effects of state interests, domestic politics, and humanitarian considerations on military interventions in Somalia and Rwanda greater focus, the cases studied in chapter 4 and 5 seek to confirm or refute the following hypotheses:

1. State interests hamper international agreement on, and implementation of, effective humanitarian intervention.

2. The way in which domestic politics influences state behaviour undermines the ability of military interventions to achieve their humanitarian objectives.

3. Contrary to expectations, the way in which humanitarian considerations influence the initiation and implementation of military interventions hinders rather than helps effective military responses to large-scale humanitarian crises.

The following section introduces some preliminary causal propositions about how state interests, domestic politics, and humanitarian considerations may influence decisions on and

---

[10] For an overview of the development of authorisation, doctrine, and implementation of military interventions in humanitarian crises during the 1990s see chapter 3.

implementation of humanitarian intervention in practice. Before that, it is necessary to briefly discuss the nature of state interests and their compatibility with humanitarian action.

It has been argued that states have objective interests such as interests in power, wealth and prestige. It has also been argued that humanitarian action may be most effective when it is supported by state interest. Both conceptions are somewhat misleading. Rather than to assume that state interest is somehow objectively given, it seems more plausible to assume that it is defined in domestic political processes within states. As such state interest is ultimately rooted in the values of the participants in these political processes.[11] Such values may, of course, be a basis for an interest in power, wealth and prestige of states but they may also give rise to support for humanitarian action. Political processes within a state may determine that the state should pursue humanitarian action. Such action thus comes to be in the interest of that state and will be perceived as such by other states. The common idea of a dichotomy between interests and humanitarian values would therefore seem to be overstated.

The difficulty is to judge whether a domestically determined state interest in humanitarian action is likely to be as steady and long-term as more traditional interests in power, wealth, and prestige. There is a risk that domestic support for humanitarian action wanes or is superseded by other competing interests when such action becomes costly. In that sense it may be said that interest in or state support for humanitarian action is likely to be most sustainable when it is based on a combination of altruistic convictions and interests that are concerned with the well being of the intervening nations.

---

[11] See: James N. Rosenau, "National Interest," International Encyclopedia of the Social Sciences, vol. 11 (Macmillan Company & Free Press, 1968), pp. 34-40, 34; Robert, E. Osgood, *Ideal and Self-Interest in America's Foreign Relations. The Great Transformation of the Twentieth Century* (Chicago: University of Chicago Press, 1953), pp. 1-23

Politics in the International System

How can state interests make it difficult for the international community to agree on and implement effective humanitarian interventions? This thesis examines in particular the following causal propositions. (1) Decisions to authorise military interventions are made by the UN Security Council by affirmative vote of nine Members including the concurring votes of the five Permanent Members. Since a veto by only one of the Permanent Five Members (P5) or the combined objection by seven non-permanent members of the Council can prevent an authorising resolution from passing, humanitarian interventions require a consensus among the P5 and additional support by at least four non-permanent members.[12] This can be a formidable hurdle for international action and can prevent humanitarian intervention from the outset. (2) Mandates for humanitarian interventions are determined in negotiations between Members of the Security Council typically on the basis of recommendations by the Secretary-General. Even if a humanitarian intervention is authorised by the Council, its mandate is usually the result of a compromise between the preferred objectives of Member States.[13] Thus, disagreement about what interveners should actually do may affect the outcome. For example, intervention forces in humanitarian crises can be given mandates that permit them to address only part of the problem they are ostensibly sent to address. It may prevent them from providing any effective alleviation of suffering. (3) The implementation of UN authorised interventions depends on the willingness

---

12 Charter of the United Nations, Art. 27, paragraph 3; see Sydney Bailey & Sam Daws, eds., *The Procedure of the UN Security Council*, 3rd edition (Oxford: Clarendon Press, 1997).

of Member States to provide troops and financial support. If the number and quality of troops provided by Member States is insufficient, a UN authorised intervention may not be able to fulfil its mandate. (4) Negotiations on mandates for intervention at the UN Security Council and negotiations between the UN Secretariat and Member States on the provision of troops and financial support are time-consuming. By the time a UN authorised intervention force is ready to be deployed in a humanitarian crises the situation there may have changed considerably. (5) The capacity of most UN Member States to provide the necessary troops for humanitarian interventions and to deploy them in theatre is limited. In practice, the international community's capacity to conduct humanitarian interventions is particularly dependent on one state, the United States, and its willingness to intervene or to support intervention. That dependency makes international interventions in humanitarian crises excessively vulnerable to the effects of domestic politics in the United States.

Evidence for the validity of these propositions in particular cases can be found by examining the reaction of the Security Council to humanitarian crises. As was indicated earlier, that reaction can be ascertained by looking at the relevant Security Council resolutions, at accounts of the meetings of the Security Council prior to the adoption of a particular resolution, and by conducting interviews with participating Representatives or high ranking UN officials. The extent of the dependency of UN operations on the support of Member States can be determined by looking at the secondary literature which analyses the conduct and results of

---

[13] Fred Eckhard, Spokesman for the UN Secretary-General, described the impact of domestic politics on policy debates among Members of the Security Council pointedly as follows: "Governments are always struggling to maintain some kind of parliamentary majority or level of popular support. This really is a daily fight for ratings. In the same way that television shows struggle for ratings to keep advertising revenue coming in at an acceptable level, governments also fight for those same ratings, [especially] democratic governments do. This does not tend to give you a basis for longer-term strategies. When you get a bunch of governments in the Security Council [that are] all bowing to domestic pressures, you get a very funny debates." Interview in New York, 30 January 1998.

interventions and identifies the factors that were responsible for delays and lack of equipment and support. Gaps in the literature have to be filled by re-examining UN reports and press reports from the time of intervention and on the basis of interviews with participants of intervention, both at UN headquarters and in the field.

Domestic Politics

How can domestic politics in individual member states, in particular in the United States, influence the international community's ability to carry out humanitarian interventions effectively? This study examines the following propositions: (1) Governments depend on domestic support, particularly in democracies. They are sensitive to their domestic standing especially in election years. If the authorisation of or participation in a humanitarian intervention is widely unpopular at home governments will not authorise it at the Security Council nor will it deploy troops as part of that operation. (2) Governments usually do not only face one unified block of public opinion but a variety of interest groups. To ensure their own political support governments typically rely on different interest groups some of which are supportive of interventions, while others are opposed. Others may object on various grounds, including concern about the risk to the participating soldiers' lives. In that situation, one may think, governments are inclined to support a compromise by agreeing in principle to a humanitarian intervention but by ensuring, for example, that their troops will not be under a great risk for their lives. Such compromise-interventions risk to promise more than they are able to fulfil. (3) Governments do not expose themselves to unnecessary risk. Involvement in humanitarian interventions carries such a risk. Governments are therefore likely to participate or support humanitarian interventions only when there is sufficient domestic support. Domestic support for

humanitarian intervention depends on a variety of factors: support by the media, congress, key lobby groups and others. There may be significant time-lapse between the beginning of a large-scale humanitarian crisis, its perception abroad and the creation of significant levels of domestic support for intervention. By the time a government faces sufficient domestic pressure to make a decision for humanitarian intervention the situation on the ground may have changed. (4) Domestic public support for the initiation of a humanitarian intervention is not guaranteed to be long-term and sustainable. When casualties sustained by the intervention force raise the costs of intervention, when other issues occupy the attention of domestic public opinion, or when the implementation and purpose of intervention do not make sense any more to the public, then domestic support dwindles. Governments are likely to withdraw their troops if domestic support for a humanitarian intervention is lacking.

Evidence for the effects of domestic politics on governmental policy on intervention can be found in a variety of sources. Public opinion at the time of the humanitarian crises under investigation has been traced by polling institutes and examined in several academic publications. Newspaper reports from the period, especially from the front page and op-ed pages of leading international papers provide a valuable insight in public opinion as perceived by the media. The impact of pressure by Congress and other interest groups can be gathered from the various instances in which it is identified in the secondary literature. Interviews with governmental officials can serve to ad some first hand evidence and to gauge the importance of various initiatives for intervention. By correlating a number of key governmental decisions with the evidence of public pressure a plausible argument can be made about the impact of domestic pressure on state policies.

Humanitarian Considerations

Examining to what extent humanitarian considerations help or hinder effective military interventions in humanitarian crises is not part of mainstream methodology in political science but it is important for at least two reasons: firstly, because in the literature humanitarian intervention is typically defined by its purpose, i.e. "preventing widespread suffering or death among the inhabitants".[14] Since the purpose of such military intervention is at least ostensibly humanitarian it is necessary to examine to what extent intervention is in fact influenced by humanitarian considerations. Secondly, humanitarian considerations may be thought to foster sufficient political will for effective intervention. Former UN Secretary-General Boutros-Ghali attributed the failure of the international community to prevent genocide in Rwanda in 1994 to "the absence of the collective political will" and it could be argued that more widely shared humanitarian concern could strengthen the collective political will.[15] Humanitarian considerations are thus part of the very notion of humanitarian intervention and at the same time seem to offer a way to overcome one of its most important impediments: the lack of political support.

Studying the impact of humanitarian considerations on the effectiveness of humanitarian intervention sits nevertheless uncomfortably with more traditional rationalist approaches to international relations. These are typically based on the idea that academic research "should start by assuming that outcomes in international relations reflect the objectively definable interests of

---

14 Adam Roberts, *Humanitarian Action in War: Aid, Protection and Impartiality in a Policy Vacuum*, Adelphi Paper 305 (London: International Institute for Strategic Studies / Oxford University Press, 1996), p. 19. Emphasis added.

15 *Report of the Secretary-General on the Situation in Rwanda*, UN Doc. S/1994/640, 31 May 1994, para 43.

relevant parties, given their respective capabilities."[16] For the purpose of objective and rigorous explanation of international affairs, realists and neorealists such as Kenneth Walz or Stephen Krasner assume that states act as unitary actors whose interests are predominantly conditioned by that state's position in respect to other states.[17] Empirically, they admit that states often if not always express and justify their policies in idealistic ways. But these expressions, they argue, need to be taken with a healthy dose of scepticism: Firstly, because they tend to be justifications ex post facto, and secondly, because paying attention to the content of these statements makes the task of explaining and understanding of international affairs unnecessarily complicated.[18]

Contrary to such rationalist approaches to international relations, Ngaire Woods has pointed out that if national interests are indeed important determinants for state policy there is a need to pay "more attention to how it is that individuals, domestic groups, and institutions interact to formulate conceptions of national interest."[19] More specifically, Martha Finnemore has argued that realist and liberal approaches to international politics "do not explain humanitarian intervention as a practice", partly because "many or most of these interventions occur in states of negligible geo-strategic or economic importance to the interveners."[20]

How, then, can one examine the impact of humanitarian considerations on effective intervention with academic rigour? As was mentioned earlier, humanitarian considerations may

---

16 Ngaire Woods, "Economic Ideas and International Relations: Beyond Rational Neglect," *International Studies Quarterly*, no. 39 (1995), p. 164.

17 Kenneth Waltz, *Theory of International Politics* (Reading, MA: Addison-Wesley, 1979); Stephen Krasner, *Defending the National Interest: Raw Materials Investments and U.S. Foreign Policy* (Princeton, NJ: Princeton University Press, 1978); S. Krasner, "Realism, Imperialism, and Democracy: A Response to Gilbert," *Political Theory*, vol. 20, 1992, p. 39-52; see Woods, "Economic Ideas and International Relations," p. 162.

18 Woods, "Economic Ideas and International Relations," p. 164.

19 *Ibid.*, p. 165.

20 Martha Finnemore, "Constructing Norms of Humanitarian Intervention," Peter J. Katzenstein, ed., *The Culture of National Security. Norms and Identity in World Politics* (New York: Columbia University Press, 1996), p. 155, 153.

be defined as ranging from generally unreflective sympathy with the victims of large-scale humanitarian crises to a belief that there is a moral duty of humanitarian intervention. Defined as such, the study of humanitarian considerations can draw from the existing literature on the role of ideas and beliefs in international relations.[21] According to that literature, humanitarian considerations can influence policy making on an individual, a domestic, and an international level.

(1) In political practice, humanitarian considerations in the reaction of individuals to humanitarian crises are often described as an "emotional reaction to a humanitarian disaster".[22] Although one has to be careful not to mistake public lip-service to humanitarian principles for genuine humanitarian motives, some decision-makers are motivated in their choice of policies by not only political calculation but also by moral conviction.[23] Through the explicit or implicit moral views of those policy makers — sometimes described as their "principled beliefs"[24] — humanitarian considerations can contribute to political decision-making processes and thus affect the efficacy of humanitarian interventions.[25]

---

21 The following studies offer useful methodological discussions: Judith Goldstein and Robert O. Keohane, "Ideas and Foreign Policy: An Analytical Framework," Goldstein and Keohane, eds., *Ideas and Foreign Policy. Beliefs, Institutions, and Political Change* (Ithaca: Cornell University Press, 1993), p. 8 - 11; Woods, "Economic Ideas and International Relations", p. 164ff; K. J. Holsti, *International Politics: A Framework of Analysis.*

22 Marrack Goulding, former UN Under Secretary-General for Peacekeeping and Political Affairs. Interview, New York, 6 January 1998.

23 The way in which policy makers can come to hold principled normative beliefs is illustrated by James Jonah's account of his own case. James Jonah was Under Secretary-General for Political Affairs during 1992 and responsible for co-ordinating UN responses to the crisis in Somalia: "I paid one visit to southern Sudan that grieved me tremendously. I saw the effects of a lack of humanitarian assistance on the people. It was really bad. Then the International Peace Academy convened a conference and I attended to give a paper where basically I said that the international community has an obligation to forcible intervention to deliver food. I said we cannot just sit back and say this is sad. No, we have to do it. Where we know that one side is deliberately preventing ... [humanitarian goods from reaching the suffering] the world community must do something." Interview in New York, 30 January 1998.

24 Goldstein and Keohane, "Ideas and Foreign Policy: An Analytical Framework", p. 8 - 11.

25 Holsti, *International Politics*, p. 387-88.

(2) An indirect way in which humanitarian considerations can affect policies is through the demands and expectations of domestic public opinion.[26] Public opinion itself can be influenced by factors other than self-interest. As Williams has noted, there is no reason in principle why people should not be moved to support or demand military interventions by considerations of suffering: "If the outrages in question indeed 'shock the conscience of humankind' then they presumably shock the conscience of that part of humankind that constitutes the electorate".[27] In turn, policy preferences by an electorate can be a factor why governments have a rational interest in pursuing policies that reflect public humanitarian considerations.

(3) Humanitarian considerations may also influence the actions of international institutions or coalitions of states particularly through the expectations of other governments or populations.[28] In political reality such expectations can create political pressures that come to bear on policy makers in various ways. In the experience of Marrack Goulding, former UN Under Secretary-General for Political Affairs, these include "reading that prominent figures are criticising the UN for inactivity over a humanitarian crisis", "representations from Permanent Representatives from the regions concerned which say: you must do something about this terrible suffering in our region", and often helpful demarches by governments who approach the United Nations saying "we have to do something about this, you as the Secretary-General of the United Nations and we as the governments of the developed countries: there is suffering going on and we appear not to be doing anything about it". [29]

---

26 *Ibid.*
27 Williams, "Is International Rescue a Moral Issue?", p. 72.
28 Holsti, *International Politics*, p. 387-88.
29 Marrack Goulding. Interview in New York, 6 January 1998.

Beyond this general outline of the ways in which humanitarian considerations can affect international responses to humanitarian crises the literature on the role of beliefs in international politics has developed several more specific causal propositions. According to that literature, ideas can affect foreign policy in five ways: a) as filters for perception; b) as road maps for decision-making; c) as focal points for public debate and collective decisions; d) as reference points for justification of political decisions; e) through institutionalisation of political standards.

a) As filters for perception humanitarian considerations can divert attention from the political complexities of humanitarian crises and contribute to simplistic analysis which may later feed into decision-making on intervention. b) Humanitarian considerations can contribute to the way individuals, governments, and international institutions identify preferred policy goals and thus provide a road map for political decision-making.[30] c) As focal points for debate, humanitarian considerations can limit the range of response-options that are discussed in public debate and within decision-making bodies. In situations where participants in the debate cannot agree on a common political strategy, humanitarian considerations may represent the lowest common denominator among diverging policy preferences, and may thereby facilitate compromise solutions. d) As the idea of military intervention with the purpose of preventing humanitarian crises becomes more acceptable, the notion can serve as a reference point for public justification for otherwise unacceptable intervention. This is particularly true in multinational or international organisations, as Goldstein and Keohane have pointed out: "When collective action requires persuasion rather than mere coercion, and when consistency of policy is demanded on the basis of principles institutionalised in the form of rules, reasons must be

---

30 Goldstein and Keohane, "Ideas and Foreign Policy: An Analytical Framework", pp. 13 - 20.

given for proposed courses of action; when reasons are required, ideas become important."[31] e) With an increased practice of military interventions in humanitarian crises that response option has reached a level of institutionalisation which can have a lasting influence on politics through their incorporation into the terms of political debate.[32]

Evidence for the influence of the idea of a duty of humanitarian intervention can be collected by assessing the development of decision-making processes: How were problems defined? How were stakes evaluated? How were alternative solutions identified and weighed up? How were the policies adopted justified?[33] The basis for such an assessment can be reports by the UN Secretary-General to the Security Council, governmental policy papers, and public statements. Since these documents were prepared for the purpose of public presentation they may not represent their authors' true motivations. Rather, they show what the authors thought would be publicly acceptable. In other words, authors may have paid merely lip service to humanitarian considerations. In one respect even such lip service would be evidence for the impact of the idea of a duty of humanitarian intervention. Even if justificatory statements do not reveal the real motives for action they nevertheless reveal what the authors thought was going to be accepted as a justification. For a justification to be accepted there needs to be an environment in which the ideas or norms the justification alludes to are widely shared. The justificatory language of UN resolutions, policy papers and public statements provides thus some evidence not of the authors' beliefs but of their audience's beliefs.[34] Beyond that, it is difficult to discern to what extent individual authors or decision-makers were personally moved by humanitarian or other considerations. Even to these individuals themselves it may not necessarily be clear what

---

31 *Ibid.*, p. 23.
32 Goldstein and Keohane, "Ideas and Foreign Policy," p. 20.
33 Woods, "Economic Ideas and International Relations," p. 175.

their real motives were for a particular action. In some particularly important key decisions an attempt can nevertheless be made to understand the respective weight of various motivations for decision-makers.

3. Moral Implications

What kind of moral implications can one expect from an empirical examination of a limited number of historical cases? Are the results of the case studies likely to challenge ethical theory? In a strict sense, the empirical conclusions of this thesis will be valid only with regard to the cases under examination, i.e. the international responses to crises in Somalia and Rwanda. At the same time, propositions about factors that limited effective humanitarian intervention in these cases will serve as hypotheses about the international community's general ability to intervene effectively in humanitarian crises. In history, every case is different. Whether or not the factors identified in this thesis will help or hinder intervention in other cases will have to be examined on a case by case basis. Some factors that have hampered interventions in Somalia and Rwanda may not be present in other cases, others may be overcome by better planning or wiser policy choices. Whether or not the international community will be under a moral obligation to intervene in other humanitarian crises will thus continue to require careful analysis.

The ethical principles that provide the normative framework within which such analysis will have to take place are introduced in chapter 2 of this thesis. None of the conclusions drawn from the case studies presented here will challenge the validity of the core principles of legitimate humanitarian intervention. As this chapter has begun to argue, however, ethical theory alone is an insufficient basis for moral judgement. That requires careful political analysis of

---

[34] Holsti, *International Politics*, p. 382.

historical facts as well as a sound understanding of ethical principles. The aim of the empirical part of this thesis will have been achieved if it can help decision-makers make a better political judgement about the extent to which humanitarian intervention would alleviate human suffering effectively and if it can help them to let that evaluation feed into their moral judgement about whether or not in the particular case there is a duty of humanitarian intervention.

Chapter 2

The Ethical Debate on Humanitarian Intervention

To what extent does ethical theory support the idea of a moral duty of humanitarian intervention? In practice, massive human rights violations in a country can spark the moral intuition that the international community must intervene to stop them, if necessary by military means, and that looking on while such crimes continue would be deeply immoral. The simplicity of such an intuition in the face of widespread human suffering may seem compelling. But it obscures the complexity of an issue that has been debated for centuries and has received renewed attention particularly over the last 30 years.[1] This chapter provides an account and a critical review of the main arguments and issues that have been raised in this debate.

There is no single starting point for such an examination. Humanitarian intervention has been of concern to various disciplines and there are distinct debates in philosophy, international law, among aid practitioners, and among students of international relations which all contain

---

[1] The classical contributions to this debate include: Thomas Hobbes, *Leviathan* (London: Penguin Books, 1985); John Stuart Mill, "A Few Words on Non-Intervention," *Dissertations and Discussions*, vol. 3 (London: Longman Green Reader and Dyer, 1875); Immanuel Kant, "Perpetual Peace: A Philosophical Sketch," in Immanuel Kant, *Political Writings*, edited by Hans Reiss (Cambridge: Cambridge University Press, 1991), p. 93 - 130; John Locke, "The Second Treatise of Government," *Political Writings* (London: Penguin 1993), pp. 261 - 386. For overviews of legal contributions to this debate see: James Chun Lin, *Humanitarianism and Military Force: Humanitarian Intervention and International Society*, D.Phil., Oxford University, 1995; Anthony Arend & Robert J. Beck, "Historical Overview: the Development of the Legal Norms Relating to the Recourse to Force," *International Law and the Use of Force*, pp. 11-25; R.J. Vincent, "Grotius, Human Rights and Intervention", in Hedley Bull, Benedict Kingsbury & Adam Roberts, eds., *Hugo Grotius and International Relations* (Oxford: Clarendon Press, 1990), pp. 242-256. For the references to the debate of the last thirty years see footnote 2.

contributions to the ethical aspects of the subject.[2] Examining these various debates poses several difficulties. Aid practitioners, international lawyers, philosophers and political scientists approach their subject from different angles. They use different terms for similar concepts or identical terms for divergent ones. Frequently used notions of right and duty of intervention, *droit d'ingérence*, and *devoir d'ingérence* are closely related and sometimes overlap. At the same time, the terms "right" and "duty" can be used to refer to very distinct legal and moral concepts. Some of the writing on humanitarian intervention contains an element of ambiguity in this regard, particularly in debate on the question of whether there should be (on moral grounds) a legal right or duty of intervention. Often, those who address the issue are unclear as to whether the notion of moral duty refers to some form of general standard of guidance or to a rigid moral imperative. Another issue is to what extent moral imperatives may be related to, or dependent upon, judgement of political circumstances. These issues resurface as the chapter reviews the moral arguments that have been formulated in the various debates for and against the idea of a duty of humanitarian intervention and as it discusses the principles and conditions with which any legitimate humanitarian intervention must comply.

1. The Case for Humanitarian Intervention

The moral arguments in favour of humanitarian intervention can be found in two central contemporary debates: One, predominantly French, debate focusses on the concepts of *devoir d'ingérence* and *droit d'ingérence*,[3] the other, more dominant among international lawyers in the

---

2 See chapter 3. For a list of core contributions to these debates see the section on law and ethics of humanitarian intervention in the bibliography.

3 Mario Bettati and Bernard Kouchner, *Le devoir d'ingérence: peut-on les laisser mourir?* (Paris: Denoël, 1987); Bettati, *Le droit d'ingérence. Mutations de l'ordre international* (Paris: Editions Odile Jacob, 1996); and "Droit d'ingérence ou droit d'assistance?," *Le Trimestre Du Monde*, 2ème trimestre, 1993, pp. 9-15; M. Bettati, "Le droit d'ingérence: sens et portée," le débat, no. 67, November-December 1991, pp. 4-

English speaking world, considers questions regarding a right of humanitarian intervention in international law.[4] Both debates, although not strictly speaking ethical debates, contain arguments and concepts which provide a basis for the idea of a moral duty of humanitarian intervention.

"Devoir d'Ingérence" and the Right to Humanitarian Assistance

Historically, the notions of *devoir d'ingérence* and *droit d'ingérence* emerged in the context of Auschwitz and Biafra. Among advocates of a *devoir d'ingérence* Auschwitz is seen both as a reference point of pure evil, "the ultimate expression of barbarism",[5] and as a reminder of the inability of the international community to stop it. Never again, they argued, should operational principles prevent humanitarian organisations such as the Red Cross from working in Auschwitz or from speaking out against such heinous crimes as the holocaust.[6] Biafra, the secessionist province of Nigeria where in the late 1960s tens of thousands of people died of

---

15; Pierre Bouretz, "Actualité du droit d'ingérence humanitaire," *Raison Présente*, no. 116, October/December 1995, pp. 29-38; Christophe Comblin, "Droit d'ingérence humanitaire ou retour de l'intervention d'humanité?, *La Revue Nouvelle*, no. 11, November 1994, p. 33; Alain Destexhe, L'humanitaire impossible: Ou deux siècles d'ambiguïté (Armand Colin Éditeur: Paris, 1993); Bruno Étienne, "Du droit de loloniser au devoir d'ingérence," *Politiques*, no. 6, Summer 1993, pp. 90-97; Pierre Hassner, "Devoirs, danger, dilemmes," *le débat*, no. 67, november-december 1991, pp. 16-23; Bernard Kouchner, Le malheur des autres (Paris: Éditions Odile Jacob, 1991); "Le mouvement humanitaire: Questions à Bernard Kouchner," *le débat*, no. 67, November-December 1991, pp.30-40; Mark Maesschalck, "Une stratégie exceptionelle," *La Revue Nouvelle*, no. 11, November 1994, pp. 44-54; Philippe Moreau Defarges, "Le Devoir d'ingérence," *Défence Nationale*, 47th year, June 1991, pp. 103-112; Jean-Christophe Rufin, "Les pièges de l'humanitaire," *Revue des deux mondes*, juin 1993, pp. 129-139; J.-Chr. Rufin, "La maladie infantile du droit d'ingérence," *le débat*, no. 67, November-December 1991, pp. 24-29.

4 See particularly: Michael Reisman & Myres S. McDougal , "Humanitarian Intervention to Protect the Ibos," in Richard B. Lillich, ed., *Humanitarian Intervention and the United Nations* (Charlottesville, VA: University Press of Virginia, 1973), p. 167-96; the volume contains many of the core arguments from this stage of the debate. See also: Hedley Bull, *The Anarchical Society* (London: Macmillan, 1977); John Vincent, "Introduction," in R. J. Vincent, ed., *Foreign Policy and Human Rights. Issues and Responses* (Cambridge, 1986), pp. 1 - 7; Nicholas Wheeler, "Pluralist and Solidarist Conceptions of International Society: Bull and Vincent on Humanitarian Intervention," *Millennium: Journal of International Studies*, vol. 21, no. 3, pp. 463-487.

5 Kouchner, *Le malheur des autres*, p. 45.

6 Bettati, "Le droit d'ingérence," p. 10.

famine in the midst of a civil war, became a symbol that demonstrated the inability of traditional humanitarian assistance to offer effective aid when governments obstruct the efforts of relief organisations to provide assistance where it is needed.[7] Aid practitioners criticised the failure of traditional institutions to offer effective help to the people in need. The International Committee of the Red Cross had been unable to offer effective assistance partly because it felt bound by its charter to operate with the consent of local governments. UN institutions were perceived to be inflexible and paralysed by the veto power of members of the Security Council. And the activities of development organisations seemed inadequate in a situation of actual crisis.[8]

As a consequence of the inadequacy of traditional humanitarian assistance, a new kind of non-governmental organisation emerged which — like the French relief organisation *Médecins sans Frontières* — would operate in various conflicts irrespective of the consent of local governments.[9] Parallel to the practice of humanitarian assistance *sans frontières,* efforts were launched during the 1980s to establish a legal right of humanitarian assistance: In 1987 the French government publicly endorsed the idea of a "devoir d'ingérence" - a moral duty to intervene in humanitarian crises - and put its diplomatic weight behind initiatives to establish a "droit d'ingérence" - a legal right to humanitarian interference.[10] One year later, the General Assembly of the United Nations passed a French-sponsored resolution in which it

> Appeals ... to all States to give their support to ...[intergovernmental and non-governmental] organizations working to provide humanitarian assistance, where needed, to the victims of natural disasters and similar emergency situations;[11]

---

7 Alain Destexhe, "Biafra: L'impasse," in Destexhe, *L'humanitaire impossible*, p. 59 - 69.

8 Rufin, "Les pièges de l'humanitaire," p. 132.

9 Including in Portugal 1975, Ethiopia 1974 and 1977, Nicaragua 1978, Cambodia 1978, Afghanistan 1979, Iran 1979, Western Sahara 1976; see: Rufin, "Les pièges de l'humanitaire," p. 133.

10 See Bettati and Kouchner, *Le devoir d'ingérence*, passim; Bettati, *Le droit d'ingérence*; Destexhe, *L'humanitaire impossible,* p. 59-69; Kouchner, *Le malheur des autres*, p. 283; Comblin, "Droit d'ingérence humanitaire ou retour de l'intervention d'humanité?," p. 33.

11 *Humanitarian Assistance to Victims of Natural Disasters and similar Emergency Situations*, UN Doc. A/RES/43/131 (1988), 8 December 1988.

The resolution was helpful in that it recognised the importance of giving aid organisations access to victims of humanitarian crises. It remained cautious, however, in that it emphasised that this recognition did not conflict with the principle of sovereignty. The General Assembly explicitly reaffirmed "the sovereignty, territorial integrity and national unity of States, and [recognised] that it is up to each State first and foremost to take care of the victims of natural and similar emergency situations on its territory".

Both the practice of this new style of humanitarian assistance and the initiatives for a *droit d'ingérence* were based the moral concept of *devoir d'ingérence.* Bernard Kouchner, one of the founding members of *Médecins sans Frontières* and a leading advocate of the *devoir d'ingérence,* described the former notion as follows:

> What is it that makes intervention necessary? It is moral indignation in the face of evil. Morality authorises, more than that, it demands that we react. It constitutes a commanding imperative.[12]

Kouchner's notion of *devoir d'ingérence* derives its force from a focus on human suffering as the sole basis for a duty for action and deliberately omits other considerations such as political expediency or even legality and operational principles such as governmental consent, political neutrality or impartiality which had been the basis of traditional relief efforts. At the origin of this focus on human suffering lie two basic moral convictions: an individualist idea of a moral duty of rescue, and a view of the world moving towards a condition where universal human rights are implemented regardless of state boundaries. As Kouchner described it, the concept of *devoir d'ingérence* is rooted in an "ethique individuelle",[13] a morality for individuals which is modelled on the moral obligations of medical doctors. For humanitarian organisations,

---

12 Kouchner, *Le malheur des autres*, p. 291.
13 *Ibid.*, p. 12.

the decision whether or not to intervene is based on no criteria other than the needs of the victims of a crisis.

> Criteria for intervention pose no difficulty for those who, like doctors, relief workers or lifeguards, act to help a person in distress. It's about saving lives. Urgency, imminence of danger is the overriding consideration.[14]

The second moral conviction which underlies Kouchner's concept of *devoir d'ingérence* is a belief that human suffering constitutes an obligation for action regardless of where it occurs, regardless of state borders. "Notre pays, c'est le monde," — the whole world is our country — emphasises Kouchner and suggests thereby that the implementation of human rights or the provision of humanitarian assistance cannot stop at national borders.[15] For Kouchner, this conviction is not merely a matter of moral values but it contains a teleological vision of world history: "A world conscience is being formed which anticipates, in the long run, a world government."[16] Thus, the moral argument for intervention in a particular humanitarian crisis is not only based on the individual moral duty to help the suffering but also on the idea that it is a step towards a better future.

The notion of *devoir d'ingérence* contains a number of serious problems most of which arise from the fact that most participants in the debate are ambiguous about as to what exactly is to be done in response to humanitarian crises. Most authors appear to advocate a duty only to provide humanitarian assistance or possibly to speak out about human rights abuses. Such a notion of *ingérence* would, however, contain a substantial illusion, as Jean-Christophe Rufin has argued convincingly:

> ...the inventors of the droit d'ingérence claim to go far beyond being witnesses [to crimes]. According to them, it is about stopping genocide.

---

14 Kouchner, "Le mouvement humanitaire," p. 32.
15 Kounchner, *Le malheur des autres*, p. 8.
16 *Ibid.*, p. 291.

> One has to recognise that the means they propose are completely incapable of reaching that goal... It is not clear how relief operations can have an effect against a real genocide, that is: one that is perpetrated by a solid totalitarian regime.[17]

Genocide, one might argue, can only be stopped by forcible means which may potentially include military force. An idea of a *devoir d'ingérence* in which *ingérence* was limited to humanitarian assistance and human rights advocacy would thus contain a crucial inconsistency: It would prescribe a moral duty to relieve human suffering by means that are incapable of relieving that suffering.

In fact, some advocates of a *devoir d'ingérence* have not limited the notion of ingérence to non-forcible measures. Kouchner explicitly acknowledges that sometimes force may be needed: "The humanitarian movement is not a hymn to pacifism. Confrontation, war, are sometimes necessary."[18] Although he insists that the "*droit d'ingérence* is not to be confused with the use of military forces" and that the "threat of armed force in the name of human rights is only a last resort" the recognition that force may sometimes be necessary extends the notion of *devoir d'ingérence* to a moral duty of military intervention in humanitarian crises as a last resort.[19] It is doubtful, however, whether such a far-reaching duty of military humanitarian intervention could still be based on the same individualist moral concept as non-military interference.

Moral Arguments for Humanitarian Intervention in Ethics and International Law

Similar to the debate on humanitarian assistance among relief organisations, debate on the legitimacy of humanitarian intervention received renewed attention among international

---

17 Rufin, "La maladie infantile du droit d'ingérence," p. 28.

18 "Le mouvement humanitaire n'est pas un hymne au pacifisme. L'affrontement, la guerre sont parfois nécessaires"; Bernard Kouchner, "Le mouvement humanitaire," p. 34.

lawyers in the late 1960s and 1970s when the humanitarian crisis in Biafra and military interventions amidst large-scale human rights abuses in East Bengal/East Pakistan and Cambodia raised the question whether or not the principles of sovereignty and non-intervention — as enshrined in the UN Charter of 1945 — prohibited outside military intervention to stop the suffering. The primary focus of the legal debate was the question whether there was a right of humanitarian intervention under positive or customary international law.[20] Intertwined with this debate was the related and from an ethical perspective more important issue of whether there *should be* such a right even if it was technically illegal. Objections against the legitimacy of humanitarian intervention have typically been based to a large part on the argument that such intervention was incompatible with the principles of sovereignty and non-intervention as enshrined in the Charter of the United Nations. Advocates of humanitarian intervention thus focussed on arguing either that intervention is compatible — at least morally if not yet legally — with sovereignty and non-intervention or that it overrides these principles. One of the most convincing attempts to build a case for humanitarian intervention is Fernando Tesón's *Humanitarian Intervention: An Inquiry into Law and Morality* which was published in 1988. His moral, and ultimately legal, argument for humanitarian intervention rests on an interpretation of the moral legitimacy of governments.[21] Traditionally, Tesón asserts, the principle of sovereignty has been based on moral theories such as a Hobbesian theory of legitimate government, on an analogy with the rights of parents over their children, on the rights of the citizen who support or

---

19 Kouchner, *Le malheur des autres*, p. 301.

20 The main elements of this debate are discussed in Chapter 3, *infra*.

21 Tesón holds the view "that the assertion of a right of humanitarian intervention is the best philosophical position; consequently, it is also the best interpretation of international legal materials". Tesón, *Humanitarian Intervention*, p. 15.

tolerate dictators, and on Walzer's theory of "communal integrity."[22] In contrast to these theories, Tesón argues that the internal and external legitimacy of governments and hence their claim to rights of sovereignty depends on their ability and willingness to protect the rights of their citizens:

> My main argument is that because the ultimate justification of the existence of states is the protection and enforcement of the natural rights of the citizens, a government that engages in substantial violations of human rights betrays the very purpose for which it exists and so forfeits not only its domestic legitimacy, but its international legitimacy as well. Consequently, ... foreign armies are morally entitled to help victims of oppression in overthrowing dictators, provided that the intervention is proportionate to the evil which it is designed to suppress.[23]

With this argument Tesón claims not that humanitarian intervention overrides state sovereignty but that it is compatible with it. According to his definition, the sovereignty of a state — or, as he puts it, its international legitimacy — rests on the extent to which it fulfils its duties towards its citizens. If a state betrays the purpose of its existence, Tesón argues, it loses its international legitimacy and by implication its right of sovereignty. Consequently, outside intervention to alleviate human suffering in such a state does not conflict with the principle of sovereignty. Tesón's argument of 1988 thus goes a long way towards providing a philosophy that is able to reconcile humanitarian intervention with the principle of sovereignty.[24]

More recently, Marc Weller has argued in similar vein that humanitarian intervention is lawful in some cases of "fundamental dissociation" of a government and its people:

---

22 Tesón discusses in particular the following works: Hobbes, *Leviathan*; Elfstrom, "On Dilemmas of Intervention," *Ethics*, vol. 93 (1982-83), p. 709ff.; Michael Walzer, *Just and Unjust Wars,* and "The Moral Standing of States," *Philosophy & Public Affairs*, no. 9 (1978-79), pp. 209ff. Walzer's theory of communal integrity is discussed below, p. 58.

23 Tesón, *Humanitarian Intervention*, p 15.

24 Some notable problems with this argument, including the question whether the international legitimacy of a government rests exclusively upon its domestic legitimacy or whether there are not other external moral

> Where a government actively exterminates a population, or a constitutionally significant segment thereof, it cannot conceivably claim the exclusive right to represent internationally that very population. Similarly, a government which denies to a population that which is urgently necessary for its survival cannot rely on the doctrine of non-intervention and sovereignty, which is, after all, nothing but the legal reflection of the corporate personality of the constituents whose survival is at issue. Hence, international action, whether authorized by the UN Security Council, whether carried out by regional organizations or arrangements or by ad hoc coalitions of states or even individual states, is legally permissible. Such action does not constitute intervention because ... it has been taken in accordance with the expressed or implied desire of the ultimate sovereign, the population, which is manifestly not represented by the effective authorities.[25]

In contrast to Tesón, Weller stresses, however, that the scope of application of this doctrine remains restrictive. Violations of human rights in general or a failure to adopt a fully democratic structure of governance are not, in his view, instances of fundamental dissociation. Instead, Weller's doctrine applies only to circumstances "where it is simply inconceivable to argue that an effective authority can fully represent the population it controls, or where there is no effective authority."

In the late 1990s, arguments such as Tesón's and Weller's, were increasingly echoed in the statements of Western politicians. Perhaps the most explicit and widely discussed one was contained in a seminal speech by the British Prime Minister Tony Blair who, in April 1999, declared a "new doctrine of international community" in which he argued that:

> ...the principle of non-interference must be qualified in important respects. Acts of genocide can never be a purely internal matter. When oppression produces massive flows of refugees which unsettle neighbouring countries then they can properly be described as 'threat to international peace and security'. When regimes are based on minority rule they lose legitimacy...[26]

---

arguments in support of the sovereignty of a domestically illegitimate government are discussed in section 3. *The Case Against Humanitarian Intervention*, p. 56.

25 Marc Weller, "Access to victims: Reconceiving the right to 'intervene'," *International law and The Hague's 750th Anniversary*, W.P. Heere / TMC Asser Press, The Hague, 1999, pp. 353-370.

26 Tony Blair, *Doctrine of the International Community*, transcript of a speech given at the Hilton Hotel, Chicago, Illinois, 22 April 1999.

The statement also stands for what some authors have described as an increasingly widespread belief in the universality of some core human rights and a general recognition that we live in a "global moral commonwealth."[27] As more people seem to acknowledge that massive human rights violations in a country have moral implications beyond its borders, it has been claimed that there is now an "incipient political and moral consensus that intervention is sometimes necessary to prevent human rights violation on a major scale."[28] If there is a growing moral consensus that gross human rights violations can justify foreign military intervention and that sovereignty — because it is ultimately grounded in the rights of individuals — does not provide an absolute prohibition of humanitarian intervention, does this mean that international lawyers increasingly believe in a moral, if not legal, duty of humanitarian intervention? Most authors have expressed profound uncertainty about this question. Some, such as Burley and Kaysen, merely raise the question and ask whether the moral norms and procedures governing humanitarian intervention "prescribe such interventions or merely permit them? Do they establish a duty to intervene or only a right to intervene?"[29] Michael Smith poses the question what ethnic cleansing implies "for the rest of the international community in terms of its rights and/or obligations to intervene?"[30] Many practitioners have expressed similar uncertainties.[31]

---

27 Nancy Sherman, "Empathy, Respect, and Humanitarian Intervention," *Ethics & International Affairs*, vol. 12, 1998, p. 105.

28 Catherine Guicherd, "International Law and the War in Kosovo", *Survival*, vol. 41, no. 2, Summer 1999, p. 19-34, 29.

29 Anne-Marie Slaughter Burley and Carl Kaysen, "Introductory Note: Emerging Norms of Justified Intervention," in Laura W. Reed and Car Kaysen, eds., *Emerging Norms of Justified Intervention. A Collection of Essays from a Project of the American Academy of Arts and Sciences* (Cambridge, Massachusetts: American Academy of Arts and Sciences, 1993), p. 12.

30 Michael J. Smith, "Humanitarian Intervention: An Overview of the Ethical Issues", *Ethics & International Affairs*, vol. 12, 1998, p. 63-80, 73.

31 Chester Crocker, "Foreword," in John L. Hirsch & Robert B. Oakley, *Somalia and Operation Restore Hope. Reflections on Peacemaking and Peacekeeping* (Washington, D.C.: United States Institute for Peace, 1995), p. xiv.

Aside from general uncertainty about the moral implications of large-scale suffering, most authors have been ambiguous as to whether such suffering constitutes a right or a duty of humanitarian intervention. Ramsbotham concluded from a study of contemporary Islamic and Christian views on humanitarian intervention that "both recognize a common duty and right of action on the part of other governments."[32] Schermers argued that the United Nations has not only a right, but perhaps "in extreme cases even a duty, to intervene when States severely infringe human rights."[33] Lillich, who has been concerned with the issue of humanitarian intervention since the early 1970s, expressed the hope for an eventual "recognition of a duty to intervene to terminate or prevent massive human rights violations."[34] Such statements illustrate the extent to which the literature dealing with the ethics of humanitarian intervention has been concerned with questions of obligations. At the same time, however, it is hard to find an unambiguous endorsement of a duty of humanitarian intervention. Language employed by many authors suggests that there is more agreement on a possible right than on a duty of intervention.[35] There also seems to be a belief that moral imperatives for intervention grow with the severity of human rights violations. Beyond these general ideas, the exact relation between right and duty of intervention has by and large remained underdeveloped.

---

32 Oliver Ramsbotham, "Islam, Christianity, and Forcible Humanitarian Intervention," *Ethics & International Affairs*, vo. 12 (1998), p. 99.

33 Schermers, "The Obligation to Intervene in the Domestic Affairs of States," Delissen/Tanja, eds., *Humanitarian Law of Armed Conflict: Challenges Ahead. Essays in Honour of Fritz Kalshoven*, 583, 592 (1991), quoted in Richard B. Lillich, "Humanitarian Intervention through the United Nations: Towards the Development of Criteria," *Zeitschrift für ausländisches Recht und Völkerrecht*, vol. 53, no. 3, 1993, p. 558.

34 Lillich, "Humanitarian Intervention through the United Nations," p. 575.

35 Part of the reason for such a belief may be related to the possibility that humanitarian intervention poses a threat to the lives of intervening troops. It may also be rooted in a conviction that, as Goldman put it, "one is not obligated to risk one's life in order to defend the rights of another, but it is certainly permissible to do so"; Goldman, "The Moral Significance of National Boundaries," p. 442

2. What Ethical Yardstick?

Part of the reason why there is such ambiguity about the moral right and duty of humanitarian intervention lies in the lack of clarity about the ethical yardstick according to which the morality of intervention is to be judged. In philosophy and political theory, theories of obligation have long been a difficult and complex issue of debate.[36] One core distinction in that debate has been the difference between deontological and consequentialist approaches to moral obligations.[37] Weber's distinction between *Verantwortungsethik* (ethic of responsibility) and *Gesinnungsethik* (an ethic of conscience) pertains to a similar core characteristic of moral obligations.[38]

---

[36] See for example: Immanuel Kant, *Grundlegung zur Metaphysik der Sitten*, edited by Theodor Valentiner, 2nd edition (Stuttgart: Philipp Reclam, 1984); Max Weber, "Der Beruf zur Politik"[1919], M. Weber, *Soziologie, Universalgeschichtliche Analysen, Politik* (Stuttgart: Alfred Kröner Verlag, 1973), p. 167-185.

[37] The meaning of, and relationship between, deontological and consequentialist approaches to moral obligations are complex issues that cannot be discussed adequately in this context. As a necessary shortcut, the argument in this thesis is based on the following working definitions; according to Bernard Williams, consequentialism is, very roughly speaking, "the doctrine that the moral value of any action always lies in its consequences, and that it is by reference to their consequences that actions, and indeed such things as institutions, laws, and practices, are to be justified if they can be justified at all." Bernard Williams, "A critique of utilitarianism," in: J.J.C. Smart and Bernard Williams, *Utilitarianism. For & Against* (Cambridge: Cambridge University Press, 1973), p. 9. In deontological approaches to morality (again very roughly speaking) the value of an action lies in the action itself, or as Colm McKeogh has put it, "an act can be considered morally right and obligatory even though performance of that action may not result in human good or in as much good as some alternative act." Colm McKeogh, *The Political Realism of Reinhold Niebuhr. A Pragmatic Approach to Just War* (London: Macmillan Press Ltd., 1997), p. 74-75. Traditionally, theoretical approaches to the issue of humanitarian intervention have been divided into realist, Marxist, and liberal varieties, or alternatively, into statists — who look at states as the source of values — and cosmopolitans; Michael Smith, "Humanitarian Intervention: An Overview of the Ethical Issues," pp. 69-75. In contrast to these distinctions Smith argues that "the real debate" is taking place mainly between realists and liberals. Realists, according to Smith "are traditionally hostile to any intervention that is justified for allegedly ethical reasons," and claim "that there is a self-delusory quality to all ethical justifications regarding state actions." Liberals, on the other hand, share a "universalist conception of human rights in which sovereignty is a subsidiary and conditional value." The distinction between deontological and consequentialist positions used in this thesis implies that even within a liberal ethical framework there may be different points of view regarding the morality of humanitarian interventions.

[38] Max Weber, "Der Beruf zur Politik" [1919], M. Weber, Soziologie, Universalgeschichtliche Analysen,Politik (Stuttgart: Alfred Kröner Verlag, 1973), pp. 167-185.

If one follows this basic distinction, a duty of humanitarian intervention can in principle refer to one of the following obligations. It could be a strict moral imperative for outsiders to intervene militarily in situations of large-scale suffering. Such a deontological view of a duty of humanitarian intervention would imply that non-intervention in the face of large-scale human suffering is morally wrong and that a failure by states to intervene is morally reprehensible. Alternatively, a duty of military humanitarian intervention could be viewed as a derivative of some general obligation to protect human rights. Within a broadly consequentialist framework the morality of humanitarian intervention would have to be evaluated in any given case not merely on the basis of the existence of grave human rights violations but on the basis of other considerations as well.

Advocates of humanitarian intervention are often ambiguous as to which conception of duty they are invoking. There are elements in Tesón's argument for humanitarian intervention which suggest that negative consequences do not invalidate the morality of humanitarian intervention. Drawing from Michael Walzer's discussion of the Allies' war against Nazi Germany, Tesón asserts that

> ...the war against Nazism was fought not only for the alleviation of suffering of many people, but also against a state apparatus and an ideology that amounted to an evil 'so potent and apparent that there could never have been anything but fight against it,'[39] even if doing so resulted in a loss of lives greater than would have otherwise been.[40]

It may be doubted that the alleviation of human suffering, particularly the prevention of the Holocaust, was in historical fact an important motivation for the Allies to go to war against Nazi Germany. What is of interest here is Tesón's claim that it was "the basic contempt for individual autonomy, and not just the consequences in terms of lives and suffering alone," which

---

39 Michael Walzer, "World War II: Why Was This War Different?," *Philosophy & Public Affairs*, vol. 3, no. 1 (1971), p. 4; cited in Tesón, *Humanitarian Intervention*, p. 99.

40 Tesón, *Humanitarian Intervention*, p. 98-99.

"justified fighting against Nazism."[41] Generalising from this claim, Tesón goes on to argue that "rights are sometimes worth fighting for, even if we, or other innocent persons, succumb in the process."[42] Construed along this line of argument, the duty of humanitarian intervention thus becomes a matter of moral principle:

> In some cases of humanitarian intervention more lives will be lost than saved. The moral imperative to fight evil sometimes overrides calculations in terms of deaths and sufferings.... such evil is not measured only in terms of individual utility, of human rights enjoyment, but in terms of the disrespectful nature of the dictatorial regime which is being targeted by the intervention.[43]

Such a deontological conception of a duty of humanitarian intervention is deeply problematic. It carries the risk that interveners — armed with an attitude of moral righteousness — ignore considerations about the consequences of their actions. There is also a danger that humanitarian intervention may cause not only disproportionate harm to the perpetrators of human rights violations but also peril to innocent bystanders and, thus, cause more harm than good for the very people whose suffering it is meant to alleviate.

In fact, few if any advocates of humanitarian intervention argue for a purely deontological duty of humanitarian intervention. Most participants in the debate on the ethics of intervention agree that some kind of consequentialist framework, or an ethic of responsibility, needs to be taken into consideration in evaluating the morality of intervention. Even Tesón argues, at times, that "humanitarian interventions that are likely to cause substantially disproportionate additional suffering should not be initiated. ... Consequences in terms of suffering are important, although they should not be the only concern. There will always be need of a prudential calculation on the part of governments..."[44] Other authors have explicitly

---

41 *Ibid.*
42 *Ibid.*, p. 101.
43 *Ibid.*, p. 116.
44 *Ibid.*, p. 117.

criticised elements of deontological thought. In the context of the debate on a *devoir d'ingérence* Pierre Hassner cautioned that "to focus everything on the consideration of the evil would carry the risk of degenerating into an *angélisme sans frontières.*"[45] Similarly, Alain Destexhe argued that humanitarian action cannot be judged only on the basis of the intention but has to be evaluated with regard to its consequences for human beings.[46]

Aside from the principle of proportionality a variety of other conditions have been proposed which would figure into evaluations of the morality of humanitarian interventions. They will be discussed in greater detail below.[47] Here, it suffices to establish that although there is some ambiguity in the writings of advocates of humanitarian intervention, the majority of authors do not consider humanitarian intervention in the face of massive human rights violations a deontological moral duty. If human suffering alone is no sufficient foundation for a moral duty of humanitarian intervention, then the debate is open for consideration of potential arguments against humanitarian intervention.

3. The Case Against Humanitarian Intervention

As the first section of this chapter suggested, advocates of humanitarian intervention have built their case to a considerable extent on moral arguments which are thought to override or circumvent the rigidity of the sovereignty principle. In particular, they put into question whether states whose governments engage in massive human rights violations can still be considered legitimate and thus claim immunity from outside interference. In ethical theory, however, the case against humanitarian intervention is considered to rest not merely on the

---

45 Pierre Hassner, "Devoir, dangers, dilemmes," *le débat*, no. 67, November - December 1991, p. 19.
46 Destexhe, *L'humanitaire impossible*, p. 208.
47 See the section on *Principles of Humanitarian Intervention*, p. 64.

internal legitimacy of states but on other concerns as well, including on the value of world order, on concerns about the danger of abuse, and on suspicions of moral imperialism. Moreover, ethical arguments about the legitimacy, or moral standing, of states have generally been far more subtle, and hence more convincing, than advocates of humanitarian intervention have made it seem.

The Moral Standing of States

The contemporary critique of the principle of sovereignty sometimes obscures the fact that sovereignty has important moral foundations. In ethical philosophy the general presumption against infringements of state sovereignty goes back at least to Hobbes, Mill, Locke, and Rousseau. Although the positions of these philosophers differ greatly in many respects, their theories of the state have at least one thing in common. They all argue that sovereignty is a concept that has moral value. For Thomas Hobbes, the moral value of sovereignty is rooted in the ability of the sovereign to provide security and protection for his subjects.[48] For John Stuart Mill and John Locke, the legitimacy, and moral value, of the state lies in its role as the protector of the rights of its citizens.[49] For Jean-Jacques Rousseau the state has moral value because it constitutes the expression of the *volonté génerale*, the collective will of all.[50] In contemporary debate on the ethics of humanitarian intervention, the most widely discussed ethical defence of the principle of sovereignty has been developed by Michael Walzer. In *Just and Unjust Wars* he argued that outside intervention in a state is wrong in most cases because it violates the

---

48 Hobbes, *Leviathan,* in particular chap. 18, "Of the Rights of Soveraigns by Institution", pp. 228 - 239; see also Tesón, *Humanitarian Intervention*, pp. 79 - 80; Beitz, *Political Theory and International Relations* (Princeton: Princeton University Press, 1979), part one.

49 Mill, "A Few Words on Non-Intervention"; Locke, "The Second Treatise of Government", pp. 261 - 386.

50 Jean-Jaques Rousseau, *The Social Contract* (Oxford: Oxford University Press, 1994), p. 66.

communal integrity of the political community that underlies it.[51] For Walzer the idea of communal integrity, the foundation of legitimate sovereignty, is based on "the rights of contemporary men and women to live as members of a historic community and to express their inherited culture through political forms worked out amongst themselves."[52] Sovereignty, if one accepts these arguments, is not merely a more or less arbitrary international legal principle based on the agreement of states. Rather, sovereignty has important moral foundations; it represents the value of an institution that exists to protect the lives and rights of its citizens and that stands for the historic choices these citizens have made. The fact that for centuries philosophers and political thinkers have reaffirmed this principle shows that the concept of sovereignty ought not to be abandoned lightly.[53] While genocide or gross violations of human rights are not considered acceptable expressions of "self-determination" by members of historic communities, other human rights infringements on a smaller scale (such as capital punishment, which is still popular even in some developed countries such as the U.S.) may have to be.

World Order

Advocates of humanitarian intervention have argued plausibly that sovereignty rights of states are not absolute and that governments that engage in massive human rights violations lose their domestic legitimacy. It is less clear, however, whether, as Tesón has argued, such states thereby automatically lose their international legitimacy as well and whether, as he also suggested, foreign armies are thus entitled to intervene. In the debate on the ethics of

---

51 "The state is constituted by the union of people and government and it is the state that claims against all other states the twin rights of territorial integrity and political sovereignty;" Walzer, "The Moral Standing of States," p. 212.

52 *Ibid.*, p. 211.

humanitarian intervention, the principles of state sovereignty and non-intervention have been defended on grounds that are external to the situation within a particular state. Already, Immanuel Kant argued in *Perpetual Peace* that "no state shall forcibly interfere in the constitution and government of another state" not merely because "such interference would be an active offence [against a particular state]", but also because it "would make the autonomy of all *other* states insecure."[54]

Building on Kant's argument, contemporary debate on humanitarian intervention has viewed sovereignty not only as a right of the individual state against foreign intervention but as a general ordering principle in the relations among states. Sovereignty, on this view, is one of the corner stones of international order. During the 1990s, advocates of humanitarian intervention complained that this principle protects the rights of states at the expense of the rights of citizens. The consensus in the 1970s and 1980s, however, had been that international order is also valuable in a wider, more universal sense.[55] Hedley Bull's argument for international order may be considered the classic formulation of this conviction: "International Order, or order within the society of states, is the condition of justice or equality among states or nations".[56] Moreover, Bull contended that "not only is order in world politics valuable, there is also a sense in which it is prior to other goals, such as that of justice... [because it is a] condition of realisation of goals of human or of cosmopolitan justice."[57] The principle of sovereignty and its corollary in

---

53 For a further examination of sovereignty in ethical theory see: Gene M. Lyons and Michael Mastanduno, eds., *Beyond Westphalia? State Sovereignty and International Intervention* (Baltimore: The Johns Hopkins University Press, 1995)

54 Immanuel Kant, "Perpetual Peace", p. 96. Emphasis added.

55 See transcript of the conference proceedings, in Lillich, ed., *Humanitarian Intervention and the United Nations*, pp. 3-138.

56 Bull, *The Anarchical Society,* p. 93.

57 *Ibid.* Bull insisted, however, that it "does not follow from this ... that order is to be preferred to justice in any given case... The question of order versus justice will always be considered by the parties concerned in relation to the merits of a particular case", *ibid*, p. 93.

international relations, the principle of non-intervention, help to maintain this international order in a various ways. Adam Roberts expounded this view in more detail:

> [Non-intervention] provides clear guidelines for limiting the uses of armed force and reducing the risk of war between armies of different states. It involves respect for different societies with varying religions, cultures, economic systems and political arrangements. It acts as a brake on the crusading, territorial and imperial ambitions of states.
> ...It has not served badly as an ordering mechanism of international relations in the post-1945 era.[58]

As these arguments suggest, the principles of sovereignty and non-intervention are morally valuable because they contribute to international order which is itself a vital precondition for the promotion of human flourishing within states. The familiar argument that military intervention is the only moral option in the face of a humanitarian intervention thus seems to be a gross simplification of a complex issue. On the one hand, a decision on military intervention in a humanitarian crisis requires careful moral judgement: if humanitarian intervention poses a serious risk to international order, its moral benefit needs to be balanced against the moral costs of the potential suffering that would result from a weakening of that order. On the other hand, such a decision calls for difficult empirical judgement as well. As a morally valuable ordering principle in international relations, the principle of sovereignty prohibits intervention in a state which engages in massive human rights violations *only if* such intervention would threaten to undermine international order. It is not at all clear that humanitarian intervention necessarily poses a serious risk to international order. Indeed, in an ideal case, humanitarian intervention which occurs on the basis of a universal agreement among states (or, as an approximation, an intervention authorised by the UN Security Council) may not

---

58 Adam Roberts, *Humanitarian Action in War: Aid, Protection and Impartiality in a Policy Vacuum*, Adelphi Paper 305 (London: International Institute for Strategic Studies / Oxford University Press, 1996), p. 19-20.

pose a threat to international order.[59] In practice, the question whether, in a given case, the threat intervention poses to international order is morally more important than the costs of non-intervention would thus depend on difficult empirical judgements about whether or not intervention would in fact pose a threat to order.

The Danger of Abuse

Another frequently raised objection against humanitarian intervention, particularly during the debate of the 1970s and 1980s, was the danger that allowing humanitarian intervention would open the floodgates to abuse. Schachter, for example, argued that such a concept "would introduce a new normative basis for recourse to war that would give powerful states an almost unlimited right to overthrow governments alleged to be unresponsive to the popular will...."[60] Brownlie objected that a rule allowing for humanitarian intervention "is a general licence to vigilantes and opportunists to resort to hegemonial intervention."[61] Such criticisms were based on a number of concerns. There was a widely shared general suspicion that states do not act on the basis of humanitarian motivations but on the basis of self-interest.[62] In the absence of a workable and universally agreed definition of the concept of humanitarian intervention, states

---

59 See also the discussion of legitimate authority, *infra*, p. 67.

60 Schachter, "The Legality of Pro-Democratic Invasion," *American Journal of International Law*, no. 78 (1984), p. 647.

61 Brownlie, "Thoughts on Kind-Hearted Gunmen", in Lillich, ed., *Humanitarian Intervention and the United Nations*, p. 147f.

62 This assumption was influenced by the traditions of Realism and Neo-Realism in International Relations as represented particularly by Hans Morgenthau's *Politics Among Nations: The Struggle for Power and Peace*, 2nd rev. & enlarged edition (New York: Knopf, [1948] 1954) and Kenneth Waltz's *Theory of International Politics* (Reading, Mass.: Addison-Wesley, 1979). For a number of reasons it is doubtful whether the distinction between moral and self-interested motivations is as rigid as this assumption seems to suggest. For an introduction to the theory of the notion of national interest see: James N. Rosenau, "National Interest," *International Encyclopedia of the Social Sciences*, vol. 11 (Macmillan Company & Free Press, 1968), pp. 34-40, 34; and Robert E. Osgood, *Ideals and Self-Interest in America's Foreign Relations. The Great Transformation of the Twentieth Century* (Chicago: University of Chicago Press, 1953).

would be able to define instances of humanitarian intervention at will and use the notion as a justification for military operations to advance their national interests. These concerns were reinforced by the observation that historically there had been few, if any, instances of genuine humanitarian intervention.[63] Even those interventions which took place in the context of massive human rights violations (such as in East Bengal, Cambodia, or Uganda in the 1970s) were alleged to have been initiated not on the basis of humanitarian motives but for political reasons.

These fears about the potential abuse of humanitarian intervention raise a deeper ethical issue: the question whether genuine humanitarian intervention requires purity of motive. Part of the concern about the danger of abuse of humanitarian intervention seems to have been based on the implicit assumption that humanitarian intervention can only be "genuine" if it is based solely on humanitarian motives and not on the self-interest of intervening states.[64] Where this assumption coincides with a suspicion that state action is always motivated by reasons of national interest rather than by humanitarian concern, genuine humanitarian intervention would be logically impossible. However, advocates of humanitarian intervention have not generally shared the idea that genuine humanitarian intervention requires a purity of motives. Tesón in particular argued plausibly:

> It is not immoral for a government to act out of humanitarian and self-interested motives at the same time. The true test is whether the intervention has put an end to human rights deprivations.... There is nothing wrong in a government trying at the same time to rescue foreign victims of oppression and legitimately to advance the interests of its own citizens, provided that the self-interested action does not impair the main humanitarian objective.[65]

---

63 See statement by Ellen Frey-Wouters, in Lillich, ed., *Humanitarian Intervention*, p. 107; a brief survey of putative humanitarian interventions in the 19th and 20th century is provided in Chapter 3.

64 See Moore, "Toward an Applied Theory of Intervention," in John N. Moore, ed., *Law and Civil War in the Modern World* (London: Stevens, 1974), p. 3, 24-25.

65 Tesón, *Humanitarian Intervention*, p. 106-107.

In practice, it may even be that for humanitarian intervention to be effective, humanitarian motives need to be seconded by self-interest. A more refined version of the argument that the concept of humanitarian intervention is open to abuse would therefore not focus on the requirement of purity of motive. Rather, it would require careful political judgement as to whether the political interests of states intervening in a humanitarian crisis do in fact interfere with the humanitarian objective of intervention.

The Danger of Moral Imperialism

An ethically more fundamental objection against the idea of humanitarian intervention is the argument that such intervention would impose the values and political conceptions of Western democracies on cultures or states that do not share these values and do not aspire to the same political institutions.[66] From a perspective of moral or cultural relativism it is, of course, difficult to conceive of a right, or even a duty, of the international community to intervene militarily to protect universal human rights.[67] Yet, even authors who share a general belief in the universality of some basic human rights have warned that the concept of humanitarian interventions appeals too easily to what Roberts has criticised as "ethnocentric tendencies."[68] In the late 1970s, Thomas Franck has pointed out that in some instances — particularly in volatile political and military conflicts — what may be perceived by outsiders as unacceptable grave human rights violations are potentially justifiable actions when perceived from the perspective of the country involved.

---

66 See Bruno Étienne, "Du droit de coloniser au devoir d'ingérence," *Politiques*, no. 6, Summer 1993, pp. 90-97.

67 For a good survey of relativist positions see: Rom Harré & Michael Krausz, *Varieties of Relativism*, Oxford, Blackwell, 1996.

68 Roberts, *Humanitarian Action in War*, p. 29.

> [Most] of the countries in which lives are endangered see the temporal fact of a certain number of lives being endangered in the larger historical context, one which also involves the future security of their country, the future expenditure of lives, bigger costs that may have to be paid in the long run for short-term gains in lives.[69]

Franck does not suggest that any means can be justified by the right ends. Rather, his remark draws attention to the fact that sometimes an exclusive focus on human suffering can be a simplistic way of looking at difficult and complex moral situations. For outsiders it may be difficult to judge where the line needs to be drawn between clearly unacceptable human rights violations and suffering that may be an unavoidable part of a larger political process. There may be instances when international efforts to encourage adherence to human rights standards or perfect justice irrespective of local circumstances can prolong conflict or be otherwise counter-productive.

4. Principles of Intervention

As the previous section indicated, there are other more subtle moral arguments against the humanitarian intervention concept which are not based on an absolute moral postulate of the principle of sovereignty. They are based on concerns about the potential dangers of such a concept and on the judgement that these dangers normally outweigh the potential benefits of intervention. Hence, critics of humanitarian intervention argue that one should intervene only in the severest of circumstances.

Subtler versions of the argument in favour of a right or duty of humanitarian intervention have generally recognised that such a concept posed certain dangers. Many authors have

---

69 Lillich, ed., *Humanitarian Intervention and the United Nations*, p. 22. To give an example, Keith Richburg, correspondent for the *Washington Post* during international interventions in Somalia in 1992-94 has argued that in some way the conflict in Somalia can be likened to the Civil War in the United States: A deplorable but necessary stage in a process which may lead to the stabilisation of the country under a victorious warlord. Interview with the author, Nairobi, September 1994.

conceded that the decision to intervene militarily in a humanitarian crisis cannot rely solely on the basis of the degree of suffering only, as some versions of the *devoir d'ingérence* concept suggest. Instead, these authors have argued that humanitarian intervention — just like any military intervention — should be governed by a number of ethical principles which are partly derived from traditional Just War Theory.[70] These include: the principles of just cause, legitimate authority, impartiality, last resort, consistency, proportionality, and probability of success.[71] The implication is that, if these principles were adhered to, interventions would be able to avoid some of the dangers which had prompted critics to object to the concept of humanitarian intervention.

Just Cause

Military intervention in a state is a serious matter and is generally considered legitimate only if it has a "just cause". The more interesting question is what exactly authors have considered to be such a just cause. Theoretically, a just cause may be thought to be intrinsic in the very concept of humanitarian intervention. Historically, however, there has been a wide variety of definitions of what constituted just "humanitarian" cause for military intervention. During the early phase of the debate in the 1970s, Moore described just cause as an "immediate and extensive threat to fundamental human rights, particularly a threat of widespread loss of

---

70 See for example: David Fisher, "The Ethics of Intervention," *Survival*, vol. 36, no. 1, Spring 1994, pp. 51 - 59; Oliver Ramsbotham & Tom Woodhouse, *Humanitarian Intervention in Contemporary Conflict: A Reconceptualization* (Cambridge: Polity Press, 1996); Laura Reed & Carl Kaysen, eds., *Emerging Norms of Justified Intervention. A Collection of Essays from a Project of the American Academy of Arts and Sciences* (Cambridge, Massachusetts: American Academy of Arts and Sciences, 1993)

71 Some lists of criteria of legitimate humanitarian intervention intervention include less principles, others more; cf: Farer, "A Paradigm of Legitimate Intervention," p. 327; Ramsbotham, *Humanitarian Intervention in Contemporary Conflict*, p. 226.

human life."[72] Michael Walzer, who was opposed to humanitarian intervention in most cases, considered intervention justified when it was in response to acts "that shock the moral conscience of mankind", which he understood to mean the "massacre and enslavement [and] the expulsion of very large numbers of people" by their government.[73] Tom Farer argued more narrowly that intervention could be justified only when "large-scale loss of life is threatened."[74]

Definitions of just causes such as these lacked precision and did not specify exactly what constitutes "large-scale" loss of life. Nevertheless, they implied that humanitarian intervention was a measure to be taken only in extraordinary cases. Moore summarised the position of many participants in the 1970s debate on humanitarian intervention when he stated: "Since we all recognize that there are great dangers in permitting unilateral intervention, the values threatened which justify unilateral intervention ought to be major values. That is, such intervention should be permissible only in situations of extreme deprivation."[75] According to Walzer, "the purpose of stressing these extreme forms of oppression is, of course, to rule out intervention in cases of 'ordinary' oppression."[76] What participants in the 1970s' debate on the ethics of humanitarian intervention had in mind were cases of grave genocide and massive human rights violations such as those which occurred in East Bengal, Uganda, and Cambodia, where the victims of oppression numbered in tens, if not hundreds, of thousands. Ultimately, notions of justified humanitarian intervention derived much of their persuasive force from the experience of the

---

72 John N. Moore, "The Control of Foreign Intervention in Internal Conflict", *Virginia Journal of International Law*, no. 9 (1969), p. 264; quoted in Brownlie, "Thoughts on Kind-Hearted Gunmen," p. 139.

73 Michael Walzer, "The Moral Standing of States," p. 218.

74 Farer, transcripts of conference proceedings, in Lillich, ed., *Humanitarian Intervention and the United Nations*, p. 66.

75 Moore, transcript of conference proceedings, *ibid.*, p. 49.

76 Walzer, "The Moral Standing of States," p. 218.

genocide of millions of Jews and other minorities during the 1940s.[77] In the 1990s, definitions of just cause for humanitarian intervention have tended to become more expansive. A good example for a more general trend is the change in Farer's position who in 1996 suggested that military intervention was justified not just to prevent large-scale loss of life but also in support of democracy.[78]

Legitimate Authority

One of the most important elements of a legitimate use of force at least since the middle ages has been the principle of legitimate authority. For Thomas Aquinas only a Prince was invested with the legitimate authority to go to war and this authority was ultimately derived from God.[79] In the legal debate of the 1970s the right of humanitarian intervention was originally construed in parallel: it was discussed as a unilateral right of states that was ultimately derived from the justice of its humanitarian cause. This conception was viewed with scepticism by critics who argued, as has been discussed before, that a rule allowing unilateral humanitarian intervention would be wide open to abuse and could undermine international order. Partly in response to such criticisms and reflecting suggestions that there would be less danger of abuse if intervention remained a "discretion in the United Nations to act through the appropriate organs",[80] the notion of legitimate authority for humanitarian intervention was transformed. During the 1980s and 1990s, it was increasingly tied to the idea that "all coercive measures must

---

77 See Richard Falk, transcript of conference proceedings, in Lillich, ed., *Humanitarian Intervention and the United Nations*, p. 64; Bouretz, "Actualité du droit d'ingérence humanitaire," p.30; Smith, "Humanitarian Intervention: An Overview of the Ethical Issues," p. 79.

78 Tom Farer, "Humanitarian Intervention: Lessons from the First Phase", *Human Rights Quarterly*, January 1996.

79 See Gerhard Beestermöller, *Thomas von Aquin und der gerechte Krieg. Friedensethik im theologischen Kontext der Summa Theologiae* (Köln: J.P. Bachem Verlag, 1990), pp. 85 111.

80 Brownlie, "Thoughts on Kind-Hearted Gunmen," p. 148.

be multilaterally authorized."[81] Preferably, it was to be authorised by the United Nations because, as Thomas Weiss argued, "UN decision-making is the only available and sensible way to co-ordinate global responses to genocidal misery and massive human rights abuse in war zones around the world."[82] Statements such as these indicate a shift in the debate on the ethics of humanitarian intervention. Whereas during the 1970s, legitimate authority of states to intervene in humanitarian crises was derived from the purpose of their action, i.e. to put an end to massive suffering, it now appeared to be more related to the idea of collective authorisation and multilateral implementation.

However, the requirements of collective authorisation and multilateral implementation were not themselves matters of ethical principle. Instead, they were meant to address political concerns that humanitarian interventions might threaten international order and that they might be abused by hegemonic powers. This did not affect the moral principle that humanitarian intervention can be legitimate even when it is not authorised by the United Nations or otherwise conducted on a multilateral basis, if (on the basis of empirical judgement) it is unlikely to threaten world order or be abused. Accordingly, philosophers have generally not insisted that humanitarian intervention be explicitly authorised by the United Nations. Rather, they argued, in the words of Ramsbotham, that interveners "should *hold themselves accountable* to the international community for their intervention, since it is from the international community that they derive the authority to intervene."[83] Or as the German philosopher Habermas put it in the context of NATO's intervention in Kosovo: "Even nineteen undoubtedly democratic states remain a faction when they assume a right to intervene" which in an ideal world "would be a

---

81 Ernst Haas, "Beware the Slippery Slope," p. 81.

82 Thomas Weiss, "Triage: Humanitarian Interventions in a New Era," *World Policy Journal*, no. 11, Spring 1994, p. 59.

prerogative only of independent institutions." In the absence of a yet to be realised democratic society of world citizens ("demokratische Weltbürgergesellschaft"), Habermas argues, they may sometimes have valid moral reasons to intervene. "In that case, however, the incompleteness of the era of world-citizens requires a special sensitivity."[84] According to the philosophers quoted here, collective authorisation would increase the legitimacy of humanitarian intervention. In the same way that the medieval idea of legitimate authority for the use of force was ultimately derived not from the Prince but from God, legitimate authority for humanitarian intervention in contemporary theory is derived not from a particular political institution but from the overall morality of intervention. That morality, however, is tied not just to considerations of just cause but to several other conditions.

Impartiality

One frequently discussed condition for legitimate intervention is the principle of impartiality. Ramsbotham includes it in a list of twelve framework principles for humanitarian intervention stating that "intervention should be impartially conducted."[85] Although widely accepted, the principle of impartiality has been the subject of much confusion. According to one interpretation impartiality stipulates that interveners should not act partially in the sense that their actions should not favour one party to a conflict over another, i.e. they should remain politically neutral.[86] Another interpretation is that interveners should not act partially in the sense that their actions should not favour one party over another *for the wrong reasons,* i.e. interveners

---

83 Ramsbotham, *Humanitarian Intervention in Contemporary Conflict*, p. 226. Emphasis added.

84 Jürgen Habermas, "Bestialität und Humanität," *DIE ZEIT*, no. 18, 29 April 1999.

85 The principle is referred to as the "principle of humanitarian approach"; Ramsbotham, *Humanitarian Intervention in Contemporary Conflict*, p. 226.

86 See for example the position held by Ellen Frey-Woulters, transcript of conference proceedings, in Lillich, ed., *Humanitarian Intervention and the United Nations*, p. 58.

should have no agenda for their actions other than the implementation of standards that apply equally to all sides to the conflict. Thus, if one party violates those standards more than another, interveners do not fall foul of this principle if they confront that party more than any of the others. The former interpretation is probably better described as *neutrality,* or political neutrality, and may be associated with the activities of a mediator. The latter interpretation calls for *disinterestedness* of the interveners' actions in implementing a given framework or other agreed upon principle. As such their role resembles that of a judge who is required to administer justice on the merits of a given case only and for whom a personal interest in the case would disqualify him from adjudicating it.

Political neutrality has not generally been an essential requirement of legitimate humanitarian intervention. The requirement of impartiality (in the sense of disinterestedness) was a central element of the debate insofar as it addressed concerns that humanitarian intervention would be open to abuse by states which might want to further their particular interests under cover of alleged humanitarian goals. Impartiality demanded that intervention was aimed at addressing the humanitarian needs unhampered by potential interests of the intervening state. As such, impartiality was not in itself a first-order ethical principle. Rather, it was a principle that helped to ensure that interventions were directed at and resulted primarily in an amelioration of the humanitarian situation in the target country. Whether or not the interests of interveners were likely to stand in the way of that requirement was a matter of empirical, not moral judgement. Morally speaking, disinterestedness or purity of motive in itself was for many authors not essential. "I am less concerned with their motives," stated Moore, for example, "than I am concerned with what the impact is in terms of human rights..."[87] Coates observed that the

---

87 Moore, in Lillich, ed., *Humanitarian Intervention and the United Nations*, p. 69.

> ... common assumption that the only just war is a disinterested war is not shared by the just war tradition. Justice and interest are not mutually exclusive. The presence of an interest does not, ipso facto, nullify just cause. The real issue is whether the interest that is present is itself legitimate, and whether that legitimate interest is relevant to the case of war....States, like individuals, are more likely to act morally when duty and inclination coincide.[88]

Walzer argued similarly that "it is not necessarily an argument against humanitarian intervention that it is, at best, partially humanitarian, but it is a reason to be sceptical and to look closely at the other parts."[89] And according to Tesón it "is not immoral for a government to act out of humanitarian and self-interested motives at the same time. The true test is whether the intervention has put an end to human rights deprivations."[90]

Last Resort

A classic condition for the legitimate use of force in Just War theory is the principle that force should be used as a last resort only.[91] In contemporary debate, it has been regarded as particularly important for legitimate humanitarian intervention. Ottunu, for example, argued that intervention should be "a measure of last resort, to be applied only when all other remedies or means of pressure have been exhausted".[92] Although the principle of last resort may appear largely self-evident, it contains an ambiguity that is easily overlooked. One way to understand the principle is to say that humanitarian intervention should only be undertaken *after* all other remedies to stop a humanitarian crisis have been exhausted. Such an interpretation is deeply problematic, as Stanley Hoffmann has pointed out:

---

88 A.J. Coates, *The Ethics of War* (Manchester: Manchester University Press, 1997), p. 162.

89 Walzer, *Just and Unjust Wars*, p. 102.

90 Tesón, *Humanitarian Intervention*, p. 106.

91 See the writings of Thomas Aquinas; Gerhard Beestermöller, *Thomas von Aquin und der gerechte Krieg*, p. 130-132.

92 Olara A. Otunnu, *Keeping the Peace in the Post-Cold War Era*, Report to the Trilateral Commission, no. 43 (New York: Trilateral Commission, 1993), p. 76.

> [By] the time those other remedies have demonstrably failed, the kind of coercive intervention necessary may be much larger and burdensome - or else quite ineffective and too late to stop trouble-makers and to save those who could have been rescued by an earlier action.[93]

An alternative interpretation of the principle of last resort states that humanitarian intervention should only be undertaken if there are no other means to stop a humanitarian crisis. Farer argued that humanitarian intervention was only legitimate if "there are no plausible alternative means for averting a massive violation of fundamental human rights."[94] This interpretation permits humanitarian intervention even if other non-forcible means have not yet been tried but are unlikely to be effective, thereby avoiding some of the problems Hoffmann pointed out. Interpreted in this way, the ethical principle of last resort is better described as the condition that, in order to be legitimate, humanitarian intervention must be *necessary*. The condition of necessity, however, re-emphasises the fact mentioned earlier that the legitimacy of intervention depends to an important degree on political and not moral judgement.

Proportionality

Perhaps the least controversial and most widely accepted condition for legitimate humanitarian intervention is the principle of proportionality.[95] Historically, it has been on one of the core principles of Just War theory and constitutes an important qualification of the principle of just cause. "The existence of a just cause, even when allied with legitimate authority, does not in itself legitimate just recourse to war," writes Coates in a discussion of criteria of just war. In

---

93 Stanley Hoffmann, "The Politics and Ethics of Military Intervention," *Survival*, Winter 1995-96, p. 39.

94 Farer, "A Paradigm of Legitimate Intervention," in Lori Fisler Damrosch, ed., *Enforcing Restraint. Collective Intervention in Internal Conflicts* (New York: Council on Foreign Relations Press, 1993), p. 327.

95 Farer, "A Paradigm of Legitimate Intervention," p. 327; Ramsbotham, *Humanitarian Intervention in Contemporary Conflicts*, p. 226; transcript of conference proceedings, in Lillich, ed., *Humanitarian Intervention and the United Nations*, pp. 3-138.

addition, "the criterion of proportionality requires potential combatants to consider whether or not war is a fitting and proportionate response to the injury that has been threatened or received."[96] Even advocates of humanitarian intervention, such as Tesón, who emphasised the persuasive force of the just cause condition conceded that humanitarian intervention is only legitimate where "that the intervention is proportionate to the evil which it is designed to suppress."[97]

Despite the near universal agreement on proportionality as a necessary condition for legitimate humanitarian intervention the significance of this requirement has not always been fully recognised. The principle of proportionality stipulates that when the negative consequences of outside military intervention are likely to be so grave that they would outweigh its benefits humanitarian intervention is illegitimate even in cases of massive human rights violations. According to a widely shared moral principle of humanitarian intervention, it is thus possible that in some cases non-intervention may be morally better than intervention.

In practice, of course, it may on occasion be morally defensible to violate, or threaten to violate, the principle of proportionality on a local level as the following example illustrates. In September 1995, General Rupert Smith, then commander of UNPROFOR in Bosnia, warned explicitly that any attempt by Bosnian Serbs to interfere with the re-opening of roads into Sarajevo would be met with "disproportionate force". Despite previous threats, Serb forces did not obstruct the opening of the road. For the first time since May 1992, vehicles were able to

---

96 Coates, *The Ethics of War*, p. 167. See Beestermöller, *Thomas von Aquin und der gerechte Krieg*, p. 125-129.

97 Tesón, *Humanitarian Intervention*, p. 15.

move unimpeded in and out of Sarajevo and the three-and-a-half year siege of the city had thus come to an end.[98]

Consistency

Some authors include the principle of consistency among the criteria for legitimate humanitarian intervention. Ramsbotham, for example, insists that "interventions should be consistent across different crisis situations...".[99] In public debate, intervention by the international community in one crisis often triggers the question why it does not also intervene in one or several other crises where suffering is conceivably just as severe. Arguably, however, such demands for consistency lump together several distinct ethical considerations. One issue regards the question why the international community may have decided to intervene in one conflict and not in another. Implicitly, this question may involve a suspicion that the motives for intervention were based less on humanitarian considerations than on the interveners' self-interest. In this sense a demand for consistency would amount to the requirement of purity of motive which has not been widely endorsed in the ethical debate on humanitarian intervention. As long as the interests involved do not hinder the achievement of humanitarian purposes of intervention, participants in the debate on the ethics of intervention have not normally doubted its legitimacy.

A second consideration regards the question why the international community fails to intervene in other severe humanitarian crises as well. In so far as this question contains the implicit claim that the severity of these crises creates a moral imperative of intervention, the

---

98 *Report of the Secretary-General pursuant to General Assembly resolution 53/35: The Fall of Srebrenica*, A/54/549, p. 99, para 450.

99 Ramsbotham, *Humanitarian Intervention in Contemporary Conflict*, p. 226.

consistency requirement seems to be an oversimplification of an issue that requires consideration not just of the criteria of just cause but also of the other difficult ethical issues and principles which are being discussed in this chapter. In this light, what at first sight may appear to be an inconsistent pattern of humanitarian interventions in some but not in other crises could — at least in theory — be a sign of an ethically more complex consistency.

Prospect of Success

The final principle of legitimate humanitarian intervention to be discussed here — and possibly the one most easily overlooked — is the requirement that it must be likely to succeed. Although it is less frequently mentioned than other principles (such as just cause, legitimate authority, impartiality, last resort or proportionality), probability of success has been a necessary condition in Just War theory for the legitimate recourse to war. Drawing from Aristotle, Thomas Aquinas argued that war is legitimate only if there is a reasonable prospect of a victory over the perpetrator of evil.[100] Commentators have pointed out that the principle contains two elements: "Firstly, there must be a prospect of victory. Secondly, there must be reasonable hope that victory will also contribute to peace."[101] According to Aquinas, resorting to force without such a prospect of success creates only new and unnecessary evil. This opens the unpleasant possibility that there are situations that cannot be remedied. But as Aquinas points out, the only reasonable response to such a situation is not "anger, but only anguish."[102]

What constitutes success in the context of humanitarian intervention? When can a humanitarian intervention be considered successful? In so far as success is the gaining of what is

---

100 Thomas Aquinas, *Summa Theologiae*, vol. I-II., q. 46, a.1; quoted in Beestermöller, *Thomas von Aquin und der gerechte Krieg*, p. 133. See also: Coates, *The Ethics of War*, p. 101.

101 Beestermöller, *Thomas von Aquin und der gerechte Krieg*, ibid.

aimed at, military interventions in general may be successful in many different dimensions, depending on the purpose. An intervention may be considered successful if it reaches its narrow military objectives. It may also be considered successful if it achieves wider political objectives such as to contain conflict in a country or to stop belligerents from resuming military confrontations. Perhaps it may even be considered successful if it serves to demonstrate the unity and determination of an alliance of intervening nations.

In reality, most military interventions happen for a variety of purposes and humanitarian intervention is no different. What is special about humanitarian intervention is that its central purpose of alleviating large-scale human suffering is the basis for its legitimacy. It is the main reason why humanitarian intervention is sometimes considered a legitimate exception from the general principle of non-intervention. Other potential purposes of military interventions, such as demonstrating unity or credibility of a military alliance, are not generally considered legitimate. Thus, the success of humanitarian intervention is defined in terms of the alleviation of suffering that it achieves. Moreover, the alleviation of suffering must be a substantial. What exactly constitutes "substantial alleviation of suffering" will always remain somewhat contentious. However, as humanitarian intervention is an exceptional response to grave cases of large-scale human suffering, the number of lives saved must be large enough to warrant such an exceptional response.

The principle of prospect of success implies that if, for whatever reason, military intervention is unlikely to substantially alleviate suffering in a humanitarian crisis, it would be immoral because the benefits of intervention would be insufficient to outweigh its inevitable costs and side-. In the 1970s debate on the legitimacy of humanitarian intervention, critics put

---

[102] Aquin, *Summa Theologiae*, vol. I-II, q. 46, a.1; *ibid.*

much emphasis on this problem, warning that success may too easily be assumed as a given. "A blind faith in 'effectiveness' and the launching of the wrong vehicle," argued Brownlie, "can lead not only to a failure to improve matters but also to an aggravation of the situation."[103] Partly due to the overwhelming focus of the ethical debate on the perceived antinomy of sovereignty versus just cause for intervention, this criterion did not receive much attention during the 1980s. Nevertheless, the issue was not completely ignored and even the most fervent advocates of humanitarian intervention recognised the importance of the principle. Tesón conceded that "the seriousness of the reaction against human rights abuses must be proportionate to the gravity of the abuses *and the probability of remedying the situation.*"[104]

With the ambiguous record of military interventions in humanitarian crises during the early and mid-1990s the criteria of probability of success received increased attention. Authors now recognised the implications of practical difficulties for the morality of humanitarian intervention. Haas for example observed that "the record does not encourage our faith in the maintenance of consistent commitment among the rich democratic states," and argued that "all coercive measures must pass the test of probable effectiveness." Such a test would include answering various difficult questions, including the question 'What are the chances of getting what type of coalition for what purpose?'[105] In the final analysis, Haas pronounced that "to promise the unattainable is immoral."[106] This view concurs with Coates who argues:

> ... the prospects of success, like the question of last resort, are determinable only by reference to the facts and by consideration of expert opinion. A moral judgement that,

---

103 Brownlie, "Thoughts on Kind-Hearted Gunmen," p. 148.

104 Tesón, *Humanitarian Intervention*, p. 116. Emphasis added.

105 Stanley Hoffmann, commentary to "Beware the Slippery Slope: Notes toward the Definition of Justifiable Intervention" by Ernst Haas, in Reed, ed., *Emerging Norms of Humanitarian Intervention*, p. 89.

106 Haas, "Beware the Slippery Slope," p. 75-78.

> driven solely by the purity of its vision and the strength of its conviction or sentiment, simply ignores the 'facts' is not worth very much, and may well do untold damage.[107]

As these passages indicate, ethical and political debates on humanitarian intervention merge in the principle of likelihood of success. Practical and moral issues need to be considered together if one wants to come to a well-founded judgement about the legitimacy of humanitarian intervention in a given case.

To sum up, a general recurring theme in this review of the ethical debate on humanitarian intervention has been that the question of whether or not there is a moral duty of military intervention in humanitarian crises is not just a question of moral conviction. While there is strong support for a general moral responsibility of the international community to prevent and mitigate humanitarian crises, a specific moral duty that this must be done by intervening militarily has not generally been endorsed. Whether or not military intervention is the morally required response to humanitarian crises depends on a variety of conditions, including not only whether there is a just cause but also whether intervention has legitimate authority, whether it is necessary and proportionate, and whether there is a likelihood of success. Whether or not these conditions are fulfilled in a given case is not only a question of moral consideration. It involves political considerations of empirical fact as well. In establishing whether in a given case there is a moral duty of humanitarian intervention, moral and empirical issues need to be considered together. Before Chapters 4 and 5 examine in detail the successes and failures of international responses to crises in Somalia and Rwanda between 1992 and 1994, the following chapter provides a broad overview of the general political issues that came to bear on military interventions in humanitarian crises during the 1990s.

---

107 Coates, *The Ethics of War*, p. 101.

Chapter 3

The Changing Context of Humanitarian Intervention

As the previous chapter has suggested, it is not merely a matter of just cause whether or not military intervention in a humanitarian crisis is morally permissible or even mandatory. Rather, the answer to that question also depends upon empirical factors: will military intervention threaten international order? Would it be abused? Is it necessary? Will it be proportionate given the way in which it will be conducted? Will it succeed in alleviating human suffering? Answers to these questions will vary in every case.

There are, however, a number of key elements that have provided a general, if changing, context for humanitarian interventions in the 1990s. (1) Legality: whether or not humanitarian intervention poses a threat to international order is closely related to its legality in international law. (2) Doctrine: proportionality and prospect of success depend on the purposes of intervention as well as on the principles according to which it will be conducted. (3) Alternatives: whether humanitarian intervention is necessary depends on the question whether alternative responses might achieve similar or better results. By examining the changing political context of humanitarian intervention in the 1990s, this chapter offers a broad perspective on international responses to humanitarian crises as well as an introduction to some of the issues that will recur in the in-depth examination of two cases of humanitarian intervention in Chapters 4 and 5 of this thesis.

1. Legality

The question whether or not there is a right of humanitarian intervention in international law has been debated for decades. In 1986, a study by the British Foreign Office summarised this debate by concluding that "the best case that can be made in support of humanitarian intervention is that it cannot be said to be unambiguously illegal."[1] Despite a considerable number of military interventions in humanitarian crises during the 1990s, humanitarian intervention has still not been formally adopted in any general legal instrument.[2] Nevertheless, the question of in what context humanitarian intervention could be considered legal continues to be the subject of fierce debate. Three controversies lie at the heart of this debate: whether humanitarian intervention is compatible with the regulation of the use of force in the UN Charter; whether other provisions in the Charter and subsequent treaties in international human rights and humanitarian law give rise to a right of humanitarian intervention; and finally, whether state practice amounts to a customary right of humanitarian intervention. All three issues will be discussed in turn.

Humanitarian Intervention and the UN Charter

A central purpose of the United Nations, according to its Charter, is "to maintain international peace and security" (Article 1). To that end, the Charter is build around the core principles of sovereignty and non-intervention which prohibit "the threat or use of force against

---

1 *UK Foreign Office Policy Document No. 148*, reprinted in U.K.M.I.L. 1986, 57, B.Y.I.L 614 (1986), in D.J. Harris, *Cases and Materials on International Law* (London: Sweet & Maxwell, 1991), p. 872-73.

2 Adam Roberts, "Humanitarian Action in War. Aid, Protection and Impartiality in a Policy Vacuum," *Adelphi Paper*, no. 305 (London: International Institute for Strategic Studies / Oxford University Press, 1996), p. 20.

the territorial integrity or political independence of any state" (Article 2, paragraph 4). The Charter knows only two explicit exceptions: the first is "the inherent right of individual or collective self-defence" against armed attack (Article 51). The second exception are coercive measures that can be authorised by the UN Security Council under Chapter VII, Article 42, of the Charter. Such measures require that the Council has determined "the existence of any threat to the peace, breach of the peace, or act of aggression" (Article 39) and are limited to measures that are "necessary to maintain or restore international peace and security" (Article 42). Military intervention for humanitarian purposes, unilateral or multilateral, is thus not included among the explicit exceptions from the general prohibition of the use of force in the UN Charter.

It has sometimes been argued that military intervention in a humanitarian crisis can nevertheless be technically compatible with the Charter either when the government of a target state consents to the intervention or when there is no government to give or withhold consent. International intervention in Somalia was partly based on these justifications.[3] Neither of these arguments is likely to provide a solid and generally applicable legal basis for military interventions in humanitarian crises.

Two other legal justifications for humanitarian intervention seem to be more promising in this respect. One is the possibility that the United Nations Security Council determines that a humanitarian crisis constitutes a "threat to international peace and security" and authorises the use of force under Article 42 of the Charter. Critics have noted that in many cases massive violations of human rights do not involve any visible threat to international security and that

justifying military intervention on these grounds would thus raise issues of credibility and consistency.[4] The practice of Security Council authorisation for military interventions in humanitarian crises during the 1990s has nevertheless been considered legal by most states.[5]

Another line of argument would allow humanitarian intervention even without Security Council approval. It is based on the idea that large-scale humanitarian crises cannot be considered internal affairs because they are of concern for the international community as a whole. Whether or not by the end of the 1990s developments in international human rights and humanitarian law provided a sufficient legal justification for humanitarian intervention will be examined in the following section.

Developments in International Human Rights and Humanitarian Law

As many advocates of humanitarian intervention have pointed out, maintenance of international peace and security is not the only purpose that was enshrined in the UN Charter in 1945. Most prominently, Article 1, paragraph 3 states that another purpose of the United Nations is to "achieve international co-operation ... in promoting and encouraging respect for human rights and for fundamental freedoms for all". Since 1945, human rights instruments have multiplied.[6] Building on the Universal Declaration of Human Rights and the Genocide

---

3 The Security Council resolution which authorised UNITAF in December 1992 to use all necessary means to establish a secure environment for humanitarian relief operations in Somalia noted that it responded "to the urgent calls from Somalia for the international community to take measures to ensure the delivery of humanitarian assistance". S/RES/794 (1992), 3 December 1992; *UNiS*, Doc. 35, p. 214.

4 Stanley Hoffmann, "Out of the Cold: Humanitarian Intervention in the 1990s", *Harvard International Review*, vol. 16, no.1, Fall 1993, p. 8-9.

5 See also the section on *State Practice*, p. 85.

6 For an overview of the development of human-rights instruments see: *The United Nations and Human Rights, 1945-1995*, The United Nations Blue Book Series, vol. VII (New York: Department for Public Information, United Nations, 1995), pp. 3-125; Tom Farer & Felice Gear, "The UN and Human Rights: At

Convention of 1948,[7] international human-rights law has developed through a multitude of international treaties.[8] There have also been developments on a regional level, particularly in Europe.[9] In these, the parties agreed to a set of political and judicial procedures to monitor human rights implementation within states. Some rights, including the prohibition of torture, are increasingly being regarded as *erga omnes* obligations that all states must respect regardless of whether or not they have acceded to them.[10] The appointment of a United Nations High Commissioner for Human Rights during the World Conference on Human Rights in 1993 added further emphasis to a growing if not universal consensus that human rights are matters of legitimate concern for the international community and surpass the internal affairs of states.[11] Although international human-rights law contains elements that have increasingly eroded traditional notions of state sovereignty, there are no strict enforcement mechanisms to prosecute states which fail to abide by their obligations. Even the Genocide Convention — in which states undertake to "prevent and punish" crimes of genocide — merely states that any contracting party

---

the End of the Beginning," in Adam Roberts & Benedict Kingsbury, eds, *United Nations, Divided World*, pp. 240-296.

7 Universal Declaration of Human Rights, A/RES/217 A (III), 10 December 1948, *UNaHR Doc.* 8, p. 153; Convention on the Prevention and Punishment of the Crime of Genocide, A/RES/260 A (III), 9 December 1948, *UNaHR Doc.* 7, p. 151.

8 The most important ones are: The *International Covenant on International Civil and Political Rights*, A/RES/2200 A (XXII), 16 December 1966, *UNaHR Doc.* 32, p. 235; the *International Covenant on Economic and Social Rights*, A/RES/2200 (XXI), 16 December 1966, *UNaHR Doc.* 32, p. 235; the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, A/RES//46, 10 December 1984, *UNaHR Doc.* 50, p. 294.

9 See The *Convention for the Protection of Human Rights and Fundamental Freedoms* (European Convention on Human Rights), 4 November 1950, *UNaHR Doc.* 10, p. 156

10 See Catherine Guicherd, "International Law and the War in Kosovo", *Survival*, vol. 41, no. 2, Summer 1999, p. 19-34, 21.

11 See "The Role of the United Nation High Commissioner for Human Rights," in *The United Nations and Human Rights*, pp. 109-111.

"may call upon the competent organs of the United Nations" to take such action "as they consider appropriate for the prevention and suppression of acts of genocide" (Article VIII).[12]

Developments in international humanitarian law (which governs the conduct of armed conflict: *ius in bello*) further strengthened the role of universal norms *vis a vis* state sovereignty. Building on ancient customary law for the conduct of war, international humanitarian law was codified comprehensively in the Hague Conventions of 1907 and the four Geneva Conventions of 1949 that regulate the conduct of war between states.[13] In 1977, the Protocols Additional to the Geneva Conventions *inter alia* extended the application of the rules to non-international conflicts and incorporated provisions that had originated in international human rights law.[14] The creation of the international tribunals for the Former Yugoslavia in 1993 and Rwanda in 1994, and the adoption of the statute for the International Criminal Court in 1998 (not yet in force)[15] are further indications for greater international agreement on humanitarian and human rights norms. Developed on the model of the post World War II Nuremberg Tribunal, these institutions are charged with the prosecution of grave breaches of the Geneva Conventions of 1949, violations of the laws or customs of war, genocide, and crimes against humanity.[16] They represent a significant step in the development of mechanisms for the enforcement of universally

---

12 *Convention on the Prevention and Punishment of the Crime of Genocide*, *UNaHR Doc.* 7, p. 52.

13 Reprinted in Adam Roberts & Richard Guelff, eds., *Documents on the Law of War*, second revised and updated edition (Oxford: Clarendon Press, 1989), pp. 43-120 and pp. 169-338.

14 *Ibid.*, p. 387-346, 387/8, and 447-468.

15 The Rome Statute of the International Criminal Court will enter into force on the first day of the month after the 60th day following the date of the deposit of the 60th instrument of ratification, acceptance, approval or accession (Article 126). As of 8 February 2001, there were 139 signatures and 28 ratifications. Rome Statute of the International Criminal Court, ratification status as of 8 February, http://www.un.org/law/ice/statute/status.htm.

16 See *Statute of the International Tribunal* as adopted by the UN Security Council 25 May 1993 and amended 13 May 1998, UN Doc. S/RRES/ 1166 (1998), articles 2-5; *Rome Statute of the International Criminal Court (ICC)* adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court on 17 July 1998, UN Doc. A/Conf.183/9.

accepted legal norms. However, in the absence of an international executive, both the International Tribunal and the International Criminal Court (ICC) rely on the co-operation of states to apprehend suspects and to enforce their rulings and neither Court has the power to authorise states to take such measures. The preamble of the ICC even states explicitly that "nothing in this Statute shall be taken as authorizing any State Party to intervene in an armed conflict in the internal affairs of any State".[17] As of 1999, therefore, there were no international legal instruments that made humanitarian intervention unambiguously legal.[18]

State Practice

Prior to 1990 the number of putative cases of humanitarian intervention was relatively small. International legal debate focused largely on India's intervention in East Bengal in 1971, Vietnam's intervention in Cambodia in 1979 and Tanzania's intervention in Uganda in 1979.[19] All of these cases were instances of outside military intervention in a state without the approval of its authorities at a time of grave humanitarian crises. It can even be argued that they contributed to an amelioration of human suffering. However, most commentators at the time doubted whether the interventions could be interpreted as humanitarian interventions citing suspicions that alleviating human suffering was not their only (or even) primary purpose.[20]

---

17 *Ibid.*

18 In the view of advocates of a right of humanitarian intervention this constitutes an area where "international law has serious gaps"; See Guicherd, "International Law and the War in Kosovo", p. 20.

19 See Michael Akehurst, "Humanitarian Intervention", in Bull, ed., *Intervention in World Politics*, pp. 95-118; Anthony Clark Arend and Robert J. Beck, "Historical Overview: the Development of the Legal Norms Relating to the Recourse to Force", A.C. Arendt and R.J. Beck, eds., *International Law and the Use of Force*, Routledge, London, pp. 11-25; Gary Klingworth, *Vietnam's Intervention in Cambodia in International Law* (Canberra: Australian Government Publishing Service, 1989).

20 See Hedley Bull, ed., *Intervention in World Politics*, 2nd edition (Oxford: Clarendon, 1986), pp. 29 - 44; Richard B. Lillich, ed., *Humanitarian Intervention and the United Nations* (Charlottesville:University Press of Virginia, 1973).

Moreover, most of the intervening states did not justify their interventions formally on humanitarian grounds but claimed instead that they were acting in self-defence.[21] It is debatable whether or not purity of motive is a necessary requirement for legitimate humanitarian intervention and perhaps the pre-1990 interventions in humanitarian crises will have to be re-examined as putative precedents for humanitarian intervention in the light of experience in the 1990s. There is strong evidence, however, that until the late 1980s, most governments were reluctant to accept the notion of humanitarian intervention as a formal justification for military interventions.

With the end of the Cold War and increased co-operation among the mayor powers in the UN Security Council, the idea of legitimate humanitarian intervention saw a sudden rise in popularity. The first step in a rapid development towards what was to become an accepted practice of humanitarian intervention was Security Council Resolution 688 of 4 April 1991. In response to a humanitarian crisis in Northern Iraq which caused a massive exodus of Kurdish refugees into neighbouring Turkey, the Council determined that the crisis constituted a threat to international peace and security and, acting under Chapter VII of the Charter, authorised an international relief operation.[22] The resolution remained ambiguous as to whether the humanitarian crisis itself or the refugee movement were the basis for invoking Chapter VII. It also did not authorise any coercive measures and thus fell short of creating a precedent for humanitarian intervention in the sense of its classic definition. However, the resolution was seen as an element of the legal justification for operation *Provide Comfort*, a military operation that

---

21 There is debate about whether India justified its intervention in East Bengal on humanitarian grounds or on grounds of self-defence; see Akehurst, "Humanitarian Intervention", pp. 95-118

22 UN Doc. S/RES/688 (5 April 1991).

created a temporary save haven for Kurdish refugees without the consent of the government in Baghdad.[23] Thus, Resolution 688 came to be seen as a significant step towards increased international military involvement in humanitarian crises.[24]

A legal and political landmark was passed 18 months later in resolution 794 when the Security Council determined unequivocally that "the magnitude of the human tragedy caused by the conflict in Somalia, further exacerbated by the obstacles being created to the distribution of humanitarian assistance, constitutes a threat to international peace and security" (Preamble).[25] Acting under Chapter VII of the Charter, the Council authorised Member States "to use all necessary means to establish as soon as possible a secure environment for humanitarian relief operations in Somalia" (Paragraph 10). Although the Council also stated vaguely that it was acting on the basis of "urgent calls from Somalia" (Preamble), it had for the first time in the history of the United Nations authorised a humanitarian intervention in the classic sense of the term.

Although Resolution 794 was explicitly meant to be an "exceptional response" to the "unique character of the present situation in Somalia", it provided the basic legal structure for a number of international military interventions in humanitarian crises during the 1990s. Security Council authorisations of the French-led *Operation Turquoise* in Rwanda and the US-led international intervention in Haiti in 1994, the aborted Canadian-led intervention in Eastern Zaire in 1996, the Italian-led *Operation Alba* in Albania in 1997, and the NATO-led operation in Kosovo in 1999 included some core elements: the respective humanitarian crisis was determined

---

23 See Roberts, *Humanitarian Action in War*, pp. 21-22.

24 See Howard Adelman, "Humanitarian Intervention: The Case of the Kurds," *International Journal of Refugee Law*, vol. 4, no. 1, 1992, pp. 4–38.

to constitute a "threat to international peace and security"; forces were authorised under Charter VII of the Charter "to use all necessary means" in pursuit of their objectives; it was understood that military leadership of the operation would be provided by a lead-nation, or coalition of states, and not by the United Nations. [26] Essentially, these resolutions indicated a willingness among Members of the Security Council to intervene in countries in extreme turmoil and to intervene with a declared readiness to use force.

Commentators have argued that with these resolutions the Security Council was in effect "availing itself of a right of humanitarian intervention".[27] In fact, the Security Council had merely extended earlier interpretations of what constitutes threats to international peace and security to include grave humanitarian crises. The extension reflected both a growing realisation that massive human rights violations may have destabilising effects on neighbouring states as well as the spirit of developments in international humanitarian and human rights law. On that basis, the Council was able to legally authorise multi-national military interventions in humanitarian crises. Nothing in the resolutions on interventions passed during the 1990s suggests a consensus among members of the Security Council that states, individually or collectively, have a right to intervene in humanitarian crises without the Council's approval.

State practice relating to the legality of humanitarian intervention was not limited to the practice of Security Council decision-making. In a number of instances during the 1990s, states engaged in military operations in relation to which the formulation "availing [themselves] of a right of humanitarian intervention" may be more appropriate. A first indication of this element

---

25 SC/RES/794 (1992), 3 December 1992, *UNiS Doc.* 35, pp. 214-216.

26 See Security Council Resolution 929 of 22 June 1994 (Rwanda); Resolution 940 of 31 July 1994 (Haiti); Resolution 1101 of 28 March 1997 (Albania).

of changing practice was the way in which Western states interpreted resolution 688 on Iraq in 1991. The United States, France, and Britain launched *Operation Provide Comfort* although the resolution did not explicitly authorise coercive measures. Roberts has noted that this military operation must also be seen partly in the special context of post-war actions by victors in the territory of defeated adversaries.[28] Such a context did not exist in the case of NATO's air-campaign against the Federal Republic of Yugoslavia in early 1999 which constituted the first multinational humanitarian intervention in pursuit of, but without explicit authorisation of, a Security Council resolution. This military operation had some legal justification in the form of Security Council resolutions 1160, 1199, and 1203.[29] Resolution 1199, in particular, had described the situation in Kosovo a threat to peace and security in the region, had demanded *inter alia* that Yugoslavia "cease all action by the security forces affecting the civilian population in Kosovo", and had threatened possible "additional measures". Previously, however, it had been accepted practice among Members of the United Nations that such additional measures, especially military action, required a further Security Council resolution which would specifically authorise enforcement measures under Chapter VII. In the case of Kosovo, however, both China and Russia had threatened to veto any such resolution. NATO allies thus based their legal justification for military action on a number of arguments which can be interpreted as the core of an incipient right of humanitarian intervention.

---

27 Guicherd, "International Law and the War in Kosovo", p. 22.

28 Roberts, *Humanitarian Action in War*, p. 22.

29 UN Docs. S/RES/1160 (1998), 31 March 1998, S/RES/1199 (1998), 23 September 1998; S/RES/1203 (1998), 24 October 1998. For insightful discussions of the legality of NATO's air-campaign over Kosovo see: Guicherd, "International Law and the War in Kosovo" and Roberts, "NATO's 'Humanitarian War' over Kosovo", *Survival*, vol. 41, no. 3, Autumn 1999, pp. 102-123.

Statements by Western government officials suggest that humanitarian intervention may be viewed as legal providing a) there is an "overwhelming humanitarian necessity"; b) action through the Security Council is not possible; c) intervention is in the interest of the international-community as a whole not mere in the interest of a single state; d) there is no practicable alternative to military action; e) and the proposed use of force is necessary and proportionate.[30] Additionally, it was sometimes suggested that Western democracies have a greater right to engage in military humanitarian intervention than other states.[31]

Looking at the three issues which have for a long time stood at the heart of the debate on the legality of humanitarian intervention — whether it is compatible with the UN Charter, whether general international law gives rise to such a right, and whether state practice has given rise to a customary right of humanitarian intervention — several conclusions emerge: military intervention in a state without the approval of its authorities for the purpose of alleviating large-scale human suffering is still only compatible with the UN Charter if it is authorised by the Security Council. Despite the fact that developments in international humanitarian and human rights law have strengthened the protection of human rights and undermined older notions of absolute sovereignty, they have not reached the point where unilateral or multinational military intervention has formally been accepted as a legal means of norm enforcement. However, Security Council authorisation of international military interventions in humanitarian crises has become so frequent that a pragmatic right of the Council to authorise humanitarian intervention

---

30 UK Foreign and Commonwealth Office note of October 1998, excerpts reprinted in Roberts, "Nato's 'Humanitarian War' over Kosovo", p. 106; Guicherd, "International Law and the War in Kosovo", p. 25-29.

31 Guicherd suggested that "the Security Council might grant a general authorisation for European states to enforce [agreed rules about the protection of human rights] in the OSCE area"; Guicherd, "International Law and the War in Kosovo", p. 30.

is virtually undisputed. There is, however, a fundamental problem with this conception. If humanitarian intervention is an exclusive right of the Security Council, it is subject to potentially arbitrary vetoes of Members of the Council. Over and beyond the Council's right of humanitarian intervention, Western states have therefore on occasion claimed a right of humanitarian intervention even without Security Council authorisation, albeit to date only as an exception from the rule.

In the future, the existing tension between, on the one hand, the UN Charter and general international law and, on the other hand, more far-reaching developments of state practice on humanitarian intervention may be resolved in two different ways. A pragmatic approach which recognises the ambiguities and complexity of the issue has been suggested by Adam Roberts:

> Humanitarian intervention will, and perhaps should, remain in a legal penumbra, as something which may occasionally be approved by the Security Council or by other bodies, may reluctantly be tolerated by states, but cannot be given any generic advance legitimation.[32]

An alternative approach has been advocated by Catherine Guicherd:

> [There is an] incipient political and moral consensus that intervention is sometimes necessary to prevent human-rights violations on a major scale... [and] it is now urgent that this consensus should be transformed into law.[33]

While the necessary selectiveness of the former approach is likely to be criticised as arbitrary, the latter approach may be even more problematic: whether the presumed consensus on moral necessity of military intervention in humanitarian crises is well-founded or ill-conceived is a complex question which this thesis seeks to illuminate in a combination of moral and empirical

---

32 Roberts, *Humanitarian Action in War*, p. 30; Stephan Oeter holds a similar view, "Humanitäre Intervention und Gewaltverbot: Wie handlungsfähig ist die Staatengemeinschaft?", in Hauke Brunkhorst, ed., *Einmischung Erwünscht? Menschenrechte und bewaffnete Intervention* (Frankfurt am Main: Fischer, 1998), p. 50.

reasoning. There is a danger that a consensus on legitimate humanitarian intervention among Western democratic governments is too easily equated with a consensus among the international community as a whole. Indisputably, several influential states, including Russia and China, have strong reservations about humanitarian interventions in general. It would seem particularly difficult to get their agreement to a rule according to which only Western democracies would have the right to engage in legitimate humanitarian intervention. The possibility that their agreement may nevertheless be secured would be based in large part on the current geopolitical environment, in particular the military dominance of the United States and the economic influence of the West. As former UN Secretary-General Boutros-Ghali has warned, however, "Single-superpower hegemony is a transitory phenomenon."[34] In the long run, a practice of humanitarian intervention by Western democracies may result in a weakening of the United Nations, it may risk undermining international inhibitions against the use of force, and may thus contribute to an erosion of international peace and security. Such considerations do not rule out humanitarian intervention in every given case but they point to the fact that a rapid development of the practice of humanitarian intervention does not only carry benefits but involves serious long-term risks as well.

2. Doctrine of Humanitarian Intervention

Before 1990, academic debate on humanitarian intervention had focused largely on legal and moral issues. Beyond the general purpose of alleviating human suffering there had been little

---

33 Guicherd, "International Law and the War in Kosovo," p. 29.

34 Boutros Boutros-Ghali, *Unvanquished: A US - UN Saga* (New York: Random House, 1999), p. 338.

discussion of the objectives of military intervention in humanitarian crises of intervention. Nor were the operational principles according to which such intervention would have to be carried out examined in great detail. Consequently, the first military interventions for humanitarian purposes in the early 1990s relied for operational guidance on established doctrines, particularly those of humanitarian assistance, peacekeeping, and war fighting.

Historical Origins

One historical predecessor of humanitarian intervention and potential doctrinal model was humanitarian assistance. Both concepts had similarities in that they were specifically aimed at ameliorating human suffering and in that they were based at least in part on some sense of moral obligation. Although there were differences in the doctrines of different humanitarian organisations most of them based their activities on several key principles:[35] The principle of *humanity* stipulates that human suffering should be addressed wherever it is found. *Impartiality* requires that assistance be given on the basis of human need only without consideration of ethnic origin, gender, nationality, political opinion, race or religion. *Neutrality* demands that humanitarian organisations should not take sides in political, religious or ideological disputes. *Independence* requires them not to let themselves be influenced by political, military or other interests. Many organisations also subscribed to the idea of *empowerment* according to which humanitarian assistance should be seen as a first step on a continuum from emergency relief to rehabilitation, reconstruction and development. These principles provided not only a general

---

35 *The Mohonk Criteria for Humanitarian Assistance in Complex Emergencies*, World Conference on Religion and Peace: Program on Humanitarian Assistance, February 1994, p. 3-4.

doctrine according to which humanitarian assistance should be conducted, but were also associated with its special legitimacy and public reputation.

Peacekeeping was a second historical predecessor of humanitarian intervention in the early 1990s could turn to for doctrinal guidance. While traditional peacekeeping was predominantly concerned with promoting peace and stability between states, both activities had much in common: they were military rather than civilian operations; they were conducted on behalf of the international community; and they attempted to address at least in part some of the political roots of violent conflicts. Traditional peacekeeping before the end of the Cold War was based on some core principles: it was based on a mandate by the UN Security Council; it had a generally balanced multinational force composition; it operated on the basis of the *consent* of the parties to the conflict and was thus normally dependent upon the continued existence of an ongoing political peace process; it maintained an attitude of *impartiality* towards the belligerents; and it was committed to *minimum use of force,* normally only in self-defence and only rarely for the purpose of protecting the mandate of the operation.[36]

A third source of doctrinal guidance for humanitarian intervention was war fighting or traditional combat operations. Although different in that it was normally used in pursuit of military or political objectives, war fighting provided a doctrinal answer for how to respond when humanitarian intervention faced armed opposition. Combat doctrines have changed over time and different nations have different doctrines. The most influential doctrine in the early 1990s was the Weinberger-Powell doctrine for the use of armed force by the United States.

---

36 *Wider Peacekeeping*, paragraph 20, p. 1-6; Marrack Goulding, "The Evolution of UN Peace-keeping", *International Affairs*, vol. 69, no. 3, July 1993, p. 455; John Mackinlay, ed., *A Guide to Peace Support Operations*, Thomas J.Watson Jr. Institute for International Studies, Brown University, 1996, p. 9.

Caspar Weinberger, US Secretary of Defense, formulated the six core principles of that doctrine in 1984. According to him, US forces should not be committed to combat unless (1) such engagement is "deemed vital to our national interest or that of our allies"; (2) unless the support of the American people and their elected representatives in Congress can be assured; and (3) unless it is as a last resort. If troops are committed to combat it should be done (4) "wholeheartedly and with the clear intention of winning" or not at all; (5) with clearly defined political and military objectives; and finally (6) the size, composition and disposition of the force must be continually reassessed and adjusted if necessary.[37] These principles were later endorsed by General Colin Powell, Chief of the Joint Chiefs of Staff of the US armed forces in the 1990s, who emphasised that military forces should only be committed where the objective is achievable by military means, and only with the intention to win: "when we do use it, we should not be equivocal: we should win and win decisively."[38]

Although each of the doctrines of humanitarian assistance, peacekeeping and war fighting was internally consistent, they could not easily by combined with each other. Also, it became increasingly doubtful whether they were suitable for the complex political and military environment of humanitarian crises in the 1990s. Intra-state conflicts were often more volatile than traditional international conflicts. Warring forces in communal conflicts were often more difficult to deal with than governments in international disputes. They were less likely to accept or respect the neutrality and impartiality of humanitarian aid workers and peacekeepers. Lack of internal cohesion and discipline within belligerent factions limited the reliability of formal

---

37 Remarks by Secretary of Defence Caspar Weinberger to the National Press Club, Washington, D.C., November 28, 1984; quoted in Richard Haass, *Intervention: The Use of Military Force in the Post Cold War World* (Washington, D.C.: Carnegie Endowment, 1994), p. 173-181.

consent to peacekeeping forces. General lawlessness and insecurity created additional risks not only to the civilian population but to international aid-workers and peacekeepers as well. With increasing frequency, international forces were nevertheless being deployed before cease-fires had been negotiated successfully, in situations where law and order had broken down, or where it was doubtful whether formal consent by political leaders would guarantee co-operation by their local followers. While the doctrines of humanitarian assistance and peacekeeping provided unsatisfactory models for humanitarian intervention, traditional war fighting principles also seemed ill-suited to the challenges of humanitarian emergencies: intervening in humanitarian crises in other parts of the world was not obviously in the national interest of states and there were doubts as to whether humanitarian purposes would be pursued with a similar amount of commitment. Moreover, it was questionable whether the complex and politically intricate environment of humanitarian emergencies allowed for decisive military victories which could be pursued with an overwhelming use of force and whether the inevitable casualties involved in such an approach would be consistent with the humanitarian character of intervention.

In the absence of one easily adoptable doctrine for humanitarian intervention, military interventions in humanitarian crises in the 1990s developed their own operating principles largely as they went along. Although this process was still in a state of flux by the end of 1999, seven elements of a nascent doctrine of humanitarian intervention began to emerge.

---

38 Colin Powell, "US Forces: Challenges Ahead", *Foreign Affairs*, vol. 71, no. 5, Winter 1992/93, p. 32-45.

Legal basis

One of the most consistent, if not universal, principles of humanitarian intervention in the 1990s has been the requirement that it must be authorised by the UN Security Council. International military interventions in Somalia (1992), Haiti (1994), Rwanda (1994), Bosnia (1995), Albania (1997), KFOR in Kosovo (1999), and East Timor (1999) were all explicitly authorised by the Council.[39] In other cases, notably in Iraq (1991) and in the case of NATO air-strikes against Serbia (1999), Security Council resolutions had expressed concern about the humanitarian situation in the respective countries and provided a measure of legal justification for, although no explicit authorisation of, intervention.[40] By the end of 1999, it was unclear whether Iraq and Kosovo would remain exceptions from a general requirement of Security Council authorisation or whether they constituted the first steps in a new trend of unauthorised humanitarian intervention. The advantages and disadvantages of either solution, as has been discussed in previous sections, are plain: whereas the requirement of Council authorisation may prevent the international community from intervening in cases where one or several Permanent Members of the Council object to intervention, a relaxation of that requirement may well contribute to an increasing alienation of these states as well as to a more general erosion of international law and a weakening of the United Nations.[41]

---

39 See on Somalia, S/RES/794 (1992), 3 December 1992; Haiti, S/RES/940 (1994), 31 July 1994; Rwanda, S/RES/929 (1994), 22 June 1994; Bosnia, S/RES/1031 (1995), 15 December 1995; Albania, S/RES/1101 (1997), 28 March 1997; Kosovo (KFOR), S/RES/1244 (1999), 10 June 1999; East Timor, S/RES/1264 (1999), 15 September 1999.

40 See on Haiti, S/RES/688 (1991), 5 April 1991; on the legality of NATO air-strikes against Serbia in early 1999 see: Roberts, "NATO's 'Humanitarian War' over Kosovo", *Survival*, vol. 41, no. 3, Autumn 1999, pp. 102-123.

41 See sections on the legality of humanitarian intervention, p. 80, and the value of world order, chapter 2.

Force Structure

Force structures of international interventions in humanitarian crises have changed considerably in the 1990s. Early operations by the United States, Britain and France in northern Iraq had met reservations in the UN Secretariat and among Member States, who criticised the lack of accountability towards the United Nations.[42] *The Agenda for Peace*, published in 1992, reflected some of that scepticism: arguing that "the basic conditions for success remain unchanged" and drawing from traditions of previous peacekeeping operations the *Agenda* insisted on "effective United Nations command at Headquarters and in the field".[43]

The force structure and leadership arrangement of UNITAF, the US-led intervention in Somalia in December 1992, nevertheless departed from the requirements of the *Agenda*. Military command was in the hands of the commanding officer of the lead-nation, a US general. Political authority was to be held by a representative of the UN Secretary-General. UNOSOM II which succeeded UNITAF in 1993 re-established more traditional UN command and control arrangements.[44] With the failure of UNOSOM II which was partly due to problems of command and control, the idea of direct UN military command became increasingly unpopular and in the *Supplement to the Agenda for Peace*, published in 1994, the Secretary-General admitted that "the UN can not enforce peace." Since then, military interventions in humanitarian crises have by and large followed the model of UNITAF's force structure and command arrangement: the French-led intervention in Rwanda, the abortive Canadian-led intervention in Zaire, the Italian-

---

42 Interview with Under-Secretary General James Jonah, New York, January 1998.

43 *An Agenda for Peace*, § 50; reprinted in: Roberts & Kingsbury, eds., *United Nations, Divided World*, 2nd edition (Oxford: Clarendon Press, 1993), p. 486.

led intervention in Albania, the NATO-lead intervention in Kosovo, the Australian-led intervention in East Timor were all designed as multi-national forces under a one-nation lead. In variance to traditional peacekeeping operations, many of these forces were further subdivided into national sector commands. Political authority in most cases remained in the hands of a UN Special Representative or a High Commissioner appointed by a regional organisation. While this arrangement has so far proved militarily successful, it is unclear whether the separation of military command and political authority will prove helpful in addressing the long-term political requirements of interventions in communal conflicts.

Use of force

Before the end of the Cold War, peacekeeping operations were distinguished from peace-enforcement operations in that they were authorised as elements of pacific settlement of disputes under Chapter VI of the Charter. [45] Peace-enforcement operations were authorised under Chapter VII to use all means necessary to achieve the objectives of their mandate. In practice, peacekeeping operations used force almost exclusively in self-defence whereas peace-enforcement operations, as for example in Korea, came closer to UN-authorised conduct of conventional war. For military intervention in humanitarian crises in the 1990s, the issue of the use of force turned out to be more subtle. UN peacekeepers in Bosnia began to stretch the definition of self-defence to use force to protect humanitarian convoys or safe areas long before

---

44 Although a UN commander was formally at the head of the mission the United States maintained independetly operating military forces with a separate command chain in the same theatre. For details and a discussion of the problems that arose from this arrangement see Chapter 4.

45 Marrack Goulding, "The Use of Force by the United Nations", Mountbatten-Tata Memorial Lecture at the University of Southampton, *transcript*, 23 November 1995; Goulding, "The Evolution of UN Peace-keeping", *International Affairs*, vol. 69, no. 3, July 1993, p. 455ff.

they received Security Council approval to take enforcement measures under Chapter VII.[46] In some instances, the limited use of force had some short-term success in alleviating human suffering. In the defence of the UN safe area around Gorazde in April 1994, for example, limited air-strikes succeeded in halting Serb artillery bombardments of the town and in stopping the Serb advance.[47]

Interventions in Rwanda, Haiti, Albania, and Kosovo did not resemble traditional peace-enforcement operations, despite the fact that all except Kosovo were explicitly authorised by the UN Security Council to use force under Chapter VII of the charter. On a local level, they used force in self-defence and in defence of equipment and installations, or occasionally to arrest war criminals. Often, though not always, the threat of force was sufficient to deter attacks against protected areas, to seize unauthorised weapons caches, or separate belligerents. The use of force in these instances was more akin to police operations than to warfare. The objectives were often limited to establishing and maintaining a level of security in a limited area of operations rather than to protect civilians directly from human rights violations.

Bombing campaigns against Bosnian Serbs in the autumn of 1995 and against Serb targets in Serbia and Kosovo in 1999, on the other hand, were similar to traditional warfare. In both cases, the use of force was largely limited to air-power and did not involve offensive operations by international ground forces. Moreover, in both cases force contributed to the achievement of political objectives but did little to ameliorate human suffering in the short

---

46 Adam Roberts, "From San Francisco to Sarajevo: The UN and the Use of Force," *Survival*, vol. 37, no. 4, Winter 1995-96, pp. 7-28, pp. 19f.

47 *Report of the Secretary-General pursuant to General Assembly resolution 53/35: The fall of Srebrenica*, A/54/549, para 131-145, pp. 36-38.

term.[48] Broad target lists, which in some cases caused considerable casualties among civilians both in Kosovo and in Serbia proper, also raised the question of whether the air-campaigns constituted a proportional use of force. In so far as these examples represent a trend in military intervention in humanitarian crises, the use of force differs considerably from the way in which humanitarian interventions had been envisaged in the debates of the 1970s and 1980s. Rather than to fight their way into a country to end human rights violations in the short term, intervention forces have used force to ensure that their deployment in theatre is unopposed and have then remained as part of longer term efforts at political reconciliation. While such an approach limits the risk of casualties among intervening forces, it also limits the short-term effectiveness of the intervention.[49]

The Issue of Consent

Consent of all belligerent parties had been one of the corner stones of peacekeeping operations before the end of the Cold War. It ensured that small contingents of lightly armed peacekeepers could operate in border areas between opposing armies that were militarily much stronger. If and when consent to an operation was withdrawn, as for example in the case of Egypt prior to the war against Israel in 1967, peacekeepers had no alternative but to withdraw.[50] The volatile conditions of humanitarian crises in the 1990s proved much more complex and challenging than those that prevailed in traditional conflicts. One major problem was that

---

48 Roberts, "NATO's 'Humanitarian War' over Kosovo", *Survival*, vol. 41, no. 3, Autumn 1999, pp. 102-123.

49 Massacres in Kosovo in the spring of 1999 continued and even intensified after the beginning of the NATO air-campaign; see Roberts, "NATO's 'Humanitarian War' over Kosovo", pp. 102-123.

50 Mona Ghali, "United Nations Emergency Force I", and "United Nations Emergency Force II", in: William J. Durch, ed., *The Evolution of UN Peacekeeping: Case Studies and Comparative Analyses* (New York: St.Martin's Press, 1993), pp. 104-151.

consent given by faction leaders to an international force did not guarantee that elements of their armed forces would not obstruct or even attack intervention forces.

Until the mid-1990s, military responses in humanitarian crises, particularly in Bosnia, maintained their commitment to the principle of consent and attempts were made to devise a more sophisticated consent-based doctrine called "Wider Peacekeeping" which would allow small forces to operate in a volatile security environment.[51] Despite its various pragmatic innovations the new doctrine could not overcome a fundamental problem of humanitarian crises: how could a peacekeeping force which operated on the basis of the principle of consent stop human rights violations when they were committed or condoned by a government, as in the case of genocide in Rwanda? In the second half of the 1990s, a practice of intervention began to emerge which continued to rely on the principle of consent but took it to another level: induced consent. In autumn 1995, a NATO air-campaign against the Bosnian Serbs, economic sanctions against Serbia and military support for Bosnian Muslim and Croat advances in Western Bosnia and in the Krajina contributed to the signing of the Dayton agreement on the basis of which IFOR was deployed.[52] Another air-campaign and international diplomatic pressure forced Serb President Milosevic in early 1999 to agree to the deployment of international forces in Kosovo.[53] In September 1999, international pressure and the threat of a withdrawal of international aid persuaded the government of Indonesia to allow an Australian-led peacekeeping force to deploy in East Timor.[54] In all of these cases, intervention forces relied more on the consent for their

---

51 *Wider Peacekeeping*, London, HMSO, 1995.

52 See Richard Holebrooke, *To End a War* (New York: Random House, 1998)

53 See Roberts, "NATO's 'Humanitarian War' over Kosovo", pp. 102-123.

54 See reference to requests from the government of Indonesia for the deployment of a multinational force in East Timor in Security Council resolution 1264, S/RES/1264 (1999), 15 September 1999.

operations than on their effective military strength, although they were robust enough to deter and repel minor opposition. While these arrangements appear to constitute a major improvement over previous practices, they are problematic in several respects: interventions in humanitarian crises in the early 1990s indicated that strategic level consent is an insufficient guarantee for sustained local consent to an operation.[55] A second problem is that forced or induced consent is likely to be less sustainable than voluntary consent. To transform the former into the latter may involve long-term commitment by intervening forces.

Safe Areas

Establishing areas within which civilians would be free from persecution and where they could be safely supplied by humanitarian organisations has been a central task of military interventions in humanitarian crises in the 1990s. In Northern Iraq, Bosnia, and Rwanda certain areas of a territory were officially declared to be under the protection of international forces. On a level of mission planning, numerous models of safe areas have been designed, ranging from "humanitarian corridors" to the idea of establishing peace and security in an entire area of operations.[56] Some of the original designs for international intervention in Somalia in late 1992 and interventions in Kosovo and East Timor in the late 1999 suggest that there is now a trend away from the former and towards the latter concept. Several elements of the safe area concept remain problematic: one feature of safe areas has been that in some cases they were officially demilitarised.[57] As such, safe areas have more than just humanitarian implications, they are also

---

55 See Chapters 4 and 5, *infra*.

56 Roberts, *Humanitarian Action in War*, p. 39-44.

57 Examples include the safe areas of Srebrenica and Zepa in Bosnia and the secure humanitarian zone in Rwanda.

strategically relevant and may interfere with territorial claims or other strategic objectives of one or several parties to a conflict. Safe areas may challenge the consent on the basis of which intervening forces are operating. Establishing safe areas thus requires, on the one hand, much more robust forces to address local level opposition, and, on the other hand, political pressure to maintain overall consent to the operation.

A second major problem with safe areas regards the question of how safe they really are. While the safe haven in Northern Iraq allowed for the return of Kurdish refugees to Iraq and provided some protection from Iraq attacks, it has been criticised for its inability to address local low-level violence and harassment.[58] The Bosnian Serb attacks on Srebrenica and Zepa in Eastern Bosnia in 1995 demonstrated that the defence of safe areas cannot be based on strategic level deterrence only.[59] Attempts by international forces in Kosovo in 1999 to provide overall security for returning Kosovo Albanian refugees and Serbs were insufficient to eradicate low level violence and intimidation against Serb civilians. There are many reasons why suppressing local level violence is a difficult task for intervention forces. They include the generally limited number of troops available for patrolling duties, the tense and violent atmosphere particularly in communal conflicts with an ethnic component, and the abundance of small arms in many contemporary intra-state conflicts. The latter factor is one of the reasons why disarmament has become an element of military interventions in humanitarian crises in the 1990s.

---

58 David Keen, *The Kurds in Iraq: How Safe is Their Haven Now?*, (London: Save the Children Fund, 1993).
59 Jan Honig, *Srebrenica: Record of a War Crime* (London: Penguin, 1996).

Disarmament

Disarmament of warring parties in the deployment area has been a controversial and ambiguous element of the emerging doctrine of humanitarian intervention. Generally, heavy weapons have been recognised as a potentially significant threat to intervention forces. In several instances, including in Bosnia and Somalia, warring parties were required to place these weapons in monitored storage sites. Another category of arms, small arms, threaten not only the security of international personnel but are also used to terrorise civilian populations sometimes in ethnic cleansing campaigns. Confiscating small arms from local militias and armed gangs has typically been recognised as an important task for outside military intervention. In practice, commanders of intervention forces have often been reluctant to fully commit to this task. In Somalia, the UN Secretary-General had urged strongly that warlords and their armed followers be disarmed. Commanders in the field, however, considered a comprehensive disarmament campaign too risky and argued that they did not have sufficient personnel for such a task. Consequently, small arm confiscation took place only in an *ad hoc* manner which remained far from comprehensive.[60] The abortive international intervention in Eastern Zaire in 1996 was initially delayed over discussions whether or not the force would take on the task of disarming Hutu militias who had taken control of major refugee camps in the area around the city of Goma. International efforts to insist on the disarmament of the Kosova Liberation Army (KLA) in 1999 had led to the confiscation of some small arms but there were suspicions as to whether this voluntary measure was sufficiently comprehensive. In the summer of 1999, there were also reports that armed Serb para-militaries remained in effective control of some small parts of

---

60 On disarmament programmes in Somalia see Chapter 4, *infra*.

Kosovo despite the presence of international forces.[61] Whether or not the confiscation of small arms should be part of a doctrine of humanitarian intervention remains a controversial issue. It appears to be an important element of any strategy designed to guarantee sustainable protection of civilian populations.[62] However, it is also a real test for the commitment of intervention forces: small arms can easily be concealed or stored away in hidden arms caches; comprehensive disarmament is extremely personnel-intensive as it requires frequent patrols and often house-to-house searches; armed factions and militias tend to regard small weapons as guarantees for their personal security and any attempt to confiscate these weapons is likely to provoke their opposition; small arms have often been an abundant commodity in contemporary communal conflict zones and are easily smuggled across borders; even when small arms are thus confiscated on a comprehensive basis they can easily be replaced. While disarmament may thus be one of the most crucial elements in a strategy of sustainable protection of minorities and of general security, it is also one of the most difficult in practice.

The Issue of Impartiality

Influenced by the doctrinal traditions of non-military humanitarian assistance and peacekeeping, the principle of impartiality featured strongly in military interventions in humanitarian crises during the early 1990s. Defined as acting and being perceived as acting in an even-handed fashion, impartiality was considered to be a crucial principle which helped to secure the consent of all parties on the ground.[63] As such, the principle bordered on political

---

61 Chris Bird, "Nato Tells Serbs to Keep Out Of Kosovo", *The Guardian*, 14 September 1999.

62 See Mats Berdal, *Disarmament and Demobilisation after Civil Wars*, Adelphi Paper 303 (London: Oxford University Press / IISS, 1996)

63 See summary of earlier peacekeeping doctrines in *Wider Peacekeeping*, paragraphs 15-16, pp. 2-8, 2-9.

neutrality. From the mid-1990s onwards, impartiality was increasingly understood not as political neutrality but as an attempt to pursue a given mandate without prejudice against one side or the other. The new interpretation of impartiality meant that an intervention force could act in a non-even-handed fashion if one side interfered with the force's mandate more than another.[64] International intervention in Kosovo in early 1999 effectively supported Kosovo-Albanian efforts to reach independence from Serbia, although it was not officially intended to. When an Australian-led coalition of forces intervened in East-Timor later that year, impartiality was not an issue because the purpose of intervention was explicitly to help implement an earlier referendum for independence of the former province from Indonesia. In the context of these mandates, which *de facto* or *de iure* favoured the objectives of pro-independence and pro-autonomy forces over those who opposed independence, impartiality was thus no longer a core principle of intervention. While these interventions may still have been impartial with regard to the even-handed enforcement of universal human rights standards, they amounted to politically partial interventions. Moreover, the case of Kosovo shows how abandoning the principle of impartiality can have serious implications. After Kosovo-Albanians had taken control of the province, NATO (and later the United Nations) were unable to effectively protect the Serb minority from intimidation and ethnic cleansing. Abandoning impartiality in this case therefore raised awkward questions about international collusion in severe human rights violations.

---

64 *Wider Peacekeeping*, paragraphs 15-16, pp. 2-8, 2-9.

Sustainable Peace

Another area in which the doctrine of humanitarian intervention has developed significantly since the early 1990s is the overall objective of intervention. During the debate of the 1970s and 1980s, humanitarian intervention was typically conceived as a short term intervention with narrowly humanitarian purposes. Several military operations in humanitarian crises in the early 1990s were designed along similar lines. UNITAF, the US-led operation in Somalia in late 1992-3, was originally planned to last little more than six weeks.[65] The French-led *Operation Turquoise* in Rwanda in 1994 was mandated to pursue narrow humanitarian tasks and lasted only approximately two months.[66] The abortive Canadian-led intervention in Eastern Zaire in 1996 was similarly planned to address short-term humanitarian issues. Despite their short-term humanitarian focus, most of these operations were designed to be handed over to more long term United Nations peacekeeping operations with broader political objectives. From late 1995 onwards a trend developed towards more long-term military interventions that aimed at creating environments for sustainable peace where human rights violations and humanitarian crises were less likely to recur in the future. IFOR, the NATO-led force for the implementation of the Dayton peace agreement, was deployed to Bosnia in December 1995. By 1999, its successor force SFOR seemed still far from completing its task of stabilising the security situation in Bosnia and unlikely to be withdrawn in the near future. NATO's air-campaign against Serbia in early 1999 was initially sparked by ethnic cleansing and massive human rights violations against Kosova Albanians. The strategic objectives of KFOR, the NATO-led force that was deployed in Kosovo to ensure the safe return of Albanian refugees without handing over

---

65 For a detailed discussion, see chapter 4.

political and military control to the KLA, also require commitment for a long-term political rather than a short-term humanitarian engagement. A complicating factor in these operations has been the attempt by intervention forces not merely to achieve long-term sustainable security in its area of operations but to create (or in some cases recreate) multi-ethnic democratic societies. Such a goal may be consistent with the political and moral convictions of many of the lead nations of interventions in humanitarian crises. It nevertheless raises the amount of minimum international commitment to a level that may not be suited as a doctrine for humanitarian interventions in the long run. Also, if every military intervention in every humanitarian crisis is to be followed up by a long-term, militarily-secured establishment of liberal democratic societies, the commitment of intervening countries may soon reach its upper limit.

3. Alternative Responses to Humanitarian Crises

Contrary to what the levels of media coverage may suggest, humanitarian intervention is only one element in a wider gamut of international responses to humanitarian crises. Other measures include preventive diplomacy, humanitarian and emergency aid, peacekeeping, and sanctions. A less publicly discussed but ancient and not infrequent response to intra-state conflict is partial military support which may be direct or indirect, open or covert. Although these activities do not constitute humanitarian interventions in the strict sense of the term, they are in many ways related to the politics of military interventions. Morally, the merits and shortcomings of military humanitarian interventions have to be judged in comparison to the achievements of

---

[66] See chapter 5.

alternative responses to humanitarian crises. Given the focus in this thesis on humanitarian intervention in the classic sense of the term there is no space to explore these responses in great depth. A brief survey of their prospects and problems is nevertheless essential.

Preventive Diplomacy

The *Agenda for Peace* defines preventive diplomacy as "action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur".[67] The concept includes activities such as confidence building measures, fact-finding, early warning, preventive deployment, and establishing demilitarised zones.[68] There are considerable difficulties in assessing to what extent efforts of preventive diplomacy are, or have been, successful. On the one hand, successful preventive diplomacy often goes unnoticed because "if it is filmable, it is probably not working".[69] On the other hand, it can easily be overrated because by its very nature preventive diplomacy, and particularly preventive deployment of troops, "is successful until it fails."[70]

The attractiveness of the idea of preventive diplomacy is based on two assumptions: first, that it is better to prevent a crisis than to let it escalate into violent conflict; and second, that to prevent crises by diplomatic means is considerably cheaper than to organize expensive humanitarian emergency programs, to deploy military operations, and to finance costly post-

---

67 *An Agenda for Peace*, article 20; reprinted in Roberts & Kingsbury, *United Nations, Divided World*, pp. 468-98, 475.

68 *Ibid.*, articles 23-33.

69 Goulding, interview in New York, October 1995.

70 Shashi Tharoor, interview in New York, October 1995. For a review of successful and unsuccessful efforts at conflict prevention see: Ismat Kittani, "Preventive Diplomacy and Peacemaking: the UN Experience", in *Peacemaking and Peacekeeping for the Next Century*, report of the 25th Vienna Seminar, 2 - 4 March

conflict economic and political reconstruction.[71] The argument for preventive diplomacy is often accompanied by the idea that it should address conflicts at their roots rather than merely treat their symptoms.[72] According to that view, preventive efforts have to contribute to building economically strong and equitable societies with a balance between population growth and resources, wealthy and educated citizens, economic opportunity, and resilient and responsive political systems.[73]

While in theory preventive diplomacy may seem to be a preferable alternative to humanitarian intervention, in practice the concept has a number of serious problems. First, it is very hard to know when crises are going to erupt into violent conflict.[74] Moreover, early warning is not just about gathering and transmitting information. Its effectiveness depends not only on the strength of the warning signal, but on the expectations of the listener and on the "rewards and costs" associated with the correct recognition of the signal.[75] Maybe the most difficult problem of preventive diplomacy is related to the fact that many contemporary conflicts arise over disputes over the distribution of scarce resources. To effectively address the socio-economic root causes of conflicts — such as weak economies, lack of stable judicial and political systems —

1995 (International Peace Academy Report, 1995), p. 28; Michael S. Lund, *Preventing Violent Conflicts: A Strategy for Preventive Diplomacy* (Washington, D.C.: US Institute for Peace Press, 1996), p. 69ff.

71 The concept was advocated prominently by former Australian Minister of Foreign Affairs, Gareth Evans; see: G. Evans, "The Future of the United Nations: An Australian Perspective", *transcript of an address to the Women's International Forum* (New York, 25 October 1995).

72 *Ibid.*

73 These are the fundamental elements of the sustainable development program of USAID. According to Brian Atwood, Administrator of USAID, these factors are also valid for preventive diplomacy; see J. Brian Atwood, Letter to the Editor, *Foreign Affairs*, September-October 1995, p. 190.

74 Stephen Stedman, "Alchemy of a new World Order", *Foreign Affairs,* May/June 1995, p. 16.

75 Alexander George, "The Warning-Response Problem in Preventive Diplomacy", paper presented to the United States Institute for Peace Study Group on Preventive Diplomacy, Washington, D.C., January 1994.

would require considerable resources.[76] The idea that crisis prevention is a cheap alternative to crisis response thus appears to be overstated.[77]

Even when the economic resources are made available there is little guarantee that they will contribute to crisis prevention. Some countries have received high per capita amounts of economic aid and still descended into violent turmoil.[78] In other cases, economic modernisation and democratisation in states where strong interest groups profit from the status quo may increase the likelihood of violent conflict rather than prevent it.[79] Moreover, it may be that as Stedman argues "some conflicts must be intensified before they are resolved" and there is evidence to suggest that most intra-state conflicts are in fact being resolved by force rather than by negotiation.[80] Other studies have observed that in half the conflicts that were ended by negotiation fighting recommenced later.[81] At times, preventive diplomacy may even bring a crisis to a head as in the case of East Timor where a referendum on independence lead to an outbreak of violence in late 1999. Such findings raise difficult questions about the effectiveness and ethics of preventive diplomacy. The final problem to be noted here is that when crises erupt despite an international military presence, the international community may face public pressure for more forceful measures, including military intervention, lest it be seen to have failed.

---

76 The required resources to address the root causes of conflict would almost certainly exceed the US$ 25 million p.a. which was originally allocated for preventive diplomacy in the *Supplement to the Agenda for Peace;* see paragraph 32, p. 8.

77 Pierre Van Hoeylandt, *Preventive Diplomacy: Conclusions from Recent Debate*, paper prepared for the U.N. Department of Peace-keeping Operations, December 1995.

78 Lund, *Preventing Violent Conflicts*, p. 35.

79 Edward D. Mansfield and Jack Snyder, "Democratization and War", *Foreign Affairs,* May/June 1995, pp. 79-97; Lund, *Preventing Violent Conflicts*, p. 37.

80 Stedman, "Alchemy of a new World Order", p. 20; According to Stedman 85% of civil conflicts between 1900 and 1980 were resolved by one side winning whereas only 15% were ended by negotiation; Stephen John Stedman, *Peacemaking in Civil Wars: International Mediation in Zimbabwe 1974-1980*, Boulder, Co, Lynne Rienner, 1991.

Preventive diplomacy is thus far from a cheap and simple way to prevent crises from erupting. At best, when done sensibly, it may be helpful in specific situations. At worst, it can contribute to the eruption of violence as well as to the need, real or perceived, for later military intervention.

Humanitarian Aid

One way to respond to violent conflict once it has erupted is through humanitarian aid. Non-governmental and governmental organisations have contributed substantially to alleviating the consequences of conflict. By providing emergency medical aid, food, and shelter to civilians they have saved hundreds of thousands of lives in the past. Humanitarian assistance has nevertheless considerable limitations. Debate on the subject has been extensive and only five major problems can be raised here.[82] A major shortcoming of humanitarian assistance arises from one of its main strengths: its impartiality and political neutrality.[83] While adhering to these principles is in many cases a precondition for the work of humanitarian organisations, they limit their ability to speak up against human rights violations of governments and political factions on whose consent their work depends. Another problem is that although humanitarian assistance often has to address the consequences of violent conflict it can rarely contribute to eradicating its causes. Unarmed and dependent on the consent of the authorities in their operating area, aid organisations' most powerful means of exercising political pressure is by threatening to cease

---

81 See Roy Licklider, "The Consequences of Negotiated Settlements in Civil Wars, 1945-1993", *American Political Science Review*, vol. 89, no. 3, September 1995.

82 For an overview of the criticisms of humanitarian assistance see: Alex de Waal, *Famine Crimes. Politics & The Disaster Relief Industry in Africa* (Bloomington & Indianapolis: Indiana University Press, 1997); Jean-Christophe Rufin, *Le piège humanitaire*, 2nd edition (Paris: Éditions Jean-Claude Lattès, 1992).

83 See *The Issue of Impartiality*, p. 106 ff, *supra*.

operations and pull out of the country. As such a measure amounts to abandoning many people in need of assistance it runs counter to the most basic purposes of humanitarian aid. It is a step that aid organisations are rarely prepared to take.

A third problem of humanitarian assistance is that despite its operating principles it is rarely apolitical. Providing aid in times of war can affect the strategic situation considerably. Particularly in ethnic conflicts, where population movements are by definition political, maintaining feeding stations and refugee camps is often to the advantage of one of the parties to the conflict. Assisting in the evacuation of civilians from areas where their lives are threatened may facilitate ethnic cleansing. Among the most serious criticisms in this context is the charge that humanitarian aid by alleviating some of the consequences of violent conflict may ultimately perpetuate it.[84]

As humanitarian organisations are increasingly operating in the midst of volatile civil conflict, there has been a growing need for protection of aid workers and supplies: aid constitutes an economic asset in countries where the regular economy has broken down; it may be perceived by one party to a conflict as being to the advantage of its opponents; and targeting aid workers can be perceived as a means of getting international attention. Such security threats have increasingly led to calls for military protection of humanitarian aid, including for the establishment of so-called "safe areas".[85] As a consequence, humanitarian assistance has become a contributing factor in the militarisation of international responses to humanitarian crises in the 1990s.

---

84 See Alex de Waal, *Famine Crimes.*

85 See also, the discussion of safe areas, p. 103, *supra.*

A further problem is that humanitarian assistance often involves an element of hypocrisy on the part of the international community as the increased assertiveness of international responses to humanitarian crises has not been matched by levels of funding. One measure of international commitment to humanitarian assistance in complex emergencies are governments' responses to UN Consolidated Appeals. Since 1993, according to Oxfam, "all consolidated appeals were underfunded, some of them receiving barely half the funds requested even after the appeal had been revised."[86] Humanitarian aid provided by the members of the Organisation for Economic Co-operation and Development (OECD) has also declined from 0.03% to 0.02% of GNP in the 1990s.[87] At the same time, humanitarian assistance has been criticised as a means for governments to be seen to address humanitarian crises and as a substitute for viable political strategies.[88] Similar to preventive diplomacy, humanitarian assistance is no simple alternative to military humanitarian intervention. It has severe limitations and may even contribute to driving the international community towards forcible responses to humanitarian crises. Despite its problems, the considerable alleviation of suffering humanitarian aid can provide for the victims of violent conflict should not be underestimated.

Peacekeeping

Traditionally, peacekeeping has been associated with the deployment of UN troops either as military observers or as interposition forces which helped monitor and maintain cease-fire

---

86 "An end to forgotten emergencies?", *Oxfam Briefing paper*, May 2000, p. 4.
87 *Ibid*, p.6.
88 Rufin, *Le piège humanitaire*.

agreements between belligerent states after military confrontations had come to an end.[89] From the late 1980s onwards, the term was increasingly used to describe UN or UN-authorised troop deployments to help put an end to intra-state conflicts where adherence to cease-fire agreements was often uncertain and the security situation volatile.[90] Although the term "peacekeepers" has sometimes confusingly be used to describe international forces who intervene forcibly in a country without local consent or even against local opposition, peacekeeping is generally distinguished from peace-enforcement and humanitarian intervention by the fact that the parties to a conflict give their consent to foreign troop deployment, at least initially.[91]

Peacekeeping can be an effective means to prevent or respond to political and humanitarian crises: it can help foster a climate of stability and assist in the peaceful settlement of conflicts. As impartial mediators peacekeepers can help dissolve tensions between belligerents. They can also assist efforts of humanitarian organisations by providing vital logistics in emergency situations or by deterring attacks against aid convoys, warehouses and aid workers. As the deployment of peacekeepers is often highly publicised, peacekeeping is also a way for the international community to be seen to be doing something at what seems to be lower costs and fewer risks than exist in forcible military intervention.

---

89 For insightful accounts of traditional peacekeeping operations see: Marrack Goulding, "The Evolution of UN Peace-keeping"; Durch, ed., *The Evolution of UN Peacekeeping;* and Sally Morphet, "UN Peacekeeping an Election-Monitoring", in Roberts & Kingsbury, eds., *United Nations, Divided World*, pp. 193 - 239; Anthony Parsons, *From Cold War to Hot Peace: UN Interventions 1947 1994* (London: Michael Joseph, 1995)

90 For an analysis of the new roles and problems of peacekeeping operations in the 1990s see: Adam Roberts, "The Crisis in UN Peacekeeping," *Survival*, vol. 36, no. 3, Autumn 1994, pp. 93-120.

91 On the complex issue of consent in peacekeeping operations see: Roberts, The Crisis in Peacekeeping," p. 99-101; Charles Dobbie, "A Concept for Post-Cold War Peacekeeping", *Survival*, vol. 36, no. 3, Autumn 1994, pp. 121-148.

On the other hand, peacekeeping has shortcomings and problems which have been analysed at great length and can only be sketched out here: consensual peacekeeping, especially when organised by the United Nations, is ill-suited to stop sudden outbreaks of violence where one party is intent on continuing the conflict. Even when peacekeepers deployed with the initial consent of the parties to a conflict, their authority is limited by a multitude of factors: in intra-state conflict, consent is often less stable than in international conflict and may be withdrawn when political circumstances change. Lightly armed and often deployed in small numbers in a large area of operations, peacekeepers are vulnerable to armed opposition and their authority rests to a large extent on the perception that they represent the international community.[92] As such they are particularly dependent upon the sustained commitment and support of troop-contributing countries and members of the UN Security Council.[93] Where consent to the presence of peacekeepers is induced by outside pressure, that consent may be withdrawn at the first sign of a weakening of international resolve.[94] In the absence of such commitment, a peacekeeping force can present a dangerous illusion of stability. When consent breaks down and peacekeepers find themselves in the middle of a violent crisis, their vulnerability as well as reports about the failure of their operation may provide incentives for the international community to escalate and respond with more forcible measures. Peacekeeping is not, therefore, a low-commitment and low risk response to political and humanitarian crises.

---

92 Pierre Van Hoeylandt, "The Peacekeeper's Dilemma", *Oxford International Review*, no. 1, 1995, pp. 25-31.

93 See David Malone, "The Security Council and the Future of UN Peace-keeping", *Oxford International Review*, vol. 7, no. 2, Spring 1996, pp. 23 - 29; see also Chapter 5, *infra*.

94 On the impact of changing national interests, particularly of the United States, on peacekeeping operations see Boutros-Ghali, *Unvanquished*, p. 116ff, 221, 247.

Sanctions

Preventive diplomacy, humanitarian assistance, and peacekeeping are all consent-based means of preventing or responding to humanitarian crises. However, when the authorities of a country commit or condone human rights violations or fail to prevent humanitarian crises the international community may feel the need to conduce them to alleviate the humanitarian situation in their country even when they are not inclined to comply. One option to exercise such pressure is by applying political, economic or military sanctions.

Political sanctions range from excluding a country from international sports competitions to the suspension of its membership in international organisations. Economic sanctions may include actions such as preventing a country from purchasing certain vital goods (such as oil or electricity), restricting its exports and other commercial relations with the outside world, or freezing its international financial assets.[95] Military sanctions often involve general embargoes of all arms deliveries to a country. In theory, sanctions as a response to violations of humanitarian or human rights law have a compelling logic: they are intended to alter the cost-benefit analysis of a government so that it finds it to be in its interest to put an end to activities the sanctions-imposing countries disapprove of.[96]

In practice, however, sanctions have a number of severe limitations.[97] Both import and export sanctions against a country can have economic consequences for its international trading

---

95 On the various forms of sanctions see: Neta C. Crawford and Audie Klotz, eds., *How Sanctions Work: Lessons from South Africa* (London: Macmillan Press Ltd., 1999)

96 In political reality, other aims may also be involved, including satisfying (or placating) domestic and international public opinion; Makio Miyawa, "The Aims of Economic Sanctions", M. Miyawa, *Do Economic Sanctions Work?* (London: St. Martin's Press, 1992), pp. 89-106.

97 The following draws from: Richard N. Haass, ed., *Economic Sanctions and American Diplomacy* (New York: Council on Foreign Relations, 1998); Makio Miyawa, *Do Economic Sanctions Work?*; Margaret P.

partners as well. Initiatives by governments to impose sanctions may encounter strong domestic resistance and it may be difficult to gain widespread agreement on sanctions in the UN Security Council, the institution that has the explicit right under the UN Charter to impose them. Even then the Security Council imposes sanctions, their effects are unlikely to be felt immediately. Although imposing them in response to a country's policies expresses the disapproval by the international community, it takes considerable time until sanctions, especially economic ones, have material effects. Implementing sanctions poses additional difficulties. In practice, even if there are naval blockades or border patrols to prevent violations of imposed economic or military sanctions, sanctions are often difficult to enforce.[98] Even when sanctions are reasonably effective, their effects may be different from those originally intended. Rather than affecting governments and the ruling circles that are responsible for human rights violations, they are often felt most severely by civilian populations, possibly even those whose plight had prompted the sanctions in the first place.[99] Moreover, sanctions tend to shift trade in banned goods from the official market to the black market. The high margins that can be charged for these scarce goods may assist and increase the power of criminal organisations or military factions who operate outside the law. Sanctions may thus contribute to a further and long-term destabilisation of troubled states.

Doxey, *International Sanctions in Contemporary Perspective*, 2nd edition (London: St. Martin's Press, 1996)

98 On the effectiveness, or lack thereof, of the UN arms embargo against Rwanda in 1994 see: Boutros Boutros-Ghali, "Introduction", *The United Nations and Rwanda*, pp. 98-101.

99 See Lori Fisler Damrosch, "The Civilian Impact of Sanctions", in L.F. Damrosch, ed., *Enforcing Restraint: Collective Intervention in Internal Conflicts* (New York: Council on Foreign Relations, 1993), pp. 274-315.

Direct Military Support

Long before the days of Thucydides and the Peloponnesian wars, governments have sought to influence political disputes in neighbouring countries by providing military support to the side of their choice. This policy option has rarely been discussed in the context of debates about international responses to humanitarian crises in the 1990s. Theoretically, direct military support can contribute to an alleviation of humanitarian crises or to a measure of political stability at least temporarily. Although rarely acknowledged in public, direct outside military support seems to have been evident in several incidents in the 1990s, including the following: in the Democratic Republic of Congo, the United States appeared to support the campaign of the ADFL in 1997 which led to the overthrow of President Mobutu. In the same year, France allegedly backed the *coup d'état* against President Pascal Lissouba in Congo (Brazzaville).[100] NATO's air campaign against Serbia in early 1999 effectively supported the efforts of the Kosovo Liberation Army (KLA) to take control of Kosovo. Private military companies have also played a role in affecting the outcomes of military conflict. Croatia's rapid conquest of the Krajina in 1995 — assisted by the US private military company MPRI[101] — was widely recognised as a contributing factor to the signing of the Dayton Peace agreement. Military support to the government of Angola by the South-African company Executive Outcomes (EO) contributed to the signing of the peace accord in Lusaka in 1994. In Sierra Leone, EO's military assistance to the government in 1995-96 helped compel the rebel RUF to negotiate, made subsequent elections possible, and enabled almost one million people who had been displaced by

---

100 David Shearer, *Private Armies and Military Intervention*, Adelphi Paper 316 (London: Oxford University Press/IISS, 1998), p. 75.

101 *Ibid.*

the fighting to return to their homes.[102] These instances of outside military support to one side in a conflict deviated markedly from the principles of neutrality and impartiality generally associated with international responses to domestic crises. In variance with classic notions of humanitarian intervention, military force was used in pursuit of specific political objectives.

However, direct military support has various limitations and is no panacea for success. It is a difficult option for the international community to choose: Contemporary communal conflicts are politically and morally complex and determining which side deserves to be supported is often difficult if not impossible. Several parties to a conflict may have legitimate claims to a single piece of territory, all sides may have committed serious human rights violations, and neither may have a deep commitment to good governance and democracy. Assuring that a chosen side adheres to human rights norms is therefore likely to be difficult. This exposes outside supporters to the charge of collusion in human rights violations and increases the difficulties of defending to domestic electorates direct military support to one side. Moreover, although direct military support may contribute to political stability by helping one side win a war, there is no guarantee that this stability will last ones outside support is withdrawn.

Employing private security companies in humanitarian operations has additional problems. There appears to be a greater risk of a lack of accountability in employing private military companies than in government-to-government military assistance.[103] Another limitation is that their successes in the past lay in well-defined short-term military operations with clear objectives. Their long-term achievements, however, have been more limited often due to a lack

---

102 *Ibid.*, p. 75; see Holebrooke, *To End a War*, passim.

of adequate follow-up measures by the governments that employed them. In order to achieve lasting alleviation of human suffering in humanitarian crises private armies would be no less dependent upon sound political leadership and sustained commitment of international organisations or coalitions of states that employ them than UN peacekeepers or national armies. There are obvious benefits in providing direct military support to one side in a conflict, particularly in situations when genocide or large-scale ethnic cleansing are predominantly committed by one side only, or where a civil war is evenly balanced, and outside support may enable one side to prevail. However, as the preceding remarks indicate this is a dangerous road fraught with difficulties and uncomfortable moral and political choices.

* * *

As this brief survey of some alternative responses to humanitarian crises indicates there are risks and opportunities involved in each of them. The analysis in the preceding two sections on the changing context of humanitarian intervention in the 1990s has remained on a similarly general level: it discussed the legality of humanitarian intervention, introduced some of the principles and purposes of intervention and has hinted at some of the possible shortcomings of intervention in practice. Such general-level discussion is important to gain a broad perspective of the empirical issues involved in deciding whether in a given situation humanitarian intervention is the morally required response to large-scale human suffering. However, relatively little has so far been said about the factors that determine why some principles of intervention seem more appropriate or successful than others and influence why the practice of intervention may sometimes diverge from its intended purposes. These elements are vital for a deeper

---

103 Shearer, *Private Armies and Military Intervention*, p. 67-69.

understanding of the practical challenges of intervention. The remainder of the thesis thus examines in depth two cases in which the question of humanitarian intervention arose in sharp form: the international responses to humanitarian crises in Somalia in 1992 and in Rwanda in 1994.

Chapter 4

International Intervention in Somalia, 1992 - 1995

The international military intervention in Somalia is one of the central cases in contemporary debates on humanitarian intervention. Between 1992 and 1995, the United Nations deployed three successive military operations in response to the large-scale famine and civil war which had plagued the country since the ousting of President Siad Barre in January 1991.[1] One of the distinguishing features of these operations was that they were publicly justified on moral grounds as "humanitarian". Some even went so far as to argue that the international community had a moral duty to intervene to stop the famine which affected the country at the time.[2] Numerous studies have pointed out that the intervention also had serious shortcomings which ranged from administrative inefficiencies and problems of command and control to serious human rights violations by international military personnel.[3] While shortcomings such

---

1 Literature on international military intervention in Somalia is abundant. A bibliography published in March 1995 contained more than 150 pages of books and articles and the list is still growing; Walter S. Clarke, *Humanitarian Intervention in Somalia: Bibliography* (Carlyle, PA: US Army War College, Center for Strategic Leadership, 1995)

2 George Bush, "Address to the Nation on the Situation in Somalia, December 4 1992", *Public Papers of the Presidents of the United States: George Bush*, book II, 1 August 1992 to 29 January 1993 (Washington, D.C.: United States Government Printing Office, 1993), p. 2175.

3 See for example: Kenneth Allard, *Somalia Operations: Lessons Learned* (National Defense University Press, 1995); *Comprehensive Report on Lessons-Learned from United Nations Operation in Somalia, April 1992 - March 1995*, Friedrich Ebert Stiftung (Germany), Life and Peace Institute (Sweden), and the Norwegian Institute of International Affairs in cooperation with: the Lessons-Learned Unit of the UN Department of Peace Keeping Operations, December 1995; and *Somalia: Human Rights Abuses by the United Nations Forces* (London: African Rights, July 1993); Terrence Lyons and Ahmed I. Samatar, *Somalia. State Collapse, Multilateral Intervention, and Strategies for Political Reconciliation*

as these may taint the overall record of intervention, five lines of critique have been raised which go to the heart of the question to what extent international military intervention contributed to alleviating human suffering in Somalia.[4] (1) International military responses to famine and civil war in Somalia were initially late and ineffective. (2) When the international community intervened in December 1992, the situation had already ameliorated significantly and the size of the deployed force, UNITAF, was excessively large. (3) Once the force was deployed, UNITAF's activities lacked clarity of purpose and had little long-term effects. (4) During summer 1993, the operations of UNITAF's successor force, UNOSOM II, escalated into a costly humanitarian war. (5) International military forces withdrew in 1995 without achieving the aims they had set out to achieve. This chapter examines all five criticisms in-depth and seeks to identify the factors that helped or hindered the effectiveness of international intervention in Somalia. In so doing, a starting point is offered for an analysis of the extent to which the international community is able to intervene effectively in humanitarian crises.

Throughout, the chapter focuses on developments in central and southern Somalia. The unrecognised Republic of Somaliland in the north west of the country, which declared its independence in May 1991, was spared from large-scale famine throughout the period under examination. Despite recurrent clashes between clan-based militias, the security situation was comparatively stable.[5] This is noteworthy, particularly because it was achieved with minimal

---

(Washington, D.C.: The Brookings Institution, 1995); John L. Hirsch and Robert B. Oakley, *Somalia and Operation Restore Hope. Reflections on Peacemaking and Peacekeeping* (Washington, D.C.: United States Institute for Peace, 1995).

4 Numerous other aspects of international military operations in Somalia have been criticised, including the fact that intervening forces committed serious criminal offences. See African Rights, *Human Rights Abuses by the United Nations Forces*, London, July 1993; *Final Report of the Commission of Inquiry into the Deployment of Canadian Forces to Somalia,* 4 volumes (Ottawa: Canadian Commission of Inquiry, 1995).

5 See Report of the Secretary-General, A/47/553, 22 October 1992, para 18-22; *UniS Doc.* 31, p. 198-199.

external assistance.[6] However, as international military intervention was limited to central and southern Somalia, Somaliland is not examined here in detail.

1. Failure of Initial Military Responses to the Crisis in Somalia

On 23 January 1992 the United Nations Security Council considered the situation in Somalia for the first time and decided to deploy 50 military observers.[7] At that time, the country had been in a state of civil war for more than a year and a large-scale famine that had begun eight months earlier was already approaching its peak. According to in depth surveys of mortality rates by the Refugee Policy Group (RPG), a first famine wave had hit Somalia in April 1991 after troops of former President Siyad Barre — ousted in a military coup in January 1991 by a coalition of rebel factions under the umbrella of the United Somali Congress (USC) — devastated the country's main agricultural region in the South West during an unsuccessful campaign to regain the capital Mogadishu. This famine wave peaked in May 1991 and ebbed off as fighting between Barre's and Aideed's forces diminished.[8] A second much greater wave of famine began after Barre's army — having been pushed back by forces of the USC under the leadership of General Mohamed Farah Aideed — launched a second offensive towards the capital. The repeated clashes between Barre's and Aideed's forces wreaked havoc in Somalia's

---

6 Alex de Waal, *Famine Crimes. Politics & The Disaster Relief Industry in Africa* (Oxford: James Currey, 1997), p. 178.

7 S/RES/733, 23 January 1992, reprinted in *The United Nations in Somalia, 1992-1996*, The United Nations Blue Books Series, vol. viii (New York: United Nations, Department of Public Information, 1996), Document 4 [future references are to *UNiS Doc.*], p. 116.

only fertile agricultural regions, the Bay area, Juba and the Lower Shekel and severely interrupted food production as soldiers and militia men looted the harvest in the fields, stole livestock and destroyed grain-stocks of the civilian population.[9] As a consequence of the production halting in the south, other parts of the country experienced a general shortage of food.[10] In October 1991, the UN Food and Agricultural Organisation (FAO) warned that fighting in Somalia had put 4.5 million people at risk of starvation.[11] In the Bay and Baykool areas which were affected most, famine related deaths peaked in the first quarter of 1992.

Although in public, the famine in Somalia has sometimes been attributed to general lawlessness and anarchy, most authors agree that the single most important cause for the 1991 -1992 famine was the war between Barre's army and forces of the USC which came to an end with the decisive defeat of Barre's army in the course of his third and final attempt to regain the capital in April 1992.[12] Some authors have argued that the humanitarian crisis in Somalia could have been prevented through concerted diplomatic initiatives at relatively modest costs in the late 1980s. At that time, economic decline, decreasing amounts of foreign aid, corruption and clan-based nepotism of the Barre government increased political tensions to the

---

8 The study is based on the findings of a research team from the Refugee Policy Group. Evidence was gathered from interviews and collected documents in the United States, Europe and Nairobi. Somali site visits were made to Mogadishu, Kismayo, Baidoa and five rural locations in the Bay and Bakool regions. 95 interviews with health practioners and officers of operations agencies were conducted, including from NGOs, UNOSOM, UNICEF, UNHCR, WHO, WFP, USAID and ICRC. The team consulted project documents and survey results collected by Save the Children, the UN, MSF, CARE, UNICEF, USAID and the CDC during the course of the crisis. The results were discussed during a meeting with health officers from a dozen agencies in Nairobi on 6 April 1994; see: Hansch, Steven et al., *Lives Lost, Lives Saved. Excess Mortality and the Impact of Health Interventions in the Somalia Emergency*, Refugee Policy Group, November 1994, p. 2.

9 See map on page 124.

10 Alex de Waal, "Somalia 1991 - 92: Famine & Relief after the Demise of the State", in de Waal, *Famine Crimes*, p. 164-166; Dualeh, *From Barre to Aideed*, p. 132.

11 *The New York Times*, 16 October 1991, p. A11.

12 Secretary-General Boutros-Ghali called the plundering of grain stores and the uprooting of local farming populations "the single most important direct cause of the famine which was to grip southern Somalia in 1992 - 1993", "Introduction", UNiS, p. 13; see John Drysdale, *Whatever Happened to Somalia? A Tale*

point where a violent change of power seemed increasingly likely.[13] In fact, during the 1980s various governments had pressed upon President Barre the need for peaceful transition of power. If their efforts had been successful the famine would in all likelihood not have arisen. When Barre's regime collapsed in January 1991 the international community first responded by evacuating most embassy and foreign relief personnel, including from UN agencies, due to the precarious security situation.[14] Throughout 1991 only few humanitarian organisations remained in the country and continued limited operations. United Nations agencies and political representatives were absent.

In early 1992 aid organisations resumed operations but their work was hampered by a variety of factors including difficult security conditions, a lack of familiarity with local conditions after a one year absence from the country, and the lack of a functioning infrastructure. It was not until March — shortly before the peak of this famine wave — that the ICRC, WFP and UNICEF began to airlift food to several cities in the centre of the famine zone, including to Baidoa and Kismayu.[15] Financial shortages further impeded relief operations during that period. Of a $117 million appeal for humanitarian assistance issued by the United Nations in January 1992, only $41 million had been pledged by July 1992.[16] Relief activities only gained real momentum in late August with the beginning of a military airlift by the governments of the United States, Canada and Germany. During September, various

---

of Tragic Blunders (London: Haan Associates, 1994), p. 43; Hirsch and Oakley, *Somalia and Operation Restore Hope*, p. 12; Refugee Policy Group, *Lives Lost, Lives Saved*, p. 10ff.

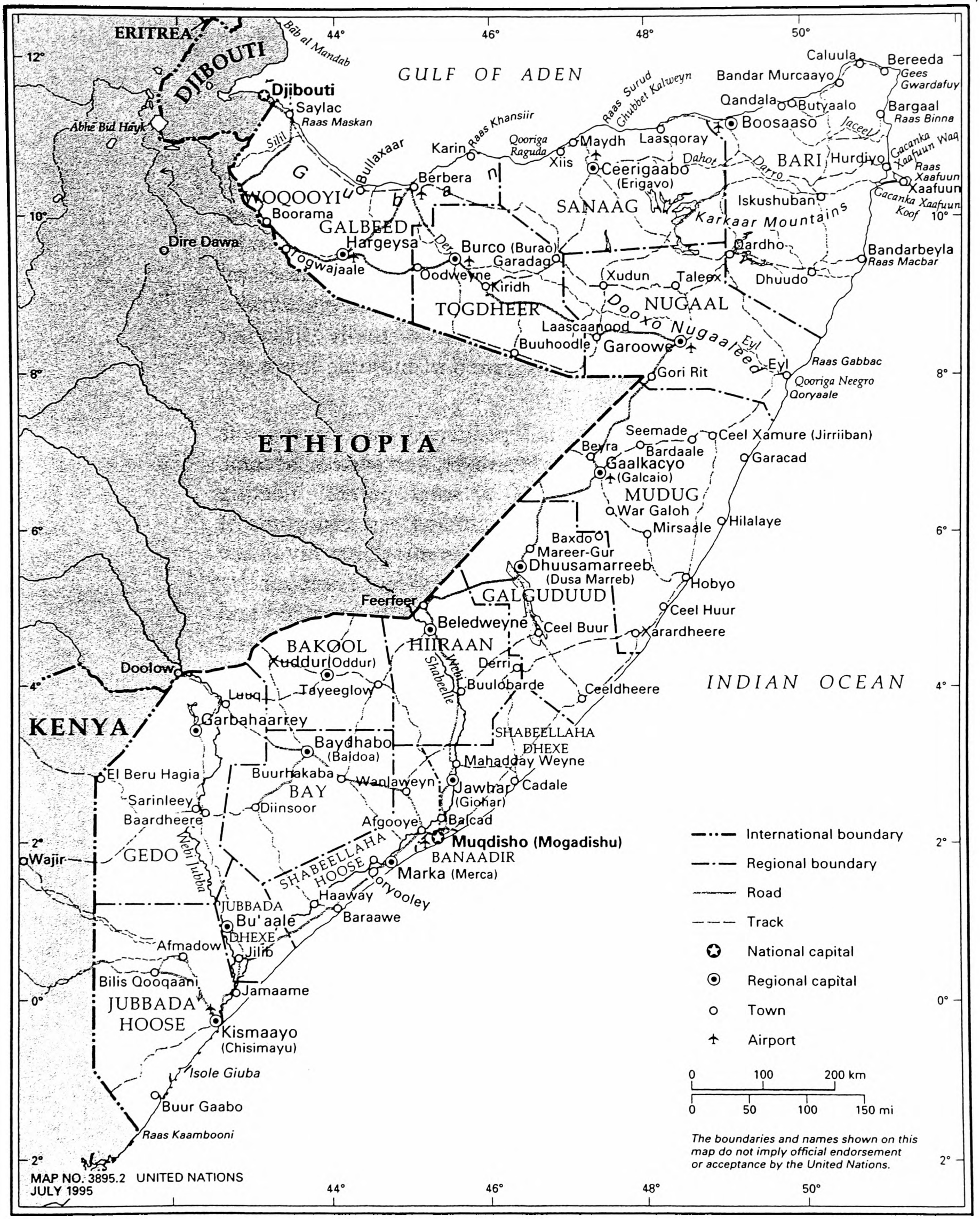
13 Sahnoun, *Somalia: The Missed Opportunities* (Washington, D.C.: United States Institute for Peace, 1994), p. 3ff.; Lyons & Samatar, *Somalia,* p. 26. On the decline of state institutions see: Sally Healy, "Research and Analysis Department Note: The Demise of State Institutions in Somalia", *Foreign and Commonwealth Office*, RAD Note 5/93, DD 1993/147 (April 1993)

14 James Jonah, former Under Secretary-General for Political Affairs, interview in New York, January 1998.

15 Report of the Secretary-General on the situation in Somalia, S/24343, 22 July 1992, para 33, *UNiS Doc.* 16, p. 172f.

16 Boutros-Ghali, "Introduction", *UNiS*, p. 22.

Somalia


ERITREA
DJIBOUTI
Djibouti
Saylac
Raas Maskan
Abhē Bid Hayk
Bāb al Mandab
GULF OF ADEN
Caluula
Bereeda
Gees
Gwardafuy
Bandar Murcaayo
Qandala
Butyaalo
Bargaal
Raas Binna
Raas Surud
Ghubbet Kalweyn
Boosaaso
Jaceel
Raas Khansiir
Qooriga Raguda
Karin
Maydh
Laasqoray
Xiis
Ceerigaabo
(Erigavo)
Dahot
Darro
BARI
Hurdiyo
Gacanka Xaafuun Waq
Raas Xaafuun
Xaafuun
Gacanka Xaafuun Koof
Iskushuban
Karkaar Mountains
Bullaxaar
Berbera
Siilil
Guban
WOQOOYI GALBEED
Boorama
SANAAG
Dire Dawa
Hargeysa
Der
Burco (Burao)
Garadag
Togwajaale
Oodweyne
Kiridh
Xudun
Taleex
Cardho
Dhuudo
Bandarbeyla
Raas Macbar
TOGDHEER
Dooxo Nugaaleed
NUGAAL
Eyl
Laascaanood
Buuhoodle
Garoowe
Raas Gabbac
Qooriga Neegro
Qoryaale
Gori Rit
ETHIOPIA
Seemade
Ceel Xamure (Jirriiban)
Beyra
Bardaale
Garacad
Gaalkacyo
(Galcaio)
MUDUG
War Galoh
Mirsaale
Hilalaye
Baxdo
Mareer-Gur
Dhuusamarreeb
(Dusa Marreb)
Hobyo
GALGUDUUD
Feerfeer
Ceel Huur
Beledweyne
Ceel Buur
Xarardheere
BAKOOL
HIIRAAN
Xuddur (Oddur)
Doolow
Derri
Shabeelle
Wabi
Buulobarde
Ceeldheere
INDIAN OCEAN
Tayeeglow
Luuq
Garbahaarrey
KENYA
Baydhabo
(Baidoa)
SHABEELLAHA DHEXE
Mahadday Weyne
El Beru Hagia
Buurhakaba
Wanlaweyn
Jawhar
(Giohar)
Cadale
BAY
Sarinleey
Diinsoor
Baardheere
Afgooye
Balcad
Muqdisho (Mogadishu)
BANAADIR
Wajir
GEDO
Nebi Jubba
SHABEELLAHA HOOSE
Marka (Merca)
Oryooley
Haaway
Baraawe
JUBBADA DHEXE
Bu' aale
Jilib
Afmadow
Bilis Qooqaani
Jamaame
JUBBADA HOOSE
Kismaayo
(Chisimayu)
Isole Giuba
Buur Gaabo
Raas Kaambooni
International boundary
Regional boundary
Road
Track
National capital
Regional capital
Town
Airport
0 100 200 km
0 50 100 150 mi
The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.
MAP NO. 3895.2 UNITED NATIONS
JULY 1995
12°
10°
8°
6°
4°
2°
0°
44°
46°
48°
50°

governments extended their food, technical and medical assistance to Somalia and in early October the United Nations and non-governmental organisations began a 100-day action programme for accelerated humanitarian assistance.[17] The increase in emergency relief was, however, accompanied by growing security problems and diversion of aid resources. Many aid agencies were forced to hire armed bodyguards to protect their staff, premises and supplies. As more and more organisations began operating in Somalia from mid-1992 onwards, prices for protection and employees increased significantly.[18] The American relief organisation CARE alone was spending approximately $100,000 a month on armed security guards.[19] Despite such problems, international relief to Somalia achieved notable results. According to conservative estimates some 50,000 people would not have survived without the food aid they received between January and September 1992.[20]

The United Nations' efforts to assist humanitarian organisations by addressing the security situation proved difficult and slow and had limited effects. Not until January 1992 did UN officials began to work towards a cease-fire agreement between General Aideed and Ali Mahdi whose competing claims to the presidency after the coup d'état had led to violent confrontations between their respective followers. These mediation efforts addressed some of the security problems of aid organisations in Mogadishu but had little impact on the confrontation between the USC and Barre's forces, which had been the root cause of the famine. It was not until April that a substantial cease-fire agreement was reached which

---

17 100-Day Action Programme for Accelerated Humanitarian Assistance for Somalia (excerpt), 6 October 1992, *UNiS Doc.* 29, p. 194; See "Summary of Progress achieved", Report of the Secretary-General on Emergency Assistance for humanitarian relief and economic and social rehabilitation of Somalia, A/47/553, 22 October 1992, para 43ff, *UNiS Doc.* 31, p. 201ff.

18 De Waal, "Somalia 1991 - 92", p. 170.

19 Oliver Ramsbotham & Tom Woodhouse, *Humanitarian Intervention in Contemporary Conflict: A Reconceptualization* (Cambridge: Polity Press, 1996), p. 204.

20 Refugee Policy Group, *Lives Saved, Lives Lost*, p. 30.

allowed for the deployment of UN military observers. [21] The full contingent of 50 observers did not reach Mogadishu until 23 July, three months after their mission had been authorised.[22]

On a military level the UN Security Council decided on 24 April to established a UN operation in Somalia, to be named UNOSOM, and authorised the deployment of a security force which would consist of 500 lightly armed peacekeepers to "escort deliveries of humanitarian supplies to distribution centres in Mogadishu and its immediate environs."[23] However, implementing this resolution took considerable time. The first 40 men of the proposed UN security force did not arrive until 14 September, and the force did not become operational until more than five months after its initial authorisation.[24] These delays substantially reduced the potential effectiveness of UNOSOM: When it had first been authorised in April, the famine wave in many areas had already reached its highest point. When the first troops arrived five months later, death rates had declined substantially. While there was still the need for security for humanitarian assistance, the delay alone made UNOSOM less effective in ameliorating the crisis. Another factor that limited UNOSOM's effectiveness was the small size of the contingent which limited its area of operations to Mogadishu and its immediate environs despite the fact that the worst affected areas of Somalia were in the Bay and Bakool regions more than 250 km to the south-west. Even in Mogadishu, UNOSOM's ability to provide protection to humanitarian activities was marginal. Rather than providing security of the port and airport and preventing extortion of the aid agencies by Somali militias as the mandate envisaged, UN peacekeepers were themselves subject to

---

21 Report of the Secretary-General on the situation in Somalia, S/23829, 21 April 1992, para 29, *UNiS Doc.* 11, p. 138; S/RES/751, 24 April 1992, *UNiS Doc.* 12, p. 166f.

22 "Introduction", *UNiS*, p. 25f.

23 Report of the Secretary-General on the situation in Somalia, S/23829, 21 April 1992, para 29, *UNiS Doc.* 11, p. 138; S/RES/751, 24 April 1992, *UNiS Doc.* 12, p. 166f.

24 "Introduction", *UNiS*, p. 25f; See *New York Times*, 13 August 1992, p. A1

extortion from the militias since the very beginning of the operation.[25] A sector commander of General Aideed's militia, the Somali National Alliance (SNA), later testified that "their security was undertaken by SNA militia men headed by myself. There was an understanding that they should guard the humanitarian provisions, to apportion those provisions to Somali clans equally."[26]

As far as providing security for humanitarian operations were concerned, nine months of intense attempts to deploy UN peacekeepers to Somalia had thus achieved very little too late. There was clearly a disconnection between the development of the humanitarian crisis and the timing and of the international response. How can this disconnection be explained? In particular: Why was it that the United Nations did not take any initiative on Somalia until January 1992? Assuming for a moment that some form of UN military response might have contributed to the alleviation of the humanitarian crisis: why did the Security Council decide only in April to deploy military observers? And why was it that the first elements of a UN peacekeeping force for Somalia did not arrive until mid-September?

Problems of Early Warning Mechanisms

One precondition for an earlier intervention would have been sufficient international awareness of the looming crisis in Somalia. Since the ousting of President Siyad Barre in late 1990, however, the country had disappeared from the horizon of the wider international community. During the military coup most foreign diplomatic representations, UN agencies, and other international relief organisations had left the country for security reasons and only

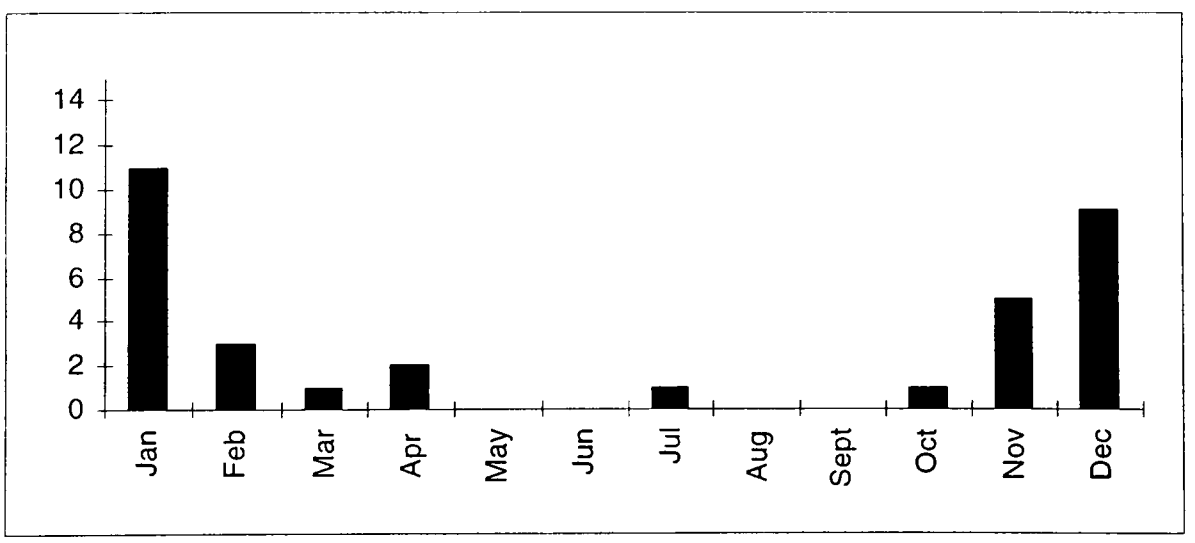
---

25 James Jonah, "Humanitarian Intervention", in Thomas Weiss and Larry Minear, eds., *Humanitarianism Across Borders. Sustaining Civilians in Times of War* (Boulder: Lynne Rienner, 1993), p. 73.

26 Captain Haad, interview with *Frontline*, reprinted on the world wide web, "Ambush in Mogadishu", PBS Online and WGBH/Frontline, September 1998, p. 3.

few non-governmental organisations (NGOs) resumed their activities in early 1991.[27] NGOs are often an important source of information when civil war or high levels of insecurity interrupt other channels of communication to the outside world. However, during much of 1991, even NGOs had an incomplete picture of the situation in Somalia. Pierre Gassman, the head of media relations at the International Committee of the Red Cross, the largest aid organisation that was operating in Somalia at the time, later admitted: "For some months, information on what exactly was happening in the country was scarce."[28] If aid organisations on the ground had an incomplete picture of the situation in the country, the wider public who relied on press reports about events in the country was even less informed. A casual reader of the *New York Times* would most probably have missed the few reports about Somalia that appeared during March to October 1991. After a series of articles that reported on the *coup d'état* in Mogadishu in January, coverage dropped to one or two articles per month throughout most of 1991 before they picked up again in November and December mostly due to renewed fighting in Mogadishu.

Somalia Coverage 1991



Monthly Number of Articles on Somalia published in the New York Times.

Source: *The New York Times Index* 1991

---

27 James Jonah, interview in New York, 28 January 1998.

28 Pierre Gassman, "TV without Government: The New World Order?", in Girardet, ed., *Somalia, Rwanda, and Beyond*, p. 149-59, 155.

In late 1991, several individual actors and organisations began to realise the extent of the pending crisis. The UN Food and Agricultural Organisation FAO warned in October 1991 that fighting in Somalia had put 4.5 million people at risk of starvation and that unless the security situation improved it would be impossible to distribute food aid.[29] The warning appeared on the last pages of the New York Times political section and did not generate wider interest. Staff of the ICRC who were working in Mogadishu and in the refugee camps in northern Kenya were among those who most strongly experienced the contrast between their experience of the first famine wave and the lack public interest. In order to mobilise international awareness of the famine, ICRC held news briefings for foreign correspondents in Nairobi and offered to take journalists to the area to have a look for themselves. But sparking interest in the suffering in Somalia was difficult. According to a spokesman for the ICRC, "most correspondents felt it was difficult to get their editor's and publisher's interest in this remote corner of the world, and not many made the dangerous trip."[30] Even those who went did not fully appreciate the extent of the famine, nor did they realise that it would increase further. Richard Dowden, then correspondent for the London daily *The Independent,* visited Mogadishu in January 1992 at a time when famine related deaths in the Bay and Bakool areas were spiraling. He came back with the impression that evidence about the humanitarian situation was still ambiguous: "The famine at the time was thought possible, but there was little information coming from the interior of the country."[31] The lack of certainty and hard evidence for the crisis prevented the famine attracting widespread awareness amongst the

---

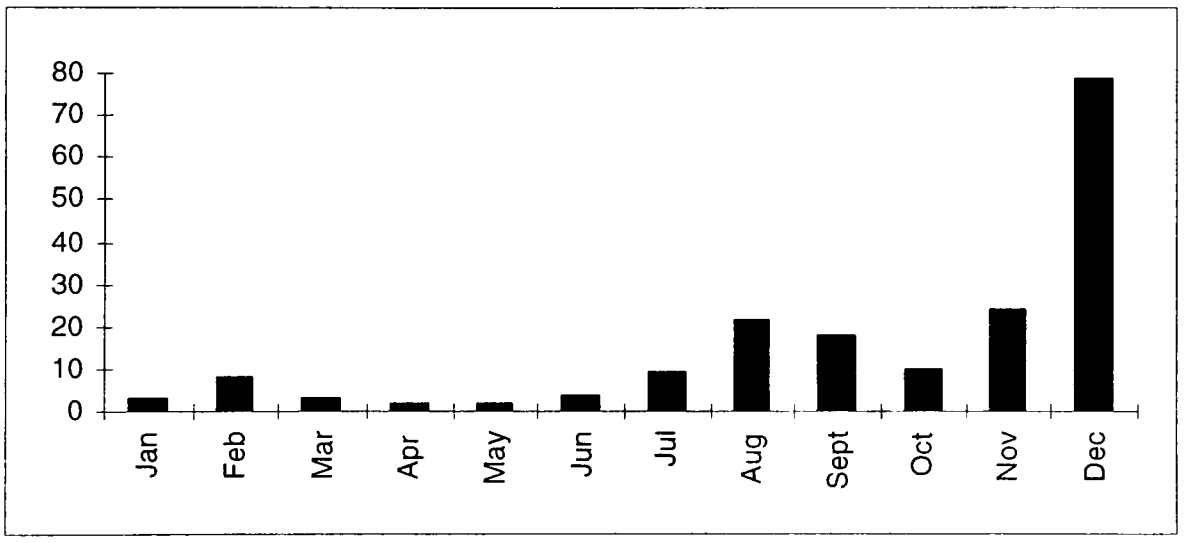
29 *The New York Times*, 16 October 1991, p. A11.

30 Gassmann, "TV without Government", p. 155.

31 Richard Dowden, "Covering Somalia - Recipe for Disaster", in Edward R. Girardet, ed., *Somalia, Rwanda, and Beyond: The Role of the International Media in Wars and Humanitarian Crises* (Dublin: Crosslines Global Report and the Italian Academy for Advanced Studies at Columbia University, 1995), pp. 91 – 97, p. 94.

international community. Obviously, for a journalist it is much more difficult to find his editors' approval for a story about a possible crisis than for an ongoing crisis. The general readership of a newspaper will naturally be less interested in something that might happen than something that is happening. In late 1991 and early 1992, Somalia was also competing with other international events — particularly with the war in Bosnia and Herzegovina — for the scarce space for coverage in the foreign news sections of the media. From November 1991 to January 1992, heavy fighting between Ali Mahdi and General Aideed in Mogadishu led to a brief surge in Somalia coverage. In March, however, while mortality rates were rapidly reaching their highest level, coverage slumped. [See graphs, p. 133, 135, and 233]

Somalia Coverage 1992



Monthly Number of Stories on Somalia published in the New York Times

Source: The New York Times Index 1992

The evidently sharp discrepancy between the extent of the crisis and the media coverage provides a first indication for why public humanitarian concern may be an unsuitable basis for decision-making on crisis intervention. Media coverage of a crisis is both a contributing factor to, and a reflection of, public humanitarian concern. However, there is no evidence for such concern during the peak of the famine in early 1992, when, arguably, there was a need for international intervention.

Delays in United Nations Decision-Making

Even without wider international awareness many individual actors and organisations could have contributed to an earlier international intervention. One of these organisations was the United Nations Secretariat. However, in addition to the problems that were described in the previous section, the UN Secretariat's ability to push for early intervention faced a number of other challenges which can be examined in greater detail by looking at the Secretariat's internal decision-making processes in 1991 and early 1992. Among those within the Secretariat who were advocating early intervention in Somalia was James Jonah, Deputy Under-Secretary-General for Political Affairs. In late 1991, Jonah had come to believe that a humanitarian approach to the crisis was insufficient and that the United Nations had to get politically involved. However, when he suggested that the UN Secretary-General should approach the Security Council in this regard, his initiative provoked intense debate within the Secretariat and was opposed by the Secretary-General Perez de Cuellar.[32]

Two different kinds of objections against Jonah's proposal appear to have been most influential: On a level of principle de Cuellar and others argued that the primary political responsibility of the United Nations was in the field of international peace and security. In 1991, the idea that the United Nations could intervene in a country against the will of its government to address what had previously been regarded as internal affairs was still new. While a precedent for such activities had been set in Northern Iraq where UN peacekeepers were offering Kurdish refugees a degree of protection from the Iraqi regime, the concept had never been applied in Africa. Moreover, there was a view that political responses to regional crises should be addressed by regional organisations first. "Politically, at that time it was

---

[32] James Jonah, interview in New York, 28 January 1998.

foolhardy for anybody to intervene in an African dispute until the OAU had done something," recollected Jonah. "It was just not done."[33] The OAU, however, felt that it did not have the authority to impose a solution on Somalia. For them, considerations of state sovereignty were still of major importance. According to Jonah, "the OAU had the feeling at this time of interfering with domestic affairs. There was no way that anyone could intervene politically. That was the current feeling. It was a taboo." The OAU had previously opposed UN involvement in Liberia and the Sudan on similar grounds.[34] On a pragmatic level, the Secretary-General was reluctant to propose UN involvement in Somalia because he felt it might provoke the opposition of Members of the Security Council. Perez de Cuellar argued that the Secretariat could not take an initiative on Somalia "because," as Jonah put it, "it would not wash in the Security Council."[35] On the basis of these arguments the Secretary-General decided for the time being not to take any action on Somalia.

The eventual change in the position of the UN Secretariat in December 1992 was not prompted by events in Somalia but by the imminent arrival of a newly elected Secretary-General of the United Nations, Dr. Boutros Boutros-Ghali. As Foreign Minister of Egypt, Boutros-Ghali had previously been closely involved in Somalia. One of the first questions during preparatory consultations with the UN Department of Political Affairs was thus: "Why is the UN not in Somalia?"[36] On 27 December, after consultations between the sitting and the incumbent Secretary-General, a letter was sent to the Security Council informing it of the imminent departure of Under-Secretary-General Jonah to Mogadishu to attempt fostering a

---

33 *Ibid.*
34 See Hirsch and Oakley, *Somalia and Operation Restore Hope*, p. 17.
35 James Jonah, interview in New York, 28 January 1998.
36 *Ibid.*

cease-fire between the warring factions.[37] By then, precious time had passed since the idea of a political involvement by the United Nations in Somalia had first been proposed at a high level within the Secretariat.

During the first three months of 1992 — as has been outlined earlier — the Secretariat and the Security Council took some steps towards achieving a cessation of hostilities in Somalia. In January, the Council imposed an arms embargo and called for a peaceful settlement of the conflict. In February the Secretary-General invited representatives of two faction leaders, Ali Mahdi and General Aideed, to New York for consultations, and in March, Aideed and Mahdi signed a cease-fire agreement in Mogadishu that was to be monitored by the United Nations. Considering the difficulty and volatility of the situation in Somalia, the agreement had to be implemented quickly if it was to hold at all. Despite its various shortcomings the agreement nevertheless provided a breathing space for political negotiations.[38] One of the crucial elements of the agreement had been the deployment of international monitors to verify the cease-fire. But it took more than a month and a half before the Security Council decided on 24 April to establish a UN Operation in Somalia. In the meantime, mortality rates were rising rapidly.

Some of those delays in the UN response were caused by the fact that at that time there was still no clear understanding of how severe the situation in Somalia really was. "We didn't know," admitted James Jonah later and explained why: "One reason was that Siyad Barre was still in the South-West. That was a no-go area. [Because] if you went to Siyad Barre all the

---

37 Letter dated 27 December 1991 from the Secretary-General to the President of the Security Council, not issued as a UN document, *UNiS Doc.* 1, p. 113.

38 Addis Ababa Agreement concluded at the first session of the Conference on National Reconciliation in Somalia, 27 March 1993, not issued as a United Nations Document, *UNiS. Doc.* 53, p. 264ff.; see Lyons & Samatar, *Somalia*, p. 30.

other Somalis would complain: You cannot talk to Siyad Barre! Another reason was that the warlords were obstructing access. [Consequently,] it was only after Siyad Barre left Somalia that people got [to the South West]." [39] Another contributing factor to the delays were the complex procedures of the United Nations: One week passed after the agreement between Mahdi and Aideed on 3 March before the Secretary-General proposed on 11 March to send a technical team to Somalia; another week passed before the Security Council supported that initiative on the 17th, and more than another week later the team finally arrived in Mogadishu on 27 March. In total, almost one month went by before the Secretary-General was in a position to propose to the Council the deployment of UN forces. [40]

From that point on, another full month passed before the Secretary-General actually recommended the establishment of a UN Operation in Somalia and a deployment of 50 unarmed military observers. This time the delays were the result of difficult consultations between the Secretariat and Members of the Security Council. As Perez de Cuellar had suspected, Member States were reluctant to deploy UN peacekeepers to Somalia. Weary of increased involvement, the United States was among those states who insisted that an earlier plan by the Secretary-General to send UN peacekeepers to Somalia was further delayed. [41] Resolution 751 of 24 April 1992 requested the Secretary-General to deploy 50 UN observers to monitor the cease-fire in Mogadishu but stopped short of sending armed UN peacekeepers. Instead, the Council merely agreed "in principle" to the deployment of a UN "security force" to Mogadishu. [42]

---

39 James Jonah, interview in New York, 28 January 1998.

40 "Chronology of events", *UNiS*, p. 92.

41 Report of the Secretary General to the Security Council, S/23829, 21 April 1992; *UNiS Doc.* 11, p. 135ff, paragraphs 27 30.

42 S/RES/751, 24 April 1992; *UNiS Doc.* 12, para 4.

The reasons for the reluctance of Member States were — just as during the internal decision making processes within the UN Secretariat — partly related to events in Somalia, partly to factors unrelated to Somalia. Despite the signing of a cease-fire agreement by Ali Mahdi and Mohamed Farah Aideed in early March 1992, fighting had continued in many parts of the country. The failure of the parties to implement their agreement seriously jeopardised the prospects of success for UN observers who were supposed to be sent to monitor a cease-fire. The representative of the United States made this point during a meeting of the Council in March. "No United Nations monitoring mechanism to supervise a cease-fire can be put into a situation where there is no effective cease-fire." Furthermore, he argued that "the United Nations cannot deliver humanitarian assistance where an active conflict is under way." For those reasons, the US delegation supported a UN resolution that was merely to "call upon all parties to cease hostilities."[43]

The argument put forward by the US delegation implied that the UN would have to wait for a cease-fire before effective aid could be delivered. Although this amounted to passivity in the face of a humanitarian disaster, Member States were reluctant to consider what the Secretary-General had called "innovations" to deal with the crisis, including the deployment of a security force to Somalia. Part of that reluctance had to do with the fact that Members of the Council were preoccupied with other crises, particularly with the disintegration of Yugoslavia and with elections in Cambodia.[44] Another reason for the reluctance was based on considerations about the high costs of military deployment, as the Representative of Belgium pointed out during a debate at the Security Council. According to him "a clear distinction should be drawn between the political and military aspects and the

---

[43] Provisional Verbatim Record of the 3060th Meeting of the Security Council, S/PV.3060, 17 March

humanitarian aspect [of a UN operation in Somalia], *especially because of their specific budgetary implications*."[45] In the case of the United States, concerns about the costs of a UN operation in Somalia were based on considerations of domestic politics. According to press reports at the time, the US administration was reluctant to accept expanded peacekeeping operations because of objections from Congress to the costs.[46]

Obstacles to the Implementation of UNOSOM

If the decision to establish a UN operation in Somalia had encountered serious obstacles that caused considerable delays, implementation proved just as difficult and time-consuming. This time, delays were caused mainly by a reluctance of the parties, specifically General Mohamed Aideed, to accept the deployment of monitors to which they had agreed two months earlier. Because they were operating under Chapter VI of the Charter, UN observers were dependent upon the consent of the parties on the ground and could not be deployed without their support. Negotiations about their deployment got stuck in details: Parties on the ground and the UN disagreed about the location of the observer patrols and about whether or not monitors would wear uniforms or civilian attire with blue berets. Discussions between the UN and General Aideed were time-consuming and it took until 21 June before an agreement was reached. In the end, the UN observers did not arrive in Mogadishu until 23 July, three months after their mission had been authorised.[47] Negotiations over the 500-strong security force to which the Security Council had agreed "in principle" in April were even more

---

1992, p. 49-50.

44 Hirsch and Oakley, *Somalia and Operation Restore Hope*, p. 17.

45 Provisional Verbatim Record of the 3060th Meeting of the Security Council, S/PV.3060, 17 March 1992, p 41; emphasis added.

46 Paul Lewis, "Security Council Weighs Role in Somali Civil War", *New York Times*, March 18, 1992, p. A9.

47 "Introduction", *UNiS*, p. 25.

difficult. Agreement with Ali Mahdi and General Aideed on where and how to deploy this force was not reached until mid-August 1992. The duration of these negotiations and logistical problems are the main factors which explain why the first 40 of 500 peacekeepers did not arrive in Mogadishu until 14 September, almost five months after their initial authorisation by the Security Council.[48] By that time, the humanitarian crisis in Somalia had already begun to decline. Even after the force was deployed, Somali militias were reluctant to cooperate fully with UNOSOM as they were required to by the Addis Ababa agreement. As before, militias sought to profit from international relief by extorting money for protection, and by attacking and looting warehouses and aid convoys. Partly because of the small number of UN peacekeepers, their limited mandate and general lack of familiarity with the situation in Somalia, and partly because militias felt no inhibitions about threatening and using force against them, UNOSOM remained largely ineffective.

2. Large-scale Intervention Despite Amelioration of the Situation

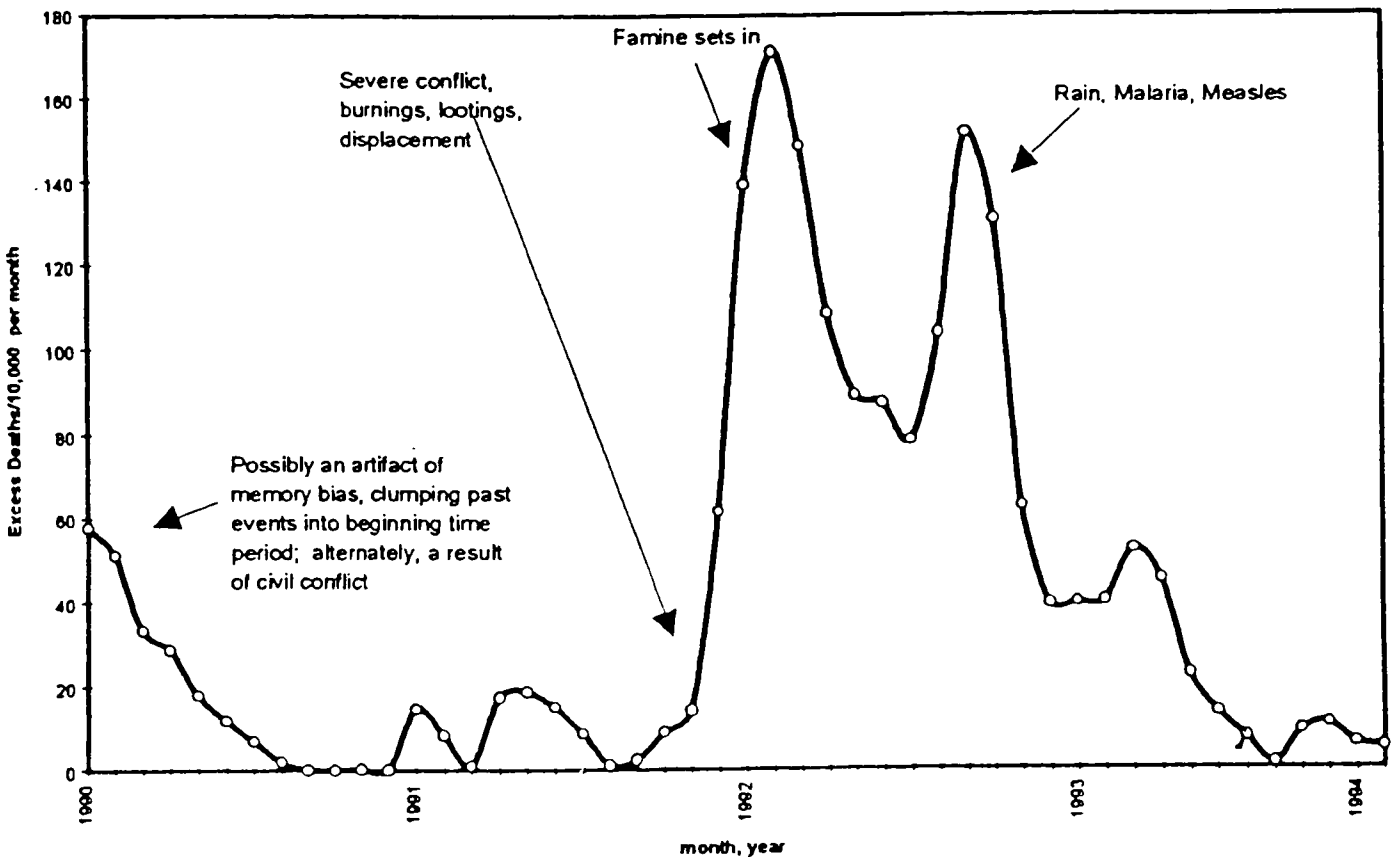
Another often ignored aspect of the international military intervention in Somalia is that it was authorised and deployed months after the height of the crisis at a time when the famine was heading towards a natural end. The Refugee Policy Group conducted interviews with close to one hundred health practitioners and consulted documents from all major UN agencies and non-governmental aid organisations active in Somalia at the time. It established that mortality rates in the worst affected areas of the country had been falling after having reached a peak in the first quarter of 1992. This general trend was interrupted in September 1992 by a brief increase in mortality rates. The sudden rise in deaths was not caused by

---

48 *Ibid.*, p. 26; see *The New York Times*, 13 August 1992, p. A1.

continuing famine but by epidemics which broke out mainly in displaced persons camps and particularly in and around feeding centres which had been set up in southern Somalia. Most of the people in these camps succumbed rapidly to disease having been weakened by months of malnourishment. Consequently, death rates rose sharply and then dropped again just as quickly.[49] United Nations officials observed a similar trend, noting that in Baidoa, one of the worst affected cities, "weekly famine deaths had declined dramatically" between August and November.[50]

Excess Mortality Rates for Combined Bay and Bakool Regions



Excess deaths reported by families expressed in terms of deaths per 10,000 population per month. Responses were given by heads of households living in three rural districts in Bay and Bakool. The blackened curve represents the reported deaths per month. Reported deaths were clumped in early 1992 and around September 1992.

Source: RPG, *Lives Lost, Lives Saved*, p. 11.

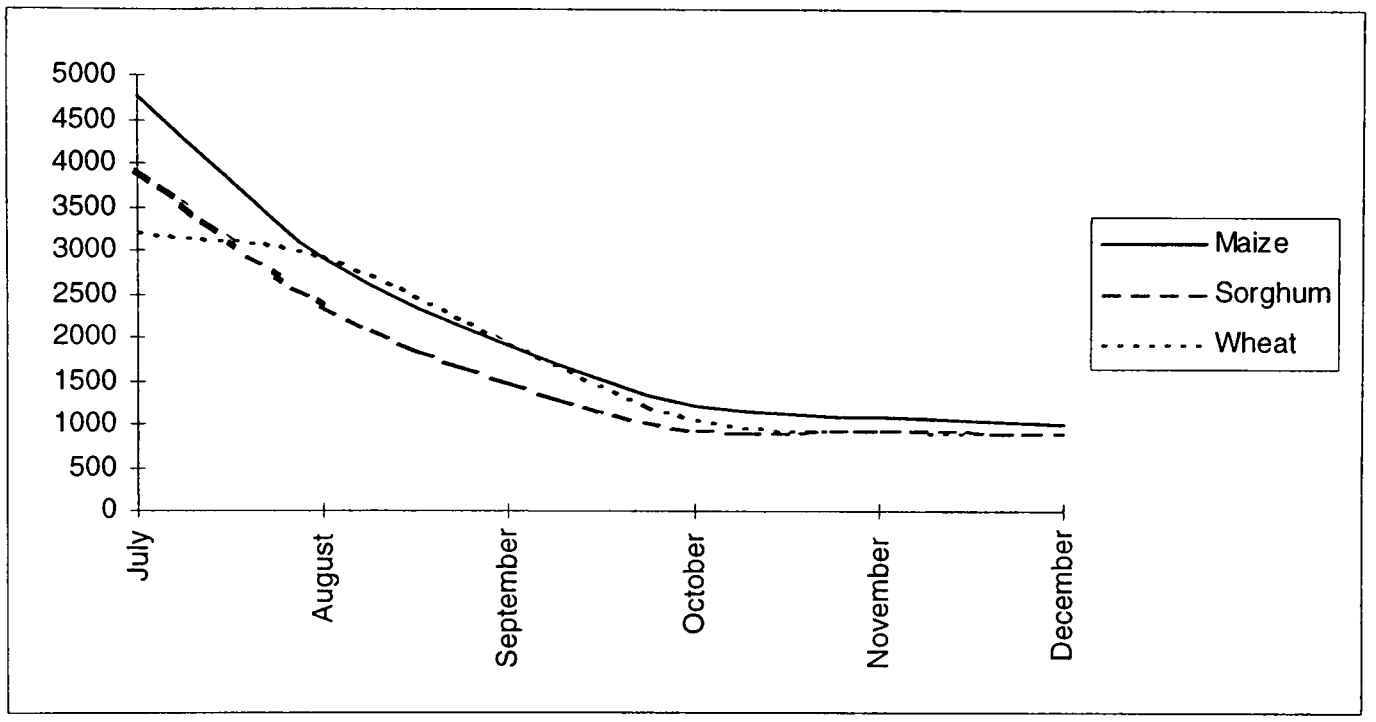
---

49 *Ibid.*, p. 10.

50 Boutros Boutros-Ghali, "Introduction", *The United Nations in Somalia*, p. 24.

These findings are further supported by the development of grain prices in Somalia markets which were recorded by the IFRC. As the graph on page 128 indicates, by October 1992, prices of maize, sorghum, and wheat had fallen to a third of their peak in July.[51]

Monthly Grain Prices in Somali Markets in Somali Shillings, July - December 1992



Source: International Federation of Red Cross and Red Crescent Societies, *Somalia Relief and Rehabilitation programme: Federation Framework Proposal*, Geneva: IFRC, 1993.[52]

Moreover, famine and disease did not affect all regions and people evenly. Almost 90 per cent of the famine related deaths in Somalia in 1992 occurred in the area between the Jubba and Shekel rivers in the South and central part of the country.[53] Even within the most affected areas not everybody was hit by the crisis. The highest mortality rates were consistently reported among displaced persons and among children below the age of five. Resident

---

51 Data collected by CARE monetization programme, Mogadishu, during the same period confirms the trend of drastically falling cereal prices; see African Rights, *Somalia: Operations Restore Hope*, p. 9; see evaluation by the Refugy Policy Group: "By November 1992 the price of food, an inverse reflection of its availability, had plummeted well beyond anyone's expectations or predictions", Refugee Policy Group, *Lives Lost, Lives Saved*, p. 30; UN officials observed similarly that "in October and November 1992, ... in Mogadishu and some other towns food began to reappear in market places"; Boutros Boutros-Ghali, "Introduction", *The United Nations in Somalia,* p. 41.

52 Quoted in: Deberati G. Sapir & Hedwig Deconinck, "Somalia: The Paradox of International Humanitarian Assistance and Military Intervention", *manuscript*, May 1994, Centre for Research on the Epidemiology of Disasters (CRED), Department of Public Health, Catholic University of Louvain, Brussels, Belgium, p. 17.

populations were much better able to cope with food shortages although some of them were affected when diseases hit the displaced persons camps in their area.[54]

There were various reasons for the decline of the humanitarian crisis in Somalia. One was that fighting between Siyad Barre's forces and the USC/Hawiye and the accompanying devastation of the agricultural heartland of the country had ended with the defeat of Barre in April.[55] Uninterrupted by looting militias, local farmers were thus able to resume food production in October and November.[56] Another reason for the declining crisis was that international aid efforts were starting to take effect. According to the UN Secretary-General

> In October and November 1992, in parts of Somalia, the airlift and the 100-Day Programme began to stem the tide of famine. Together, the WFP and the ICRC met their monthly targets for the delivery of food to Somali ports.[57]

Despite high losses of food aid the international relief effort was reaching large numbers of people.[58] According to one study, over one million were supported by relief directly and most of the rest of the population benefited indirectly through greatly increased availability of food.[59] External assistance and local production together contributed to a significant amelioration of the general humanitarian situation. Some areas showed no signs of a crisis at all. A Canadian reconnaissance team, which visited the North East of Somalia in October 1992, found that "humanitarian aid distribution in Bossasso had improved and that

---

53 Refugee Policy Group, *Lives Lost, Lives Saved*, p. 22.
54 *Ibid.*, p. 6.
55 See previous section.
56 Ernest Harsch, "'Somalia. Restoring Hope", *Africa Recovery Briefing Paper No. 7* (New York: U.N. Department of Public Information, 1993), p. 16.
57 Boutros-Ghali, "Introduction", *UNiS*, p. 24.
58 The question of how much aid was being diverted in Somalia is discussed below.
59 Refugee Policy Group, *Lives Saved, Lives Lost*, p. 30.

conditions in the region had stabilised ... There was no apparent need for aid distribution centres, nor were security convoys seen to be necessary."[60]

Although disease related mortality was still high in some areas, particularly in the vicinity of displaced persons camps and feeding centres, there were signs that the crisis in Somalia was gradually coming to an end. The Refugee Study Group estimated that the greatly increased international relief effort between September and December 1992 succeeded in saving at least 40,000 lives.[61] The total number of lives saved in 1992 thus appears to be above 90,000.

Moreover, even if looting, food diversion, and general insecurity continued to hamper the international relief effort, there were also signs that the United Nations was gradually moving into a position where its mediation efforts might have contributed significantly to a lasting improvement of the political tensions in Somalia. By later 1992, the Special Representative of the Secretary-General, Mohamed Sahnoun, had not succeeded in achieving political reconciliation between Ali Mahdi and General Aideed or indeed in finding a basis for a wider national reconciliation. But during extensive talks with a variety of political players, including faction leaders, elders and representatives of 'civil society', Sahnoun had won considerable personal respect among Somalis.[62] This strengthened the ability of the United Nation to play an effective role as a mediator. Sahnoun's resignation in October 1992 represented a major setback both for the prospects for political reconciliation in Somalia as

---

60 *Final Report of the Commission of Inquiry into the Deployment of Canadian Forces to Somalia,* vol. 1, (Ottawa: Canadian Commission of Inquiry, 1995), p. 262f.

61 Refugee Policy Group, *Lives Saved, Lives Lost*, p. 31.

62 Drysdale, *Whatever Happened in Somalia?*, p. 39 - 53; Lyons, *Somalia*, p. 32.

well as for the ability of the United Nations to influence developments in the country by diplomatic means.[63]

Although the humanitarian crisis was thus gradually coming to an end even in the most affected areas and mediation efforts by the UN were slowly showing some results, the UN Security Council decided on 3 December to send a US-led multinational intervention force to Somalia, to be known as the United Task Force (UNITAF). Resolution 794 authorised Member States under Chapter VII of the UN Charter "to use all necessary means to establish as soon as possible a secure environment for humanitarian relief operations in Somalia".[64] The resolution marked the first time in the history of the United Nations that a group of Member States was authorised under Chapter VII of the Charter to take military action for humanitarian purposes in an internal conflict.[65] One week later, on 8 December, the first of almost 40,000 troops of UNITAF landed in Mogadishu.[66]

The apparent disconnection between the large-scale military intervention and the decline of the humanitarian crisis raises several questions: Why did the UN Security Council authorise large-scale military intervention in December 1992? Why did the US government decide to offer to lead such an intervention at that point in time? And, why was it decided to intervene with such a large force? At least part of the explanation for the decisions both of the UN Security Council and the US government appears to have been the perception that the

---

63 Hirsch and Oakley, *Somalia and Operation Restore Hope*, p. 29 - 31.

64 S/RES/794, 3 December 1992, para 10; *UNiS Doc.* 35, p. 214ff.

65 The Security Council had previously authorised Member States to take military action under Chapter VII only on four occasions: In 1950 to repel attacks against the Republic of Korea, in 1966 to enforce an embargo against Southern Rhodesia, and twice in 1990 and 1991 in the context of the Iraq-Kuwait conflict; see William J. Durch, ed., *The Evolution of UN Peacekeeping. Case Sudies and Comparative Analysis* (London: Macmillan, 1994), p. 6; Secretary-General Boutros-Ghali, "Introduction", *UNiS*, p. 33.

66 29,000 troops were deployed in Somalia, another 8,000 remained offshore; Secretary-General Boutros-Ghali, "Introduction", *UNiS*, p. 34.

humanitarian situation in Somalia was still deteriorating. The last question to be addressed here is thus: what were the reasons for the disconnection between perception and reality of the humanitarian crisis in Somalia?

UN Security Council Authorisation of UNITAF

The Impact of Past Failures

Although the decision to authorise UNITAF in December 1992 was eventually prompted by an offer of the United States, initiatives for a more assertive military role of the UN in Somalia had originated much earlier. During the summer of 1992, Members of the Security Council had become increasingly concerned about the obstruction of humanitarian assistance by armed gangs and factions. The Council had repeatedly called upon the parties to cooperate with the UN operation but progress had remained slow. In mid-August, the Special Representative of the Secretary-General had obtained the agreement of Ali Mahdi and General Aideed to the deployment of a 500 strong UN security force. But even before the force was actually deployed, the Council felt that it was too small to be effective. Based on the recommendations of the Secretary-General, the Council authorised on 28 August an increase of UNOSOM to a total of 3,500 men.[67] However, the basic parameter of UNOSOM, the fact that it was operating under Chapter VI of the Charter, remained unchanged. The UN announcement to enlarge UNOSOM caused tensions. Parties on the ground, particularly General Aideed's USC/SNA faction, objected strongly to the augmentation of the force, especially since it had been announced without consulting them. Without their cooperation deployment of the enlarged force was blocked. Consequently, when two months later the US

---

67 S/RES/775, 28 August 1992, *UNiS Doc.* 24, p. 189.

government proposed to take the lead in an intervention to Somalia, UNOSOM's force level was still at 500 troops.

The decision by the Security Council to authorise a US-led military intervention under Chapter VII of the Charter appears to have been prompted at least in part by a series of unsuccessful attempts to provide security on a consensual basis. The failures of these previous initiatives was partly reflected in the official reasons that were given for the need for military intervention. In resolution 794 of 3 December 1992 the Council deplored the "obstacles being created to the distribution of humanitarian assistance." In particular, the resolution noted with "grave alarm" reports of violence against humanitarian aid workers, of looting of relief supplies, of attacks against aircraft and ships delivering humanitarian assistance, and of attacks against the UN contingent in Mogadishu.[68]

The Perception of the Crisis

Another contributing factor to the decision for military intervention in December was the perception of a "deteriorating" situation in Somalia. In late October, UN Secretary-General reported that "at least 1.5 million lives are immediately at risk" and he described how towns and cities had been plunged into a "nightmare of insecurity which in turn has hampered the delivery of vitally needed humanitarian assistance and increasingly threatens the well-being of relief workers".[69] One month later, he reported that "the situation is not improving" and warned that "it may become necessary to review the basic premises and principles of the

---

68 S/RES/794, 3 December 1992, *UNiS Doc.* 35, p. 214.

69 Report of the Secretary-General on Emergency Assistance for humanitarian relief and the economic and social rehabilitation of Somalia, A/47/553, 22 October 1992, para 3; *UniS Doc.* 31, p. 196ff.

United Nations effort in Somalia" by which he alluded to a possible move towards Chapter VII of the Charter.[70] In a key letter dated 29 November, the Secretary-General warned:

> If the international community were to allow [the situation] to continue, it would be committing itself to an endless process in which less and less of the aid it provided would reach vulnerable groups and in which lawless trading in that aid would become, even more than at present, the foundation of Somalia's economy. Such an outcome would encourage further fragmentation and destroy the hoped of national reconciliation.

According to Boutros-Ghali, the situation in Somalia had "deteriorated beyond the point at which it is susceptible to the peacekeeping treatment". Consequently, "there is now no alternative but to resort to Chapter VII of the Charter".[71] The increasingly gloomy reports and letters of the Secretary-General contributed significantly to the Security Council's perception of the situation in Somalia as Members' statements in a meeting of the Council on 3 December 1992 indicate.

During the formal session of the Security Council prior to the authorisation of UNITAF, Members States gave a vivid expression of the urgency that they attached to military intervention. Members of the Council described what they saw as a continuously worsening country-wide catastrophe of enormous scale. Delegations emphasised particularly the obstruction of international assistance by local warlords and argued that "only a fraction" or "practically none" of it was reaching the starving population.[72] In expressing their anxiety about the situation in Somalia Member States characterised the extent of the crisis in terms that went far beyond even the most pessimistic expert analyses. Events in Somalia were described as "a threat to the very existence of Somali society." Belgium stated that "what is now at stake is the very survival of the Somali people." Russia stressed the urgency of

---

70 Letter dated 24 November from the Secretary-General to the President of the Security Council, S/24859, 27 November 1992; *UniS Doc.*32, p. 207f.

71 Letter dated 29 November from the Secretary-General to the President of the Security Council, S/24868, 30 November 1992; *UniS Doc.*33, p. 209f.

international intervention when it said: "The situation in Somalia is one of total chaos, fraught with the real threat that the country could disintegrate. Millions of Somalis are now on the brink of death from starvation." And Morocco even spoke of the need to put an end to the "hardship of an entire people and to the dangers that are threatening it with extermination."[73] In effect, the description of the situation in Somalia became a competition for superlatives. According to close observers of the Council, these statements were made not merely paying lip-service to Somalia's plight but they represented widely shared actual beliefs among Members of the Council.[74]

If one disregards the most extreme characterisations of the situation in Somalia, the assessments of Members of the Security Council fairly accurately represented the situation in Somalia at the height of the crisis in July and August 1992. They did not, however, adequately reflect the situation in early December. By that time, as has been argued before, considerable amounts of aid had been reaching populations in need. Partly as a consequence of these efforts, death rates in Somalia had been declining since September and many areas of the country were not seriously affected by the famine. No Member of the Council showed any awareness of the declining death rates and few delegations distinguished between more and less affected regions or groups of the population of Somalia. Overstated as they were, the descriptions of the allegedly deteriorating humanitarian situation in Somalia underlined the apparent need for military intervention.

---

72 Provisional Verbatim Record of the 3145th Meeting of the Security Council, S/PV.3145, 3 December 1992, p. 16, 23, 26, 39, 44.

73 S/PV.3145, p. 19-20, 23, 26, 47.

74 James Jonah, "Humanitarian Intervention", in Weiss & Minear, eds., *Humanitarianism Across Borders*, p. 74.

Humanitarian Motives for Intervention

The legal justification for military intervention under Chapter VII of the Charter was that "the magnitude of the human tragedy" in Somalia constituted a "threat to international peace and security." The Council also stressed that it was the "unique character of the situation in Somalia" which required an "exceptional response" and that it responded to "urgent calls from Somalia" for the international community to ensure the delivery of humanitarian aid.[75] However, during the sessions of the Security Council none of the national delegations argued that a threat to international peace and security or an invitation from Somalia was a prime motivating factor for their support for intervention. Instead, Member States cited two main reasons why the Council should authorise UNITAF. The prime motivation for intervention was their shared humanitarian concern about the suffering in Somalia. The United States expressed its "commitment to resolving the human tragedy in Somalia." Belgium argued that the United Nations "must ... make a fresh start in meeting the humanitarian challenge in Somalia." And in the view of the United Kingdom "the international community ... cannot stand by and permit a humanitarian crisis of this magnitude to continue." Even China, which typically views with great scepticism any action that may be perceived as providing a precedent for interference in the internal affairs of states, stated that its delegation was "deeply concerned and worried about this state of affairs" in Somalia and voted in favour of the UNITAF deployment.[76]

In expressing their humanitarian concern about the crisis in Somalia some Member States even went so far as to argue that the international community was under a moral

---

75 S/RES/794, 3 December 1992, *UNiS Doc.* 35, p. 214.

76 Provisional Verbatim Record of the 3145th Meeting of the Security Council, S/PV.3145, 3 December 1992, pp. 16, 35, 36.

obligation to intervene. The representative of Zimbabwe suggested that military intervention was necessary because "the *humanitarian imperatives* of the Somali crisis cannot be met through conventional methods." Ecuador stated that "solidarity and interdependence - principles that underlie our international order - *do not permit* us to remain impassive in the face of human tragedy." Hungary argued that "the world Organisation, consistent with its purposes and principles, has an *obligation* to participate fully in this difficult undertaking." For Cap Verde the "level of destruction" in Somalia was "*necessitating* resolute and effective action on the part of the international community with the view to putting an end to the tragedy afflicting the Somali people." And Austria argued that by authorising UNITAF, "the Council is fulfilling its *responsibility* towards the afflicted population in Somalia and in (sic) acting upon its claim on international solidarity."[77]

Other key reasons for why delegations authorised UNITAF were considerations of principles that had less to do with the specific situation in Somalia than with a shared vision of the role of the United Nations in the new state of international affairs after the Cold War. For the representative of Cape Verde events in Somalia represented a challenge to the establishment of "a new international order" within which the United Nations had a role of capital importance to play:

> The case of Somalia offers us a golden opportunity to prove our determination, and this, moreover, besides helping solve the calamitous situation in which the Somali people find themselves, would contribute to giving fresh impetus to United Nations activities in maintaining international peace and security.
> That is why my country will vote in favour of the draft resolution before us.[78]

Consistent with the French debate about a *droit d'ingérence,* the representative of France argued that "for us, the commitment is part of the principle of establishing access to

---

77 *Ibid.*, pp. 6, 18, 31, 38, 49; emphasis added.
78 *Ibid.*, pp. 19-20.

victims and of the right to emergency humanitarian assistance, which my country has so often stressed in recent years." Also, the French delegation expressed specifically that by authorising resolution 794 the Council was "acting directly in line with the proposals put forward in the Secretary-General's report 'An Agenda for Peace'." The US delegation stressed that "this courageous decision by the Security Council strengthens the United Nations and affirms the ideals upon which it is based." Venezuela argued that "all the values and purposes of our Organization would have been without any foundation if we had not taken this decision."[79]

A further more political motivating factor to support an intervention in Somalia — especially for developing countries — was not reflected in the statements of delegations during the formal session of the Security Council: the prospect of having a major UN engagement in Africa. During 1992, a widely shared perception that the United Nations was not doing enough about the suffering in Somalia had quickly become an issue in the relations between the developing countries and the developed world. An indirect indication of the importance of this aspect for non-aligned countries was the significance the UN Secretary-General attached to it on political grounds. According to one of his close advisors, Boutros-Ghali's motivation to support intervention in Somalia was not so much based on idealistic humanitarian reasons but rather on "political reasons partly related to his desire to maintain his credentials with the non-aligned in the United Nations, partly because he devoted so much time to Africa when he was in the Foreign Ministry in Cairo."[80] Giving priority to Somalia was a way of giving high priority to Africa.

---

79 *Ibid.*, p. 29.

80 Marrack Goulding, former Under-Secretary-General for Peacekeeping Operations, interview in New York, 6 January 1998.

The arguments given by Members of the Council to justify their support for military intervention in Somalia suggest that delegations attached great importance to humanitarian considerations as a motivating factor for their decision. If one takes the statements of delegations seriously, humanitarian concern appears to have been a prime factor in helping to generate the necessary political will within the Council to authorise intervention. It is tempting to adopt a realistic or cynical perspective and to doubt that the emphasis on moral arguments at the Security Council reflected genuine humanitarian motivations on the part of the delegations. Even if this were true, the use of humanitarian arguments reflects at least the expectation that stated humanitarian concern would be publicly accepted as a justification for intervention. In that case, the perceived humanitarian concerns of international public opinion would appear to have provided an impetus for military intervention in Somalia. At the same time, the relative weight representatives gave to wider considerations about the role of the United Nations after the Cold War gives some indication of the complex nature of humanitarian considerations. On the one hand, there appears to have been genuine sympathy with the plight of Somalis, on the other hand there is a sense in which Somalia was merely viewed as a case which seemed to fit into the shared ideals of a new world order in which the international community would not allow large-scale human suffering to continue unabated. The preceding analysis can only be a first indication of the motives for military intervention in Somalia. Statements at the Council do not always reveal all the reasons for the positions of individual governments. The next section therefore examines the decision making process of the most important actor at the Council in greater detail: the government of the United States.

The Decision of the United States Government

The decision of the Security Council to authorise military intervention in Somalia would not have been possible without the offer by the US government to lead such an intervention and to provide the bulk of the required troops. The offer which was presented to the Secretary-General on 25 November represented a major policy shift in the position of the United States since the beginning of the year when it had opposed a traditional UN peacekeeping mission.[81] Publicly, the decision to commit US troops to this operation was justified in an address to the nation by President Bush on the eve of intervention. Bush emphasised that it was the severe humanitarian crisis which necessitated intervention: "Already, over a quarter-million people, as many people as live in Buffalo, New York, have died in the Somali famine. In the months ahead 5 times that number, 1 1/2 million people, could starve to death."[82] According to the President, the situation was further aggravated by the fact that international food aid had failed to reach the starving:

> ...in the months since [August], the security situation has grown worse. The UN has been prevented from deploying its initial commitment of troops. In many cases, food from relief flights is being looted upon landing; food convoys have been hijacked; aid workers assaulted; ships with food have been subject to artillery attacks that prevented them from docking. There is no government in Somalia. Law and order have broken down. Anarchy prevails...[83]

Bush's arguments for military intervention were similar to the views that had been expressed by Members of the Security Council the day before. Both views, as we now know, especially the prediction that millions of people would die of starvation in the months ahead,

---

81 Report of the Secretary General to the Security Council, S/23829, 21 April 1992; *UNiS Doc.* 11, p. 135ff, paragraphs 27 - 30. More accurately, the US government was split on the issue: Andrew Natsios, the head of the Office of Foreign Disaster Assistance within the US Agency for International Development, and Assistant Secretary of State Cohen were pushing for greater engagement. But those who opposed such engagement, including Assistant Secretary for International Organization Affairs John Bolton and National Security Adviser Brent Scowcroft, prevailed; Lyons & Samatar, *Somalia*, p. 88.

82 George Bush, "Address to the Nation on the Situation in Somalia, December 4, 1992, *Public Papers of the Presidents of the United States: Administration of George Bush*, Book II, 1 August 1992 to 29 January 1993, p. 2174 2176.

83 *Ibid.*

did not accurately reflect the situation in Somalia in December 1992. The discrepancy between the actual extent of the crisis and the way it was being presented raises the question of whether the United States may have had other than purely humanitarian motives for intervention. Even if the US government actually perceived the situation in Somalia to be as severe as it presented it to be (this seemed to have been the case among Members of the Security Council), two other questions come to mind: Why now? And why such a large force?

An analysis of the decision-making processes in the US government reveals that these questions are in fact closely inter-related. The US offer to provide troops for intervention in Somalia may have come as a surprise to most Members of the Security Council but this apparent shift in US policy did not come overnight. A range of factors affected that decision over a long period of time. They began in August 1992, when President Bush decided to launch a US military airlift to supply the worst affected areas of Somalia with humanitarian assistance, and ended in a series of meetings of the Deputies Committee of the National Security Council in November 1992.[84]

The Role of Traditional National Interests

During the crisis a number of allegations were made that the United States had intervened not for humanitarian reasons but in order to pursue economic and strategic interests, particularly in relation to oil. Although these allegations appear to be without support, they are worth mentioning here. A Somali historian, Hussein Ali Dualeh, speculated about the

---

84 The best public account of the internal decision making process within the US government is Dan Oberdorfer, "The Path to Intervention: A Massive Tragedy 'We Could Do Something About'", *Washington Post*, 6 December 1992, A1; A number of other authors have held extensive interviews with officials who participated in the negotiations on the US policy response to the crisi in Somalia. They include: Warren Strobel, *Late-Breaking Foreign Policy* (United States Institute for Peace, Washington D.C.: 1997), p. 127ff.; Ken Menkhaus with Louis Ortmeyer, "Key decisions in the Somalia

American motive for intervention: "Probably the reason is that Somalia is of strategic importance to the United States." He added that "it is worth noting that there is not a square kilometre of land in Somalia that is not under concession to American oil companies Chevron, Conoco, Phillips and Ameco." It was even suspected that US President Bush might be pursuing personal profit in Somalia: "a drilling company owned by ex-President George Bush — Sabata Drilling Company — has been active in Somalia".[85] Another example of such suspicions was a motion to an extraordinary conference of the German party Bündnis 90/Die Grünen in October 1993. The motion argued that the main interest of the United States in Somalia was to secure control of oil reserves in the country which according to press reports and an alleged "secret study of the US State Department" were estimated at *five times* the amount of those in Saudi Arabia and Kuwait. Other alleged interests of the United States included: influencing developments in Sudan, Ethiopia and Kenya; containing Iran-backed Islamic fundamentalism in East Africa; supporting the United Arab Emirates against Iranian territorial claims, securing petroleum transportation in the Gulf region; possibly intervening in a conflict between Saudi-Arabia and Yemen about Yemenite oil reserves; and filling the vacuum left by the Soviet Union by occupying the Horn of Africa and controlling the Red Sea. In sum, it was claimed that "the United States are acting in their national interest with the objective of a long-term military entrenchment in the Horn of Africa."[86] There is little evidence than any of these factors — to the extent that they were not pure fabrications — played any role at all in the decision-making process within the US administration. When one

---

Intervention", typescript; Hirsch & Oakley, "President Bush's Decision to Protect Humanitarian Operations", in Hirsch & Oakley, *Somalia and Operation Restore Hope,* p. 35ff.

85 Hussein Ali Dualeh, *From Barre to Aideed. Somalia: The Agony of a Nation* (Nairobi: Stellagraphics Ltd., 1994), p. 141.

86 "Antrag Somalia", Antrag zur Sonder-Bundesdelegiertenkonferenz von Bündnis90/DIE GRÜNEN, 9 October 1993.

looks into the decision-making processes within the US administration in 1992, a much broader array of factors emerges which, together, prompted the deployment of US troops to Somalia.

Humanitarian Concern

The US government publicly defended UNITAF intervention in Somalia largely on humanitarian grounds, but were these humanitarian concerns genuine? Looking into the minds of decision takers and discerning their real motivations for particular policies is extra-ordinarily difficult. Some have speculated that Bush's motives were quite the opposite of what one might consider genuine humanitarian concern for the plight of the Somali people. A senior UN official, speaking about Bush's motives for intervention, said:

> I don't totally exclude something that Secretary-General Boutros-Ghali believed was a factor: That Bush wanted to bequeath that ... mess to Clinton and that Bush wanted Clinton to come into office with a lot of American troops in a perilous situation.[87]

Contrary to such allegations, there are indications that Bush's decision to send US forces to Somalia was in part motivated by genuine personal humanitarian concern. According to US officials who were closely involved in President Bush's deliberations on intervention in Somalia, the President had taken an active interest in Somalia since July 1992 when key reports and newspaper articles about the famine reportedly struck a cord with him: a cable from the US ambassador to Kenya, Smith Hempstone, that reached Washington in July 1992 and which came to be known as "Day in Hell," graphically described the situation in Somali

---

87 Confidential interview with the author, New York, January 1998. Others maintain that such allegations are false. US Admiral Jonathan Howe said about President Bush: "He really did not want to give the next administration another headache or another foreign engagement to worry about, he worried about that;" Jonathan Howe, interview with *Frontline*, p. 3.

refugee camps in Northern Kenya.[88] Reportedly, President Bush personally read the cable and wrote in its margins: "This is very, very upsetting. I want more information."[89] This report, and another moving article in the *New York Times* on 19 July — which amongst other things quoted an estimate by the ICRC that one third of the population was at immediate risk of starvation — appear to have made Somalia a priority issue for the President.[90] White House aides recalled that the president "was very upset by these reports and wanted something done."[91] In mid-August, Bush's personal determination to do something about the crisis in Somalia apparently played a key role in his decision to overrule Pentagon concerns about US involvement in Somalia and order a military airlift to Somalia.[92] Critics, including within the UN Secretariat, viewed Bush's motive for authorisation of the airlift with scepticism. According to James Jonah, the Secretary-General thought that the airlift, which was announced on the eve of the Republican National Convention, was "a pure election ploy" for the presidential election of November 1992.[93] Such a view does not, of course, rule out the possibility that humanitarian concerns affected policy.

When the issue of US military involvement was on the agenda again in November 1992, humanitarian considerations seem to have again played a role in increasing the President's determination to do something about the crisis in Somalia. It has been stated earlier that in his public justifications for the deployment of US forces to Somalia, President Bush frequently appealed to a humanitarian imperative to come to the assistance of Somali civilians.

---

88 Excerpts from the cable were published in Smith Hempstone, "Dispatch from a place near Hell. The killing drought in Kenya, as witnessed by the U.S. Ambassador", *Washington Post*, 23 August 1992, p. C1.

89 Andrew Natsios, interview with Strobel, *Late-Breaking Foreign Policy*, p. 132.

90 Jane Perlez, "Deaths in Somalia Outpace Delivery of Food", *New York Times*, 19 July 1992, p. A1.

91 Don Oberdorfer, "US Took Slow Approach to Somali Crisis", *Washington Post*, 24 August 1992, p. A13.

92 Oberdorfer, "The Path to Intervention", *Washington Post*, 6 December 1992.

93 Jonah, interview in New York, 28 January 1998.

Even in small meetings with people closely involved in the decision-making process, Bush's personal humanitarian concern was evident. One such occasion was a meeting in December 1992 between Bush, Phil Johnston, president of CARE, and Andrew Natsios, head of the Office of Foreign Disaster Assistance (OFDA) within USAID, during the course of which Bush spoke about his direct observation of the famine, recalling how he and his wife had been moved by a visit to a feeding centre in Sudan in the mid-1980s. "Barbara and I will never forget all those children who were dying," said Bush. Then, in apparent relation to the US intervention in Somalia, he reportedly added: "No one should have to die at Christmastime." To Andrew Natsios, Bush gave the impression that this moral sentiment was a prime reason for his decision to intervene.[94]

Was Natsios' impression right? While there is some evidence that humanitarian considerations played a key role in President Bush's personal determination to address the famine in Somalia at least since August of 1992, there are indications that other factors were important as well. Although the final decision to send US forces was made by the President it was also the outcome of lengthy deliberations that involved the representatives of various Government departments and other institutions, including NGOs, Congress, the Department of State, the Pentagon, and the media.

Considerations of Domestic Politics

Considerations of domestic politics were another key contributing factor for large-scale intervention in Somalia in December 1992. First pressure to respond to the humanitarian crisis in Somalia had come from various humanitarian organisations — non-governmental, governmental and UN agencies alike. Since the end of 1991 they had tried to draw attention to

---

94 Natsios, interview with Strobel, *Late-Breaking Foreign Policy*, p. 41.

the situation in Somalia, often by briefing journalists about the looming crisis. A *New York Times* article in October 1991 reported a warning by the UN Food and Agricultural Organisation that 4.5 million people were at risk of starvation and that security problems were hampering attempts to provide humanitarian assistance.[95] Similarly, the head of the OFDA, Andrew Natsios, attempted to generate pressure for a greater international response with interviews and press briefings. In January 1992, he had gained wider attention when he testified before Congress that Somalia was "the greatest humanitarian emergency in the world."[96] Apart from this brief success, OFDA found little support for a more extensive engagement either within the US government or in the media.[97] Throughout most of the first six months of that year, while the humanitarian crisis in Somalia was at its height, general coverage in the US media remained low. The Somalia crisis remained largely beyond the purview of Western public opinion and public pressure on the government was limited.[98]

Only from July onwards did humanitarian organisations succeed in raising public awareness. On 19 July, following an ICRC sponsored trip by one of its reporters, *The New York Times* ran the front page article which drew President Bush's attention to the crisis and also contributed to the beginning of a wave of international concern for the victims of the famine in Somalia.[99] Subsequently, attention to the crisis snowballed: International aid organisations started to lobby aggressively for greater international involvement often by sending high level representatives on fact-finding missions to Somalia. In late July, the new head of OFDA, Jim Kunderer, generated considerable press coverage during a trip to Somalia.

---

95 *The New York Times*, 16 October 1991, p. A11.

96 Statement by Andrew Natsios before the House Select Committe on Hunger, 30 January 1992.

97 During the first six months of 1992, regular press briefings by Natsios on the development of the crisis were only sparsely attended; Strobel, *Late-Breaking Foreign Policy*, p. 135.

98 See Somalia Coverage 1991, p. 133; see also Thomas J. Callahan, "Some Observations on Somalia's Past and Future", *CSIS Africa Notes*, no. 158 (March 1994) p. 2.

In September, Jan Eliasson, the UN Under-Secretary-General for Humanitarian Affairs, and the heads of UNICEF, UNDO and the WFP travelled to Somalia. The following month, Philip Johnston, the president of CARE, also visited.[100] All of them returned with the impression that humanitarian assistance to Somalia had been unsatisfactory.[101]

In November 1992, pressure from humanitarian organisations became even stronger. Senior representatives of American relief organisations appealed to UN officials for greater protection for their work in Somalia. Later, the majority of them sent a letter to US President Bush in which they called for an expansion of UNOSOM's force level and a widening of its mandate. Otherwise, "humanitarian agencies cannot work effectively in Somalia," they declared.[102] Among the final drivers for military intervention may have been an op-ed article in *The New York Times* on 19 November, which endorsed a proposal by Fred Cuny, the US disaster relief expert, for the creation of a security zone in southern Somalia. The author argued that the President should not duck mass slaughter and starvation in Somalia and dump the problem on the newly elected President Bill Clinton.[103]

Parallel to efforts by humanitarian organisations, members of Congress, particularly Senators Paul Simon and Nancy Kassebaum, the chairman and senior Republican, respectively, of the Senate Foreign Relations Committee's Africa subcommittee, lobbied for greater international assistance to Somalia. As early as 2 January 1992, Senators Kassebaum and Simon had written an op-ed piece in *The New York Times* urging the UN to get involved. In early July, Kassebaum visited the crisis area and upon her return testified before the House

---

99 Jane Perlez, "Deaths in Somalia Outpace Delivery of Food", *New York Times*, 19 July 1992, p. A1.

100 Strobel, *Late-Breaking Foreign Policy*, p. 135; see Hirsch & Oakley, *Somalia and Operation Restore Hope*, p. 27f; Lyons & Samatar, *Somalia*, p. 31.

101 Hirsch & Oakley, *Somalia and Operation Restore Hope*, p. 28f.

102 Quoted from: Oberdorfer, "The Path to Intervention", p. A1.

103 *The New York Times*, 19 November 1992, A27.

Select Committee on Hunger, where she argued vehemently for the dispatch of a UN security force to Somalia. Subsequently, both House and Senate passed non-binding resolutions endorsing Kassebaum's appeal.[104] Despite the fact that President Bush ordered a US military airlift in mid-August to deliver humanitarian assistance and offered to provide transportation to Somalia for the UN security force of 500 Pakistani peacekeepers, pressures to do more grew steadily. If in August Somalia had emerged as a political liability for the President, as one observer put it, by November it had become "a threat to the president's place in history."[105]

In the months prior to the American presidential elections in early November public attention to Somalia had been significant enough for the humanitarian crisis there to become an issue between President Bush and the democratic contender Governor Bill Clinton. In speeches and publications Clinton claimed that "the Bush administration has been tepid — where it should have been decisive — ... in responding to the humanitarian tragedy in Somalia." Referring to the threats by local factions to the delivery of humanitarian assistance, Clinton argued that "the United States and the international community cannot allow the personal ambitions of these leaders to stand in the way of efforts to save millions of innocent Somalis."[106]

Another source of domestic political pressure on the Bush administration came from the print and television media. In a series of interviews with *The Washington Times* correspondent Warren Strobel, senior members of the US administration were questioned about whether the government would have acted the way it did in the absence of stark

---

104 Strobel, *Late-Breaking Foreign Policy*, p. 136.

105 Jonathan Mermin, "Television News and American Intervention in Somalia: The Myth of a Media-Driven Foreign Policy", paper delivered to the New England Political Science Association annual meeting, Portland, Maine, 5 - 6 May 1995; quoted from Strobel, *Late-Breaking Foreign Policy*, p. 252.

106 Bill Clinton, "The Democratic Agenda", *Africa Report*, September / October 1992, p. 19ff.

television images. Their answer was: "probably not".[107] The rising number of nightly news casts and print stories between July and December 1992 indicated growing public pressure. Both in July and August, when President Bush authorised an airlift to Somalia, and in November and December, when the decision for military intervention with US ground troops was made, coverage in the print and television media rose sharply.[108] Whether or not that coverage was the deciding factor, however, was less clear.[109] Strobel argues that "sharp increases in media coverage followed, rather than preceded, the administration's actions. The policymakers affected the media more than - or at least before - the media affected them."[110] Rather than determining US foreign policy on Somalia, images and reports of the crisis "helped bring the urgency of the issues to the attention of senior decision makers, including the president."[111] A detailed study of the decision making process in the US administration comes to similar conclusions regarding the relative importance of public pressure on the government. According to Menkhaus, the decision to commit US forces to Somalia "was more a product of intergovernmental policy dynamics and broader foreign policy concerns than it was a product of public pressure."[112]

Considerations of International Politics

Traditionally, state interests and humanitarian concerns have often been understood to be clearly separate if not incompatible. This view was put into question when in the summer and autumn of 1992 the humanitarian crisis in Somalia began to affect the international standing of the United States. Among the prominent personalities who publicly argued that the

---

107 Strobel, *Late-Breaking Foreign Policy*, p. 141f.
108 See Somalia Coverage 1992, p. 135.
109 Strobel, *Late-Breaking Foreign Policy*, p. 131.
110 *Ibid.*, p. 136.
111 *Ibid*, p. 142.

West was not doing enough to stop the famine was Mary Robinson, then President of Ireland. After a fact-finding trip to Somalia in mid-October, Robinson was quoted in the international media when she criticised the slowness of world reaction to the famine.[113] As leader of the Western world, the US Government felt that these criticisms were directed particularly against the United States. Inaction in the face of the humanitarian crisis in Somalia began to tarnish the reputation and leadership of the United States in the post-Cold War world. This was particularly true because Somalia was not the only conflict that called for US involvement. Ever since fighting had broken out in Bosnia in April 1992, the conflict in the Balkans had important, if sometimes paradoxical, implications for the United States' Somalia policy. On the one hand, the United States was under particular pressure to address the crisis in Somalia when in late July the UN Secretary-General charged that the West was more interested in "the rich man's war" in Bosnia than in addressing the humanitarian crisis in Somalia. This was an accusation which according to some of his advisors weighed heavily on President Bush.[114] Ironically, while the US was thus being accused of caring *too much* about Bosnia and too little about Somalia, it was simultaneously being asked to get involved in Somalia precisely because it did *not do enough* in Bosnia. According to Brent Scowcroft, the President's National Security Advisor, the UN Secretary-General had also warned President Bush that developing countries felt uneasy about a United States' reluctance to come to the assistance of the Muslims in Bosnia. This was seen in the context of the previous readiness of the United States to go to war against the Muslims in Iraq. Within the US government, military intervention to stop the famine in Somalia was thus seen as a way to address both accusations simultaneously. First, by intervening in Somalia the US would demonstrate that its willingness to fight for

---

112 Menkhaus, "Key Decisions in the Somalia Intervention", p. 5.
113 *The New York Times*, 8 October 1992, p. A5.

humanitarian causes was not limited to the "rich man's war" in Bosnia. Secondly, as Somalia was a Muslim country, the US would demonstrate its willingness to come to the assistance of Muslims as well as of Christians. In the words of Brent Scowcroft, "here was a way to restore faith" in US foreign policy.[115]

There was a further foreign policy consideration that apparently contributed to the US administration's decision for military intervention. The US Mission to the United Nations circulated a cable in mid-November calling forcefully for a policy of humanitarian intervention in Somalia. The Mission emphasised the need to increase the credibility of the UN in post-Cold War peacekeeping operations. In particular, the delegation argued that the United States had a clear interest in strengthening the United Nations' peace-enforcement capabilities. With a view to establishing such a capability, the US Mission argued that it was imperative for the United Nations to succeed in an enforcement operation so that an unambiguous precedent would be set. As such, the cable by the US mission represented a growing consensus in the summer of 1992 in the Department of State and to a lesser degree in the Department of Defense that a UN capability for military humanitarian intervention would increase global stability and was thus in the national interest of the United States.[116]

Taking these various factors together, a complex picture of the US motives for intervention in Somalia emerges. Genuine humanitarian concern on the part of the President and senior members of the administration was coupled with considerations of domestic and international politics. One key insight from this analysis of the various motivating factors for intervention is that they were only in part related to the people who were supposed to benefit

---

114 Quoted in Trevor Rowe, "Aid to Somalia Stymied", *Washington Post*, 29 July 1992, p. A1.
115 Brent Scowcroft, interview with Warren Strobel, *Late-Breaking Foreign Policy*, p. 138.
116 Menkhaus, "Key Decisions in the Somalia Intervention", p. 6.

from intervention. Theoretically, the presence of ulterior motives for intervention may seem irrelevant. It could even be argued that the combination of moral concern and political interests may have contributed to a positive increase in the commitment of the United States for intervention. The particular timing of intervention in December 1992, however, raises doubts as to whether this view is in fact accurate.

The Timing of Intervention

As was stated earlier, senior members of the US administration, including President Bush, were first alerted to the situation in Somalia by several key reports in July 1992 which affected them emotionally and made Somalia an issue of public interest. Amidst rising press coverage and pressure from humanitarian agencies and members of Congress, Bush decided in mid-August to launch a US military airlift. Heightened activity in Somalia increased members' awareness of the extent of the humanitarian crisis and the obstacles to providing sufficient assistance. By mid-October, according to Brent Scowcroft, "it had become clear to the administration officials that the airlift and other piecemeal approaches were not stemming the hunger and violence in Somalia.... We were faced with acknowledging defeat and letting all of the areas where the refugees were starve to death ... or doing something."[117] This assessment coincided not only with a report of the UN Secretary-General in which he warned that 1.5 million lives were at risk in Somalia.[118] Mid-October was also the period when mortality rates in Somalia climbed to a last temporary increase, this time as a consequence not of famine but

---

117 Strobel, *Late-Breaking Foreign Policy*, p. 139.

118 Report of the Secretary-General on emergency assistance and humanitarian relief and the economic and social rehabilitation of Somalia, A/47/553, 22 October 1992, para 3; *UNiS Doc.* 31, p. 196ff.

of disease. The malnourished, particularly in the displaced persons camps where public health services were limited, were affected by measles, diarrhoea, and malaria.[119]

Ironically, at exactly the time when the crisis in Somalia was temporarily increasing again,[120] attention in the US media declined sharply. In September, the attention paid to the situation by network news cooled considerably and in October and early November Somalia almost disappeared from television screens.[121] Coverage in the print media was only marginally better.[122] If press coverage is both a reflection of the priority of an issue within political circles in the United States and an amplifier for domestic political pressure, this decrease in coverage suggests a considerable loss of momentum in the US response to the crisis in Somalia. The decrease in coverage coincided with, and was most probably caused by, the November 1992 presidential elections in the United States.

Consequently, it was not until after the presidential elections in early November that initiatives for intervention in Somalia gained new momentum. Media, the US Congress, and relief groups increased pressure again on the Government to do something about what was seen as worsening conditions despite previous efforts to stop the famine.[123] In the atmosphere of renewed attention to Somalia, policy planning within the administration intensified. On 12 November, Assistant Secretary of State Robert Gallucci personally delivered a pair of memorandums to acting Secretary of State Lawrence Eagleburger. One of the memorandums advocated a US led coalition of forces to establish a safe environment for the delivery of food to Somalia, the other made a case for a military presence of US troops in Bosnia to create

---

119 Refugee Policy Group, *Lives Lost, Lived Saved*, p. 13.
120 *Ibid.*, p. 31.
121 Strobel, *Late-Breaking Foreign Policy*, p. 136.
122 See Somalia Coverage 1992, p. 135.
123 Strobel, *Late-Breaking Foreign Policy*, p. 140.

pockets of security as a stepping stone towards a peaceful settlement of the conflict. Judging that Bosnia represented the higher risk among these options, the State Department began to focus on Somalia.[124]

The decision on intervention entered its final phase in a series of meetings of the Nation Security Council's Deputies Committee between 20 and 25 November 1992. Until mid-November, the military had been hesitant about such an endeavour. Since the first discussions at the UN Security Council about the deployment of UN peacekeepers to Somalia, the Department of Defense had been opposed to international involvement. In August, President Bush had to overrule a reluctant Pentagon when he ordered a US military airlift to Somalia. Even up to the first meeting of the Deputies Committee in late November, it was doubtful whether the military would approve of any plan for US intervention. Then, during a second meeting of the Deputies Committee on 21 November, the Deputy Chairman of the Joint Chiefs of Staff, Admiral Jeremiah, unexpectedly gave the green-light for US military involvement. "If you think U.S. forces are needed," he reportedly said, "we can do the job." It is not entirely clear what exactly caused that change of position in the Pentagon. According to interviews with officials who were close to the Joint Chiefs of Staff General Colin Powell, "mounting evidence" of the extent of the humanitarian crisis convinced the Joint Chiefs that something substantial had to be done. As soon as the military had stated that it judged intervention in Somalia to be doable, all the various factors that had previously pointed towards greater US involvement pushed together in one direction. Acting Secretary of State Lawrence Eagleburger later said that the decision to intervene in Somalia was made because of the "massive proportions" of the humanitarian crisis in Somalia and the fact that "the US could

---

124 Eagleburger, interview with Strobel, *ibid.*, p. 138f.

do something" about it.[125] After a further meeting of the Deputies Committee, which outlined the various options for intervention, President Bush decided in a meeting with senior advisors in the National Security Council on 25 November to propose to the United Nations a US-led military intervention to Somalia. The same afternoon the offer was relayed to the Secretary-General in New York.[126]

In sum, the timing of US intervention in Somalia was the result of a policy momentum towards greater US involvement that had begun in August, was interrupted prior to the American presidential elections in early November, gained new urgency when US policy planners turned their attention back to Somalia in mid-November, and was decided once the US military gave its go ahead. In this process, comparatively little attention appears to have been given to the relative amelioration of the crisis on the ground. Particularly, no evidence has become public that any of the officials involved in the decision ever questioned the assumption that the humanitarian situation in Somalia was still deteriorating. Humanitarian needs appear to have been taken for granted. Consequently, determining the "when" and "how" of intervention became a matter of domestic political consideration. By that time, unfortunately, the famine wave which had originally triggered the attention of the US administration in July had long declined and even the short period of high disease-related mortality rates in mid-October had come to an end.

Determining the Force Level of Intervention

UNITAF's deployment in December 1992 raises questions not only of motives and timing but also of why the operation was deployed at such a high force-level. Debate about the

---

125 Oberdorfer, "The Path to Intervention", p. A1.

126 *Ibid.*

right approach to security for the delivery of aid had raged ever since the Secretary-General had proposed to send a UN security force to Somalia in early 1992. On the one hand, the 500 Pakistani peacekeepers who had arrived in Mogadishu in September were not achieving the level of security that had been hoped for. On the other hand, some non-governmental organisations and relief workers warned that a deployment of a stronger force of 3,500, as had been authorised by the Security Council in August, would decrease rather than increase security for their operations.[127]

When the US departments of State and Defense considered various options for military responses to the crisis in November 1992, they consulted among others Fred Cuny, a veteran disaster relief expert. In a briefing shortly before 20 November, Cuny reportedly advocated the use of 2,500 US troops with air and naval support to open and improve supply lines.[128] Significantly, he recommended deploying the force not in Mogadishu but further South, in the Juba and lower Shekel areas, where the humanitarian crisis was still worst and where there was less risk for involvement in Somali politics than in the capital. At the time, according to an informed observer, Cuny's proposal was considered to be "very bold".[129]

During the weeks prior to intervention in Somalia, responsibility for developing various military options for intervention lay with the Deputies Committee of the National Security Council. Subsequent to a meeting on 21 November, the Deputies Committee developed proposals for three different levels of military response to the crisis in Somalia as a

---

127 The warnings are mentioned in a letter from the UN Secretary-General to the Director-General of Save the Children (UK), dated 5 October 1992, not issued as a United Nations document; *UNiS Doc.* 28, p. 193.

128 Oberdorfer, "The Path to Intervention", p. A1.

129 *Ibid.*

basis for a decision by the President.[130] The first option envisaged the provision of US air and sea power in support of a UN force that would be reinforced to the level of 3,500 troops which had been authorised by the UN Security Council but had not yet been implemented. The second option, the so called "ball-peen hammer" option would have involved the deployment of approximately 5,000 US ground troops to secure the seaport, airport, and the main lines of communications in Mogadishu and to provide convoy protection into the famine zone. According to Ken Menkhaus, the Deputies Committee had reached an inter-agency consensus that this option was the preferred course of action and would be able to provide sufficient protection for aid convoys to break the famine. Indeed, as Menkhaus emphasised, "planners viewed a larger troop commitment as overkill."[131] The third option, the "sledgehammer" option, envisaged the deployment of a US division — some 15,000 troops — to ensure complete control over lines of communications and installations not only in Mogadishu but also in most of the main towns in southern Somalia.[132] This option would provide US troops with a "decisive advantage" — as General Powell called it — over potentially hostile Somali militias and in the event US forces had to carry out forcible disarmament.

In a meeting with senior advisors on 25 November, President Bush decided to the astonishment of most members of the government, to choose the third option: The deployment of 15,000 US ground troops to Somalia. Why this option was chosen is not entirely clear.

---

130 The following draws from Ken Menkhaus with Louis Ortmayer, "Key Decisions in the Somalia Intervention", *typescript*, p. 7f.

131 Official from the US Department of Defense, interview with Menkhaus, *ibid.*

132 The force level in this option was lower than one advocated in a second report by Frederick C. Cuny prepared on 21 November 1992 for the National Security Council. This revised operational plan envisaged the deployment of approximately 20,000 troops. Cuny emphasised that "it is strongly recommended that US and allied forces stay out of the city [of Mogadishu]" and stated: "The total force should be large enough to do the job but small enough to demonstrate that it is a humanitarian operation", Frederick C. Cuny, Operational Conceptplan 2 - Military Intervention in Somalia, 21 November 1992, reprinted on the World Wide Web, "Ambush in Mogadishu", PBS Online and WGBH/Frontline, September 1998.

According to Menkhaus, President Bush chose this strongest option against the original preference of the representatives of the Joint Chiefs of Staff. On the other hand, there is some evidence that the Chairman of the Joint Chief of Staff, General Powell — in accordance with what has become known as the Powell doctrine — advocated the use of massive force rather than the "ball-peen hammer" option explained above.[133] With the decision to deploy an entire US division in Somalia, the planned force level for military intervention already stood at more than three to four times the level that had initially been proposed by NGOs working in Somalia. However, in further consultations immediately following the meeting on 25 November, the general in charge of the operation, General Joseph Hoar, argued that full-scale intervention would require not one but two divisions, almost thirty thousand troops. General Powell endorsed Hoar's view and the administration promptly decided to double what had already been the strongest of the options presented by the Deputies Committee.[134]

With a force level of thirty thousand troops the US contingent to UNITAF was almost ten times the size initially advocated by NGOs and six times the size of the preferred option of the Deputies Committee. Significantly, that force level had not been chosen because experts thought that the situation in Somalia warranted it — in fact it was well beyond what the Deputies Committee had viewed as "overkill". Rather, that decision was the result of a combination of factors that were unrelated to conditions on the ground: These factors seem to have included a determination by President Bush to take decisive action to stop the famine in Somalia and to be seen to be doing so. The strongest option also seemed to be the best way to establish a precedent and advance the concept of peace-enforcement in the post-Cold War era. Finally, there were concerns in the US military about having sufficient means to tackle any

---

133 Menkhaus, "Key Decisions in the Somalia Intervention", p. 8.

potential threats. Warnings that too large a force might be counterproductive were ignored. Critics soon warned about the dangers involved in large-scale military intervention. Jim Hoagland commented succinctly in *The Washington Post*: "Clearly the international community needs to adopt stronger measures to get food to the starving Somalis. But an American division may be more than is necessary or wise.... Powell's interpretation of Invincible Force seems to see military intervention as an end in itself. Political goals are subordinated to the likelihood of military 'success'."[135] And the US Ambassador to Kenya, Smith Hempstone, warned in a diplomatic cable: "If you liked Beirut, you will like Mogadishu."[136] At that point however, the intervention was already under way.

Perception and Reality of the Crisis in Somalia

Both in the UN Security Council and in the US administration the two most frequently mentioned reasons for the international community to send a large-scale intervention force to Somalia were the deterioration of the humanitarian crisis and the obstruction of relief. As thorough studies of the development of the crisis have indicated, these reasons were curiously at odds with the reality of improving conditions on the ground. How can one account for that discrepancy? And what does it tell us about the way the international community responds to humanitarian crises?

Political realists might suspect that the disconnection between the situation in Somalia and the way it was presented by Members of the Security Council and by the US administration was part of a concerted effort of deceit in order to justify international military

---

134 *Ibid.*, p. 7; see Michael R. Gordon, "Somali Aid Plan Is Called Most Ambitious Option", *New York Times*, 28 November 1992, p. A6.

135 Jim Hoagland, "On Somalia, A Mysterious Decision; Neither Ease Nor Guilt is Sufficient Reason For a Nation to Engage its Military Force Abroad", *Washington Post*, 3 December 1992, p. 21.

intervention. To date, there is no evidence to support such allegations. To the contrary, interviews with senior officials suggest that the discrepancy between reality in Somalia and the way the crisis was described by political decision takers was a problem of misperception rather than mischief. It appears that policy makers at the Council and in the US administration genuinely believed that the humanitarian situation and obstruction of aid were dramatic. Why, then, where policy-makers' perceptions of the situation in Somalia distorted?

Part of a more subtle explanation of the perception-reality gap are the time-lags that existed between events, perceptions and decisions. During the deliberations of the UN Security Council on the authorisation of UNITAF, delegations based their descriptions of the situation in Somalia on three main sources: Particular credibility was attached to first-hand information provided by delegates who had travelled in person to Somalia during July and August, a second important source of information for most delegations was a report by the Secretary-General published on 22 October, additionally delegations mentioned the influence of media reports and television images of the crisis.[137] As has been suggested above, the first famine-related peak of mortality rates during 1992 occurred between April and July. A second steep but shorter peak of mortality rates, this time caused by disease, followed in mid-October. Two out of three important sources of information on the extent of the famine -- first-hand accounts and the Secretary-General's report -- thus originated during or shortly after these two peaks but more than a month and a half prior to the decision of the Council to authorise intervention. The policy-making process within the US administration followed a similar pattern. President Bush's attention to the crisis was first raised during the month of July, when starvation in Somalia was at its height. It was during the second peak of mortality rates in mid-October

---

136 Oberdorfer, "The Path to Intervention", A1.

when members of the US administration concluded that international efforts were insufficient to bring about a quick end to the deaths.[138] Thus, just like in the case of the Security Council, the US administration's perception of the crisis was shaped during the peaks of the crisis while the decision to intervene was taken much later.

The role of media reports as a third source of information that shaped the perceptions of policy-makers adds further complexity. Some key articles, including the already mentioned front page article in *The New York Times* by Jill Perez, that reportedly first raised attention to the crisis among senior policy makers, were published in mid-July, i.e. during or shortly after the height of the crisis. In late November, when the US administration and later the Security Council were considering the question of large-scale military intervention, the number of reports on the Somalia crisis was on the rise. Does that mean that widespread perceptions of a deteriorating crisis were accurate? Just as photographs can be taken as a depiction of "what is actually there", press and television coverage may be thought to be a simple reflection of the events they depict. Consequently, one might think that the more coverage that is devoted to a humanitarian crisis the worse it is. When one looks at the larger picture, however, the media coverage of the Somalia crisis differs from this model of understanding in two important respects. Firstly, the number of reports on Somalia both in *The New York Times* and in network evening news stories show two sharp peaks in August and December of 1992. By contrast, the development of the crisis in Somalia as measured by the crude rate of excess mortality per day shows a first sharp peak between April and June and a second peak in mid-October. [See Graph, p.143] The impression of a disconnection between the quantity of media coverage and the crisis in Somalia is further reinforced when one looks in greater detail at the

---

[137] Report of the Secretary-General, A/47/553, 22 October 1992; *UNiS Doc.* 31, p. 196ff.

timing of the increase in coverage as compared to the dates of the three key events in the international response to the crisis. The decision by President Bush to authorise an airlift to Somalia on 12 August *preceded rather than followed* a steep rise in coverage. In mid-October, while mortality rates in Somalia soared to a second peak, there is a significant *decline* in coverage. This decline coincides with the last weeks before the November 1992 presidential elections in the United States. Finally, in late November press coverage rises *after* the decision to send US forces was made and increases dramatically once US forces landed in Somalia. All three findings suggest that the intensity of coverage of the Somalia crisis was more related to events in the United States or relating to US citizens than to events in Somalia.

Even if this is true one might object that the images of starving children that were so frequently invoked by policy-makers to justify intervention were real. Also, advocates of intervention did not only cite the extent of the crisis as a compelling reason for intervention. The main reason for military intervention was said to be the obstruction of international relief by local gangs and militias. Both arguments lead to a further problem of outsiders' perception of humanitarian crises: The emphasis on unrepresentative examples.

Seasoned observers of press reports on humanitarian crises contend that exceptional events or situations are more likely to be covered than every day stories. Fred Eckhard, spokesman in various UN field missions since 1989 and spokesman of UN Secretary-General Kofi Annan, put it more bluntly: "[When] a lot of good heart-wrenching stuff is going on ... you have a nice story."[139] In late 1992, aid workers in Somalia felt that journalists gave too much attention to the coverage of the suffering of refugees in displaced persons camps.

---

138 Cf. Scowcroft, interview with Strobel, *Late-Breaking Foreign Policy*, p. 139.

139 Fred Eckhart, Spokesman of the UN Secretary-General since 1997, interview in New York, 30 January 1998.

Comparatively little attention was given to resident communities that were relatively unaffected by famine and disease. Coverage of a report on mortality rates in two towns in South Somalia in late 1992 may serve to illustrate this point. On 11 December 1992, the British newspaper *The Guardian* reported: "Somalia has amongst the highest death rate from starvation ever recorded ... deaths among children under five in one village reached 69.4 per day for every 10,000 children - more than three times that of the 1984-85 Ethiopian famine."[140] The story was based on a report by a team of researchers who had surveyed mortality rates in Baidoa and Afgoi between September and November 1992. The authors explicitly acknowledged that in Baidoa they "surveyed only people in displaced persons camps" and that in Afgoi where both displaced and resident populations were studied "displaced persons were at a higher risk of dying than residents."[141] The authors even warned that "because of the limitations of our survey, care should be taken in projecting mortality rates from this study to the Somali population."[142] While thus neither the report nor the story in *The Guardian* were technically inaccurate, readers were likely to gain the simplified impression that the entire country of Somalia had amongst the highest death rates from starvation ever recorded.[143] Similarly, a study by the Refugee Policy Group concluded more generally that "much of the apparent increase in deaths [in late 1992] was really due to the increased visibility of famine-

---

140 *The Guardian*, 11 December 1992.

141 Patrick Moore *et al.*, "Mortality Rates in Displaced and Resident Populations of Central Somalia During 1992 Famine", *The Lancet*, no. 341, 10 April 1993, p. 935, p. 936. First published as: *Population-based mortality assessment-Baidoa and Afgoi, Somalia, 1992*; MMWR 1992, vol. 41, p. 913-17.

142 *Ibid.*, p. 937.

143 Alex de Waal and Rakiya Omaar put the contrast between reality and perception in even sharper terms. Based on an examination of the empirical basis of the report they wrote in a letter to *The Lancet*: "In the month before [the publication of the report], ...in Baidoa, 5 children out of 21 had died - equivalent to 69.4 per 10,000 per day. These unfortunate children received a wholly unwarranted international notoriety;" Alex de Waal and Rakiya Omaar, letter to *The Lancet*, vol. 341, June 5, 1993, p. 1479.

affected populations, as the last victims were drawn to the over 1,000 feeding centres around the country."[144]

A similar exaggeration of the overall situation in Somalia — on the basis of unrepresentative worst-case examples — can be observed with regard to the question of how much international assistance was being diverted by gangs and warlords. When delegations to the Security Council explained why they supported UNITAF, most argued that obstruction and looting had brought international relief to the victims of starvation to a virtual standstill.[145] This contention was based on a key letter by the Secretary-General to the Security Council on 24 November which confirmed that humanitarian assistance reaching its intended beneficiaries "is often barely more than a trickle."[146] The figure that was being circulated at the time was that 80% of relief commodities were being diverted.[147]

Significantly, the exact origin of that figure is uncertain. Some attribute it to the Special Representative of the Secretary-General Ismat Kittani[148] or to reports or letters by the Secretary-General.[149] Officials at the UN in New York on the other hand argue the figure originated in the humanitarian community. Asked about the origin and accuracy of the 80% figure, James Jonah, Deputy Under-Secretary General in the Department for Political Affairs with responsibility for Somalia at the time, later said: "I would not know. Frankly, this was not

---

144 Refugee Policy Group, *Lives Saved, Lives Lost*, p. 31.

145 Provisional Verbatim Record of the 3110th Meeting of the Security Council, S/PV.3110, 28 August 1992.

146 Letter dated 24 November from the Secretary-General to the President of the Security Council, S/24859, 27 November 1992.

147 The figure was also used in the academic literature on Somalia; see Jeffrey Clark, "Somalia", p. 213.; Ramsbotham & Woodhouse, *Humanitarian Intervention*, p. 206.

148 African Rights, *Somalia. Operation Restore Hope*, p. 2.

149 Ramsbotham, *Humanitarian Intervention*, p. 206.

my [responsibility]. We were just taking the figures given to us by the humanitarian community. It was not collected by myself."[150]

While in some instances, extortion and looting did in fact result in rates of diversion of 80% and more, overall, the vast majority of aid organisations had far lower looting rates. According to the Special Representative of the Secretary-General Mohamed Sahnoun, in October the ICRC reported diversion of 10 percent and the WFP of 15 percent.[151] Save the Children Fund (UK) reported on 1 December that it had distributed 4,000 tons of food without loosing a single bag.[152] Disputing the figure of 80 percent, a staff Member of the French *Médecins sans Frontières* argued that "nobody could seriously claim that such a large proportion of food was not getting through."[153] Even a Spokesman from the UN agency WFP agreed that the 80% figure was an enormous exaggeration. Asked by a reporter why WFP had not objected to the use of the wrong figure, he replied: "We were never asked to correct it."[154]

The key to the successful distribution of aid was not military protection. It was a question of sensible planning and familiarity with local recipient communities. At a donors' conference in Geneva on 12 October 1992, Mohammed Sahnoun argued that the extent of looting depended to a considerable extent upon the quality of the foodstuff that was being delivered. High quality items such as sugar, rice, flour, and cooking oil, he argued, "invited" looting and consequent fighting. "Our experience has shown that for grains, looting is estimated at 15% of delivered supplies, while for high quality items, the percentage can be as

---

150 Jonah, interview in New York, 28 January 1998.

151 Sahnoun, *Missed Opportunities*, p. 38.

152 Nicholas Hinton and David Shearer, Save the Children Fund, press conference, London, 1 December 1992; quoted from African Rights, *Somalia. Operation Restore Hope: A Preliminary Assessment*, p. 4.

153 Dominique Martin for Médecins sans Frontières: *International Newsletter*, March 1993, p. 2; quoted in African Rights, *Somalia. Operation Restore Hope*, p. 4.

154 Mark Huband, "When Yankee Goes Home", *Africa Report*, March/April 1993, p. 21.

high as 40%."[155] Many aid workers agreed that distribution could be extremely efficient when relief agencies knew whom to trust in a community. Without such knowledge, losses were often considerable.[156]

One particular incident of relief-obstruction that was mentioned in most statements by Members of the Security Council was the shelling of a WFP vessel that was bringing humanitarian supplies to the port of Mogadishu on 24 November.[157] The incident gained particular prominence when it was reported to the Council on the same day in a letter from the Secretary-General.[158] Based on that information, many delegates believed that the port was now closed to humanitarian aid - a factor that greatly increased their resolve not to tolerate the obstruction of aid in Somalia any longer. This perception was again only accurate in part. Other relief agencies continued to operate through the port of Mogadishu. Earlier in November, the ICRC had for example delivered its monthly shipment of 2,000 tons and did not anticipate any problems for their next shipment.[159] The ICRC's effectiveness in delivering aid was based on a policy of separate bilateral negotiations with both Ali Mahdi's and Mohamed Aideed's forces. In marked contrast to this approach, the UN had taken a more assertive stance towards the factions in Mogadishu since Ismat Kittani had succeeded Mohamed Sahnoun as the new Special Representative of the Secretary-General on 8 November. Only two days after his arrival, UN peacekeepers had taken control of the airport and thereby disturbed the distribution of relief-extortion revenues among local factions.

---

155 Sahnoun, *Missed Opportunities*, p. 35.
156 African Rights, *Somalia. Operation Restore Hope*, p. 2.
157 Provisional Verbatim Record of the 3110th Meeting of the Security Council, S/PV.3110, 28 August 1992.
158 S/24859, 27 November 1992.
159 African Rights, *Somalia. Operation Restore Hope*, p. 2.

Consequently, the airport came under fire a few days later.[160] The shelling of the WFP vessel in the port of Mogadishu also has to be considered in the light of the changed policy of the UN in Mogadishu which Ismat Kittani had introduced on explicit instructions by Secretary-General Boutros-Ghali.[161] This complex political context was generally ignored by Members of the Security Council who rightly but simplistically denounced the shelling of the WFP ship as barbarous obstruction of the humanitarian efforts of the international community. In fact, looting and extortion in Somalia were not significantly higher than in other comparable humanitarian crises in Africa. More than half of the international relief was diverted in Mozambique in 1991-92 and in northern Ethiopia in the late-1980s. In Somalia under President Siyad Barre, diversion rates were in excess of 75%.[162] According to David Shearer, who worked for the Save the Children Fund (UK) in Somalia and other crisis areas, diversion rates of 25 per cent are no exception in humanitarian relief.[163] The widespread moral outrage about obstruction of relief in Somalia was thus based on unrepresentative or exaggerated figures, but also ignored the complex reality of humanitarian assistance under difficult circumstances. Moreover, by emphasising the legal and moral right of unimpeded humanitarian assistance Members of the Security Council raised their expectations for successful distribution of aid to utopian and unrealistic levels that appeared to be achievable only through outside military intervention.

---

160 Letter dated 24 November 1992 from the Secretary-General to the President of the Security Council, S/24859, 27 November 1992; *The United Nations in Somalia*, Doc. 32, p. 207f.

161 *Ibid.*

162 African Rights, *Somalia. Operation Restore Hope*, p. 3.

163 David Shearer, interview in London, October 1997.

3. UNITAF's Ambiguous Operational Approach

A third criticism of the international intervention in Somalia was that it wavered between short-term intervention and more extensive nation-building efforts and that its achievements, compared to the size of the operation, were relatively modest. UNITAF had been heralded to the public as a peace-enforcement operation to end starvation and provide security in Somalia.[164] US President Bill Clinton later claimed that the intervention "saved approximately a million lives that were at risk of starvation".[165] In reality, UNITAF's humanitarian achievements were more modest. When the force arrived in Somalia on 9 December 1992, almost 10,000 people were still dying every month. However, many or even most of these deaths were the cumulative result of months of malnutrition and illness, not of new health risks and, according to health experts, most "were very likely to have occurred with or without UNITAF's intercession."[166] By helping humanitarian organisations to expand their operations more rapidly UNITAF may have sped up the end of the famine curve by one month. According to the Refugee Study Group, the number of lives saved was thus "perhaps as low as 10,000".[167]

UNITAF was unable to provide a quick fix for the security situation in Somalia despite some apparent successes in the early phase of the operation. First contingents of the force arrived in Mogadishu merely a week after it had been authorised by the Security Council. A few days later, US envoy Robert Oakley was able to convene the first meeting in several

---

164 See above, p. 149.

165 President Bill Clinton, "Message to the Congress Transmitting a Report on Somalia", 13 October 1993, *Public Papers of the Presidents of the United States, Administration of William J. Clinton*, 1993 (Washington, D.C: United States Government Printing Office, 1994), p. 1739. Similar views have been put forward in the secondary literature; see Chester A. Crocker, "The Lessons of Somalia. Not Everything Went Wrong", *Foreign Affairs*, May/June 1995, p. 3.

166 Refugee Policy Group, *Lives Saved, Lives Lost*, p. 31.

months between Ali Mahdi and Mohammed Aideed and both leaders signed a cease-fire and general truce agreement.[168] However, it took several weeks for UNITAF to establish a presence in the most affected towns in central and southern Somalia.[169] In areas under its control, effects on the security situation were much more ambiguous than the presence of tens of thousands of troops may have suggested. On the positive side, the formerly ubiquitous "technicals" disappeared from the streets of Mogadishu.[170] UNITAF reopened both the port and the airport of the capital. Looting was significantly reduced and the number of humanitarian aid convoys to the south and south-west of the country increased considerably. However, security was far from complete and in some cases worsened because of UNITAF. Prior to UNITAF's deployment looting in some parts of the country increased considerably. This reflected an attempt by armed gangs to take advantage of international humanitarian relief as long as they still had the opportunity.[171] After the arrival of UNITAF, the same pattern continued every time the force expanded operations to an new area. An internal security report by UNICEF noted in December 1992: "As UNITAF moved to the hinterland, the movement of militia forces to the still unsecured areas brought new outbreaks of looting and insecurity."[172] The force may thus be said to have contributed to an export of insecurity to the areas outside of its control. Even in the areas under UNITAF protection many international aid workers felt that the security situation was not getting better but worse. Shortly after their arrival in December 1992, UNITAF decided that aid workers had to abandon their Somali bodyguards. Military commanders argued that as UNITAF was now providing security there was no need to

---

167 *Ibid.*, p. 32.

168 William Clairborne and Barton Gellman, "Rival Warlords Sign Peace Pact in Somalia", *Washington Post*, 12 December 1992, A1.

169 See *The New York Times*, 16, 20, 25, and 26 December 1992.

170 The term "technicals" refers to converted pick-up trucks that are mounted with heavy machine-guns or anti-aircraft guns. They are the main heavy weapon of most Somali militias.

171 *The New York Times*, 8 December 1992, p. A1.

hire armed protection locally. In reality however, UNITAF's patrols in Mogadishu and its environs were far from comprehensive and without their bodyguards many aid workers felt more insecure than before. An internal situation report by UNICEF-Somalia stated:

> The presence of UNITAF did not mean that all the security problems were solved. In fact, in Mogadiscio, many agencies, including UNICEF, found their work was impeded by the lack of security and the continuing tensions. This was mostly because of the partial disarmament of the security forces engaged by the agencies for their own protection whilst UNITAF was not able to provide enough security to replace them.[173]

The idea that the presence of international military forces alone could provide a secure environment for relief operations seems to have been overly optimistic.

The comprehensive disarmament of armed gangs and militias might have been a way to improve security; but UNITAF's activities in this area were also ambiguous. In the beginning of the operation, UNITAF only disarmed gunmen who appeared to pose an immediate threat to the force. Within a few weeks of deployment, military commanders announced that UNITAF would disarm Somali gunmen who did not surrender their weapons voluntarily and the force began limited disarmament.[174] Heavy weapons of both major faction leaders in Mogadishu, Ali Mahdi and General Aideed, had to be placed in UNITAF-monitored storage sites or face destruction. From early January onwards, efforts at disarmament became even more assertive. In a series of operations against the weapon caches of General Mohamed Aideed, US marines captured large amounts of weapons and destroyed several dozens of buildings. Some operations, including several sweeps through Mogadishu's large arms markets, involved up to 1,000 soldiers at a time.[175] However, heavy weapons in UNITAF storage sites represented only a small fraction of the arsenal of the militias. Most of the technicals were simply withdrawn to areas outside of UNITAF's area of control where they were unlikely to be detected,

---

172 UNICEF Somalia, *Situation Report: December 1992*, p. 3.
173 *Ibid.*
174 *The New York Times*, 19 December 1992, p. I 3.

confiscated or destroyed. Also, tens of thousands of small arms remained hidden in secret arms caches and arms imports continued despite the UN embargo.[176] The effectiveness of the heavy weapons confinement and the selective disarmament programme was thus limited.

Another instance in which UNITAF's activities went beyond providing security for emergency assistance was when two months after the beginning of the operation it began, in accordance with its mandate, to form local security committees and started restoring Somali police forces.[177] Here, again, UNITAF moved away from initial US plans for a limited short-term intervention and towards a nation-building strategy that, in the view of the UN Secretariat, was to contribute to the long-term improvement of security and political reconciliation in Somalia. However, none of these measures were implemented decisively and consistently.

When in May 1993 UNITAF formally handed over authority to its successor force UNOSOM II, only 40 percent of Somalia was under UNITAF control.[178] A report by the Secretary-General to the Security Council stated that the improvements that UNITAF had been achieved "cannot yet be regarded as irreversible and conditions are still volatile" and disarmament was "far from complete".[179]

UNITAF was an awkward hybrid between, on the one hand, short-term intervention for the immediate alleviation of human suffering and, on the other hand, nation-building. The force engaged in long-term measures that reached beyond immediate humanitarian goals, including by conducting partial disarmament of bandits and militias, by contributing to the

---

175 *The New York Times*, 12 January 1993, p. A3.
176 See *The New York Times*, 7 January 1993, p. A6; 8 January 1993, p. A1; 12 January 1993, p. A3.
177 *The New York Times*, 28 January 1992, p. A3; 1 February, p. A7.
178 "Introduction", *UNiS*, p. 41.

establishment of local police forces, and by assisting in the rebuilding of irrigation systems and other infrastructure. However, it did not fully embrace a comprehensive nation-building programme. From March onwards, UNITAF began to hand over authority to its considerably weaker successor force, UNOSOM II, before vital preconditions for the United Nations' nation-building efforts, in particular a comprehensive disarmament of the militias, had been completed. In practice, UNITAF was thus neither limited to short-term military intervention nor did it extend to nation-building. Why?

Ambiguities of the Mandate

Part of the explanation for this inconsistency was rooted in two key ambiguities of UNITAF's original mandate as it was laid out in Security Council resolution 794 regarding the purposes of intervention and the operational and political control over the force.[180]

Purposes of Intervention

On the one hand, resolution 794 contained passages which suggested that UNITAF's objectives were limited. One paragraph authorised the force somewhat vaguely to use all necessary means "to establish as soon as possible a secure environment for humanitarian relief operations in Somalia." Other passages in the resolution were more explicitly about the scope of intervention. The text emphasised the need for "quick delivery of humanitarian assistance *to the whole country*" and that the necessary conditions for that delivery should be established "wherever needed."[181] It further emphasised the Security Council's determination "to restore peace, stability and law and order with a view to facilitating the process of a political

---

179 Further Report of the Secretary-General to the Security Council, S/25354, 3 March 1993, para 55; *UNiS Doc.* 49, p. 244ff.

180 S/RES/794, 3 December 1992; *UNiS Doc.* 35, p. 214f.

settlement under the auspices of the United Nations, aimed at national reconciliation in Somalia." Several crucial issues for the implementation of resolution 794 remained unsolved. While UNITAF was given the authority under Chapter VII of the Charter "to use all necessary means" to implement its mandate, the resolution did not identify concrete objectives. In particular, the resolution did not specify whether establishing a "secure environment for the delivery of humanitarian assistance" meant to temporarily deter gangs and factions from attacks against relief deliveries or whether that task included a comprehensive disarmament and the establishment of a police force. The only indication that the Council envisaged a more lasting solution was contained in a request to the Secretary-General to report on a regular basis on "the attainment of the objective of establishing a secure environment so as to enable the Council to make the necessary decision for a prompt transition to continued *peace-keeping* operations."

As these passages demonstrate, the language of UNITAF's mandate was vague enough to allow for radically different interpretations of the objectives of that operation. By giving UNITAF the right but not the clear mission objective to engage in more comprehensive activities, the decision as to whether the operation would be a limited humanitarian intervention or a military-supported effort in nation-building was left to be decided during the implementation phase. One might be tempted to think that these ambiguities could have been avoided if Members of the Security Council had paid more attention to the details of the mandate. In fact, however, they reflected substantial conflicts of interests among members of the Council.

---

181 *Ibid.*, emphasis added.

The United States, which was to carry most of the burden of intervention, favoured a mission that would be limited to creating a secure environment for the distribution of humanitarian aid in the worst affected areas of Somalia. During a Security Council debate on 3 December, the US representative stressed that UNITAF had "no other objective" than "to achieve a secure environment for the delivery of humanitarian relief to the Somali people in the areas of greatest need."[182] As soon as that was achieved, the United States would "look forward to an early transition to an effective United Nations peace-keeping force." Specifically, the US stated that "military intervention is no substitute for political reconciliation, and that task belongs firmly in the hands of Somalia."[183] Despite the fact that UNITAF would have the authority to use all necessary means, the US representative stressed the peaceful character of the mission: "One point should be clear: our mission is essentially a peaceful one, and we will endorse force only if and when we decide it is necessary to accomplish our objective."

There was a continuum of diverging and sometimes muddled views among Members of the Security Council about the character of the proposed intervention. They ranged from the US's limited conception to other, much broader, ideas. Cape Verde for example argued that "any international action, and that of this Council in particular, must be capable of tackling and eliminating the underlying causes of the conflict." In particular, its representative stated that the situation in Somalia necessitated "forceful action on the part of the international community to restore order, disarm the warmongers and ensure the delivery of humanitarian assistance to the population."[184] To which the delegation of Belgium added that "in the longer

---

182 Provisional Verbatim Record of the 3110th Meeting of the Security Council, S/PV.3110, 3 December 1992, p. 36.

183 *Ibid.*, 36-37. China, for different reasons, took a position similar to that of the United States.

184 *Ibid.*, p. 22.

term, [the purpose of UNITAF was] to promote national reconciliation and reconstruction in Somalia." To that end, UNITAF would have to be given "the necessary means" and "enough time."[185] In that respect, the United Kingdom was among the countries that stressed the importance of removing the threats posed by militias and bandits: "It will be essential that the United Nations and the unified command deal effectively and forcefully with the elements that have hitherto obstructed the United Nations effort." It also emphasised that "we must not forget ... those parts of the country which have not been so affected by looting and anarchy but where the need for international assistance is still very real."[186] Underlying these differences among Members of the Council were two radically different conceptions about what would constitute successful intervention. These conceptions were most clearly embodied in the positions of the UN Secretariat and the Government of the United States, respectively.

The UN Secretariat's understanding of what UNITAF was supposed to achieve had been stated early on in the crisis in a March 1992 report by the Secretary-General to the Security Council: "Without improved security all over the country the political process cannot prosper and humanitarian operations will remain vulnerable to disruption."[187] In order to achieve a sustainable improvement in the humanitarian situation in Somalia and to avoid a resurgence of the famine once peacekeepers had left the country, a number of key objectives had to be reached: First of all, the immediate threat of looting and attacks on aid organisations needed to be removed. To that end, armed thugs and militias had to be disarmed. "We believed that there would not be any hope of finding a negotiated settlement to that conflict while the technicals ruled the streets," recalled Marrack Goulding, then Under-Secretary-General for

---

185 *Ibid.*, p. 24.
186 *Ibid.*, p. 34.
187 S/25354, 3 March 1992, para. 56; *UNiS Doc.* 49, p. 244ff.

Political Affairs.[188] Secondly, in order to fill the security vacuum in the country, a national police force needed to be built. Thirdly, national political institutions needed to be re-established. Without such institutions, it would be far more difficult to attract international aid for reconstruction. All three objectives necessitated that an international intervention force was deployed countrywide.[189] Put simply, the UN Secretariat advocated what one might call an *ideal solution* for the crisis in Somalia.

The United States' concept of what UNITAF was to achieve was quite different. In the view of senior policy-makers within the US administration, there was a clear task at hand: Thousands of children were dying every day in Somalia, insecurity prevented international aid from reaching those in need, and the US military was able to provide the protection necessary for the delivery of aid to the worst affected areas. At the same time, the US administration was reluctant to take on any activities that might drag US forces into a long-term involvement in Somalia. During the drafting of Resolution 794, the United States had in particular resisted the inclusion of any specific commitments to disarm Somali factions or other clearly measurable objectives which could have delayed an early US withdrawal.[190] The combination of a strong commitment to humanitarian intervention and a reluctance to get involved long-term, reflected domestic concerns. President Bush had taken the decision to deploy US forces to Somalia at a time when he had lost his bid for re-election and when Bill Clinton was scheduled to assume the office of President in early 1993. Although this decision was taken with the support of the incumbent President, senior administration officials felt that US troops should return from

---

188 Marrack Goulding, interview in New York, 6 January 1998.

189 See reports from the Secretary-General to the Security Council, S/2389, 21 April 1992; S/24343, 22 July 1992; S/24480, 24 August 1992; S/24992, 19 December 1992; S/25354, 3 March 1993; S/26033, 1 July 1993; and particularly S/26317, 17 August 1993; *UNiS Docs.* 11, 16, 23, 43, 49, 60, 61; see Letter dated 8 December 1992 from the Secretary-General to President Bush of the United States, not issued as a UN document, *UNiS Doc.* 36, p. 216.

Somalia prior to the change of power in Washington. This set a clear time limit on everything US forces might try to achieve in the country.

A further consideration which limited the scope of UNITAF's objectives was the safety and security of US soldiers. With its force size of some 30,000 troops, UNITAF was 60 times larger than its predecessor UNOSOM. Nevertheless, there was a limit as to how thinly it could be stretched across a country the size of Texas without making individual units vulnerable to attack. With the majority of US forces deployed in the capital Mogadishu there was thus a limit to the number of cities and towns that could be secured effectively and to the kinds of tasks they could fulfil: Foot patrols and or forcible disarmament would necessarily require more troops than protecting only military installations and large humanitarian aid convoys. From the perspective of the United States, who would provide the bulk of UNITAF, there was thus a clear rationale to keep the mission objectives limited. In a single expression, the US conception for intervention in Somalia amounted to a *short-term solution at minimal risk* which was at clear variance to the ideal solution envisaged by the United Nations.

Political Authority

In the absence of clearly defined objectives, and given the substantial differences between the ideal solution for the crisis advocated by the UN and the short-term approach favoured by the United States, UNITAF would have required unambiguous arrangements regarding who would be in charge of the operation. In this respect, resolution 794 contained a second serious ambiguity: The Secretary-General and Member States were authorised to implement the United States' offer to establish a secure environment in Somalia in

---

190 Diplomatic sources quoted in *The New York Times*, 6 December 1992, I 15.

"cooperat[ion]."[191] Several passages in the resolution aimed at giving the Security Council political control over the operation: The Secretary-General was asked to "establish appropriate mechanisms for coordination between the United Nations and their military forces", to attach a small liaison staff to the field headquarters of UNITAF, to report on a regular basis on the implementation of the resolution, and to submit "a plan" to ensure "that the Operation will be able to fulfil its mandate upon the withdrawal of the unified command". However, none of these formulations or mechanisms gave a clear definition of who would be in charge of the operation.

Accordingly, interpretations by Member States differed widely. From the perspective of the United States, nothing contained in the resolution contested American command and control of the intervention force. Member States interpreted the resolution to mean that the United Nations was in charge of UNITAF. For the representative of Belgium, for example, it was "quite clear that the operation in Somalia will be under the political control of the United Nations." A third group of states took an intermediate position. The representative of France, for example, spoke of a "role devolving upon the Secretary-General throughout the operation," took a position in the middle.[192] Essentially, resolution 794 was open to widely varying interpretations and thus did not provide for an unambiguous distribution of authority between the Secretary-General and the United States.

Again, this was not due to sloppy thinking by the Council. It was the result of a complex political dilemma. One problem concerned a discrepancy between sensible objectives and limited means. Senior members of the UN Secretariat were convinced that in order to achieve a lasting solution for Somalia, the militias would have to be disarmed. At the same

---

[191] S/RES/794, para 10.

time they were keenly aware that the United Nations was at that stage in no position to take on such a task. Under-Secretary-General Marrack Goulding confirmed: "We believed that it was beyond the capacity of the UN peacekeeping operation or the United Nations operation to do the disarming."[193] The offer by the United States government to lead a military intervention to Somalia seemed to provide a solution. A second problem was that other Members of the Council, especially from Third World countries, had strong hesitations about agreeing to a US controlled military intervention in Somalia. China, for example, expressed its reservations about the distribution of authority between the United Nations and the United States and noted that this kind of military action "may adversely affect the collective role of the United Nations."[194] According to Deputy Under-Secretary General Jonah, reluctance to agree to a US controlled operation was partly caused by the Council's unsatisfactory experiences in the past: "When there were allegations of excessive use of force by the US in the Gulf, the Council could not act."[195] Prior to UNITAF's authorisation, long and difficult consultations between the Secretariat and Member States were needed to overcome reservations. The result was the arrangement of resolution 974, which James Jonah described as: "We [would] leave the command and control to the United States but the political direction would rest with the Secretary-General."

On paper, the diverging conceptual views and political positions — both in this case and with regard to the question of the purposes of UNITAF — were eventually reconciled by adopting a compromise that was acceptable to all sides. In reality, however, the underlying diverging rationales and inconsistencies remained intact. At the time, not everybody was aware

---

192 *Ibid.*, p. 29.

193 Goulding, interview in New York, 6 January 1998; see Letter dated 29 November from the Secretary-General to the President of the Security Council, S/24868, 30 November 1992.

194 *Ibid.*, p. 17.

of this problem. One of the architects of the complex compromise on UNITAF, James Jonah, acknowledged later that "this was the source of the problem between Boutros-Ghali and the Americans," but admitted: "I did not see it that way."[196] Given what most diplomats at UN headquarters in New York saw as an urgent necessity for forceful UN intervention in Somalia the lack of precision in UNITAF's mandate may have seemed like an acceptable compromise achieved under conditions of *Realpolitik*.

Pressures of Implementation

On the face of it, the ambiguities of UNITAF's mandate did not seem to cause substantial problems during the initial phase of deployment. The force established bases in some of the worst affected towns and cities of southern Somalia and it provided some convoy protection for humanitarian relief. As the US delegate to the United Nations had emphasised on the eve of intervention, the mission proceeded largely peacefully and there were no major confrontations with local militias.[197] In reality, however, UNITAF was exposed to pressures to take on greater responsibilities even as the first troops arrived in Mogadishu.

Debates at the Security Council had already foreshadowed that the key issue of intervention was the question whether UNITAF would get involved in the disarmament of Somali factions. On 8 December, the day the first UNITAF forces landed in Mogadishu, Secretary-General Boutros-Ghali sent a letter to President Bush in which he emphasised the need for disarmament:

> Without this action I do not believe that it will be possible to establish the secure environment called for by the Security Council or to create conditions in which the United Nations' existing

---

195 Jonah, interview in New York, 28 January 1998.

196 *Ibid.*

197 Exceptions included the destruction of three "technicals" by US helicopter gunships on 12 December after American aircraft had been fired on; *New York Times*, 13 December 1992, p. I 1.

> efforts to promote national reconciliation can be carried forward and the task of protecting humanitarian activities can safely be transferred to a conventional United Nations peace-keeping operation.[198]

A few days later, the Secretary-General reiterated his appeal in public, arguing that he had in fact reached a tacit agreement with the US administration and announcing that he would make his letter to the US President public.[199] With the effective operational command of UNITAF clearly in the hands of the United States, US military commanders initially resisted these appeals for disarmament.[200] But United Nations officials were not the only ones to argue that disarmament was essential for the success of the mission. Already during the first week of intervention the *New York Times* quoted Somali farmers who argued that US troops should confiscate all weapons so they would be able to go on with planting seeds for the next harvest undisturbed by armed marauders.[201] Many relief agencies similarly argued that UNITAF could not be counted as a success unless the gunmen were disarmed.[202]

US officials, however, insisted that the presence of UNITAF was sufficient to deter attacks and to a certain extent they were right. With the arrival of UNITAF forces, security in many towns and villages had increased. Both Mohammed Aideed and Ali Mahdi had agreed to store some of their heavy weapons in storage sites and "technicals" and gunmen had disappeared from the streets of Mogadishu. The problem was that this initial success had been achieved merely by a combination of diplomacy and a show of force, not by confronting and defeating armed militias and bandits. This was partly due to intensive efforts by the US Envoy to Somalia, Robert Oakley, who conferred extensively with the leaders of political factions, local elders and clan leaders prior to the deployment of UNITAF to ensure that they would not

---

198 Letter dated 8 December 1992, not issued as a UN document; *UNiS Doc.* 36, p. 216f.
199 *The New York Times*, 13 December 1992, I 13.
200 John Lancaster, "US General Bars Disarming Somali Clans", *Washington Post*, 15 December 1992, A1.
201 *The New York Times*, 13 December 1992, p. A 1.
202 *The New York Times*, 17 December 1992, p. A 1.

confront international forces. While Oakley denies that he had struck any kind of deal with political faction leaders, observers at the time argued that the agreement between Oakley and the warlords amounted to a "kind of mutual non-aggression pact that allowed U.S. troops to aid famine victims unimpeded and let Aideed keep the bulk of his weapons in depots around Mogadishu."[203]

Despite its apparent initial success UNITAF failed to eliminate future threats to the safety and security of humanitarian aid workers and Somali civilians. Somali militias realised that while they stood little chance in any confrontation with the militarily superior forces of UNITAF, they had little to fear in the long-term. UNITAF's mandate was interpreted in a restricted way and Robert Oakley had reportedly assured local elders and faction leaders that US forces would stay only for a limited period of time. It thus sufficed for militias to hide most of their heavy weapons in central and northern Somalia, out of range of UNITAF forces, and wait for their departure. Some weapons, such as the notorious "technicals", could easily be converted from military to civilian use in a matter of hours.[204]

The success of UNITAF's security-by-show-of-force strategy was thus merely temporary. As soon as the force departed — or in case one of the local militias decided to challenge UNITAF — the fragile security situation would be under threat. Only ten days after US forces had arrived in Mogadishu, Somali gunmen reappeared on the streets of Mogadishu apparently convinced that they would not be forcibly disarmed.[205] Faced with the reality on the ground, UNITAF forces started to change course within two weeks of the mission. Greater involvement in disarmament was needed, if only to create "zones of security" around the

---

203 Keith Richburg, "American Casualties in Somalia: A Policy Time Bomb Exlodes", *Washington Post*, 12 August 1993, p. A1.

204 Richard Dowden, "Covering Somalia - Recipe for Disaster", p. 95.

perimeter of US installations. As Terrence Lyons of the Brookings Institute has commented: "In order to achieve the mission of humanitarian relief while deploying many thousands of US troops, the operation inevitably required involvement in disarmament."[206] Given the overall objective of the US troops deployment to withdraw as soon as possible from Somalia these effort remained necessarily incomplete. Tens of thousands of other weapons remained hidden in secret arms caches and arms shipments continued despite the UN embargo.[207]

Another area of activity UNITAF had initially planned to avoid was the re-establishment of Somali police forces. Just as in the case of disarmament, however, realities on the ground made UNITAF divert from its original strategy. In the absence of a functioning Somali police and judiciary, UNITAF patrols were frequently confronted with the uncomfortable choice of getting involved in police duties or being accused of standing by in face of crimes.[208] If UNITAF wanted to avoid either of these choices, it had to make efforts to help Somalis re-establish their own police force. In January, after US Marines got involved in fire-fights on the streets of Mogadishu, US Envoy Robert Oakley finally concluded: "We need a police force so we can pull out."[209] Again, the assistance in the establishment of police forces did not represent a decisive and consistent policy reversal. The US government was still determined to withdraw the bulk of its troops as soon as possible and to hand over the operation to a United Nations peacekeeping force. By the time the Bush administration announced on 19 January that the first American combat troops were to be withdrawn shortly no country-wide police force had been established.[210]

---

205 The *New York Times*, 18 December 1992, p. A1.
206 Lyons, *Somalia*, p. 41.
207 See *New York Times*, 7 January 1993, p. A6; 8 January 1993, p. A1; 12 January 1993, p. A3.
208 *The New York Times*, 16 December 1992, p. A10.
209 Keith B. Richburg, "U.S. To Set Up Somali Policy Unit", *Washington Post*, 29 January 1993, p. A 17.
210 *The New York Times*, 20 January, p. A3.

4. Escalation to Humanitarian War

The fact that in the summer of 1993 the international involvement in Somalia turned from a humanitarian intervention to a humanitarian war is its best known shortcoming. This escalation did not occur overnight. One early indication that international forces might enter into confrontation with local militias was the mandate of UNITAF's successor force UNOSOM II which was authorised by the Security Council on 26 March.[211] Although at that time famine in Somalia had come to an end, the Council decided to give UNOSOM II a considerably wider mandate and a larger force level than its predecessor. Its military tasks were authorised under Chapter VII of the Charter and included monitoring the cease-fire agreements between the factions, preventing any resumption of violence and "if necessary, tak[ing] appropriate action against any faction that violates or threatens to violate the cessation of hostilities", controlling the heavy weapons of organised factions, seizing small arms of all unauthorised armed elements, maintaining security at all ports, airports and lines of communication required for the delivery of humanitarian assistance, protecting international personnel, installations and equipment, participating in mine clearance, and assisting in the repatriation of refugees.[212] With the new mandate international intervention in Somalia had left the confines of a limited humanitarian intervention and had become a militarily backed effort in nation-building.

Following the handover from UNITAF, UNOSOM II intensified its efforts towards re-establishing political institutions: In early May, a committee was set up and procedures

---

211 S/RES/814, 26 March 1993; *UNiS Doc.* 52, p. 261ff. Security Council resolutions did not employ the commonly used term "UNOSOM II" but instead referred to the force as UNOSOM.

212 Report by the Secretary-General to the Security Council, S/25354, 3 March 1992, para. 57; *UNiS Doc.* 49, p. 244ff; The Secretary-General's recommendations were later endorsed by Security Council resolution 814 under Chapter VII of the Charter; S/RES/814, 26 March 1993, para 5.

adopted for the selection of judges; the Special Representative of the Secretary-General proclaimed the reinstatement of the Somali Penal Code of 1962 as the criminal law in force in Somalia and the UN actively promoted the establishment of a national and regional police force. UNOSOM II's politically more assertive stance also extended to its military role. As tensions between UNOSOM II and the leader of one of the factions, General Aideed, increased, UNOSOM II stepped up patrols and inspections of weapons storage sites in his area of control in Mogadishu. On 5 June, tensions turned into outright war when in the immediate aftermath of an inspection of Radio Mogadishu, a radio station controlled by General Aideed, a Pakistani contingent of the UN force was attacked by militias belonging to Aideed's USC/SNA faction. 24 were killed, all Pakistanis, and 61 members of the UN force were injured, including one Italian and three American soldiers.[213]

The event prompted a sharp escalation of UNOSOM II's role in Somalia. The following day, the Security Council strongly condemned the attacks and significantly extended the mandate of UNOSOM II. Resolution 837 (1993) authorised the Secretary-General

> to take all measures necessary against all those responsible for the armed attacks ... [of 5 June], including against those responsible for publicly inciting such attacks, to establish the effective authority of the Operation throughout Somalia, including to secure the investigation of their actions and their arrest and detention for prosecution, trial and punishment.[214]

The resolution initiated what became effectively a war between USC/SNA militias on the one side and UNOSOM II and US forces on the other.[215] Three distinct phases of the

---

213 *Ibid.*, para 117.

214 S/RES/837, 6 June 1993; *UNiS Doc.* 55, p. 267f.

215 The relation between US and UN forces in Somalia was complex. There were three inter-related chains of command: (1) All national contingents of UNOSOM II were commanded by a UN Force Commander, the Turkish General Bir, and by his Deputy, US General Montgomery. Both were answering to the Special Representative of the UN Secretary-General, Admiral Howe; (2) A US Quick Reaction Force (QRF) was commanded in a separate chain of command by General Montgomery, who in that function received his orders from General Hoar, the Commander in Chief of the US Central Command (CINCENT) in Tampa Florida. (3) A further American *Task Force Ranger*, which arrived in Somalia in late August, was commanded by General Garrisson, who reported seperately to CINCENT, General

confrontation can be distinguished. The first phase was marked by offensive operations on the part of UNOSOM II which began on 12 June to launch aerial bombardments of a number of SNA weapons sites, including Radio Mogadishu, all of which were destroyed. On 18 June, the Special Representative of the Secretary-General, Admiral Jonathan Howe, raised the confrontation with Aideed to another level when in accordance with resolution 837 he issued a warrant for the general's arrest and detention and later offered a $25,000 reward for his capture.[216]

The next phase of escalation began one month later with a UNOSOM II attack on "Quaibdid's House" on 12 July. US attack helicopters surrounded a gathering of elders of General Aideed's Habr-Gedir clan in the house of his advisor Abdi Quaibdid and — diverging from previous practice — fired without warning. "The intent was," as Deputy Force Commander General Montgomery later described it "to kill bad guys, to decapitate part of the command staff that were making the decisions about the attacks on the United States and the United Nations."[217] According to the ICRC, 54 people were killed and 161 injured in the attack.[218] In the aftermath of this incident attacks by the SNA intensified and casualties on both sides escalated. In one single incident on 9 September, U.S. Army Cobra helicopter gunships fired 20-mm cannon into a crowd that was attacking US and UNOSOM II soldiers. More than 100 Somalis were estimated to have been killed, including a number of women and children.[219]

Hoar; see General Montgomery, interview with *Frontline*, p. 1. The legal basis for the presence of *Task Force Ranger* in Somalia is unclear as they were not explicitly authorised by the UN Security Council.

216 Initially, Admiral Howe had been reluctant to agree to the arrest of Aideed arguing that this might result in unacceptable casualties. Hirsch and Oakley, *Somalia and Operation Restore Hope,* p. 120. See Admiral Howe, interview with *Frontline*, p. 6.

217 General Montgomery, interview with *Frontline*, p. 9.

218 *Ibid.*, para 154.

219 *The New York Times*, 12 September 1993, p. IV 18.

The third and final phase of the war against Aideed began with the dispatch of *Task Force Ranger*, a unit of US Rangers and Delta force commandos, to Somalia in August. Their mission was to capture and arrest General Aideed and other high level leaders of the USC/SNA. Between 7 and 21 September, US Ranger Task forces captured 57 Somalis, including on 21 September a close advisor and financial supporter of General Aideed, Osman Atto.[220] Another operation on 3 October 1993, however, turned into disaster and initiated the eventual collapse of UNOSOM II when a raid to capture several of General Aideed's high ranking advisors met strong resistance. In a prolonged battle, eighteen American and one Malaysian soldier were killed and seventy-eight American, nine Malaysian and three Pakistani soldiers wounded.[221] Estimates of casualties on the Somali side range from "more than 1,000"[222] to 2,000.[223]

Overall, the death toll of four months of steadily escalating military confrontation in Somalia was considerable. According to General Aideed, more than 13,000 Somalis were killed during 1993. Independent observers have put the number somewhat lower: The Refugee Policy Group reported that "during 1993 some have estimated that up to 10,000 were killed, largely in the conflict between international troops and Aideed's forces in Mogadishu."[224] On the UN/US side, 72 were killed and approximately 298 wounded between 5 June and 3

---

220 *Ibid.*, p. 393 395.

221 Later suggestions by the US administration that the operation had been under UN command or had been ordered by the UN are incorrect; see Patrick J. Sloyan, "Hunting Down Aideed; Why Clinton changed mind", second part of a four part series, *Newsday*, December 6, 1993; Mark Bowden, "How the battle came to be", *Blackhawk Down. An American War Story*, reprint of a series that appeared in *The Philadelphia Inquirer* from 16 November to 14 December 1997, p. 39.

222 Richard Dowden, "Covering Somalia - Recipe for Disaster", p. 93.

223 Robert Oakley, interview with *Frontline*, p. 6.

224 Refugee Policy Group, *Lives Saved, Lives Lost*, p. 24. A UN report on military confrontations between UNOSOM II and the SNA gives detailed figures on casualties of international forces but provides only very limited information about Somali casualties. Summary of Military Actions, 5 June - 22 October 1993, in *Report of the Commission of Enquiry established pursuant to resolution 885 (1993) to*

October.[225] Why was it that a mission that began as an operation to save Somalia from famine turned into such a costly war?

Origins of the Confrontation with General Aideed

The confrontation between UNOSOM II and Mohammed Aideed's USC/SNA militia did not arise overnight. It was rooted in a conflict of interests that dated back to the beginning of United Nations involvement in Somalia in early 1992. Until then, Aideed and other faction leaders had abused international humanitarian assistance as an important source of revenue. As non-governmental organisations were reluctant to influence the political balance of power in Somalia, faction leaders were free to pursue their political goals without outside interference. In this struggle for power in Somalia, the main line of confrontation since the fall of President Siyad Barre was between General Aideed, who had led the military campaign against Barre, and Ali Mahdi, who had been elected Interim-President of Somalia in early 1991. Both felt that they had strong claims to the presidency. In 1991 and early 1992, the dispute between Mahdi and Aideed was interrupted only twice when attempts by the former President Siyad Barre to retake control of Mogadishu needed to be repelled. In early 1992, following severe military clashes between the forces of Aideed and Mahdi in Mogadishu from November 1991 onwards, the United Nations began to work towards establishing a cease-fire and to assist peaceful reconciliation. Although it attempted to act as an impartial mediator, its initiative was inherently, if inadvertently, biased: An effective cease-fire and successful negotiations about political reconciliation would have prevented General Aideed, who was militarily in a superior position, from pursuing his political aspirations. On the other hand, his militarily weaker

---

investigate attacks on UNOSOM II personnel, Annex 4, S/1994/653, 1 June 1994, *UNiS Doc.* 88, p. 391 - 396.

opponent, Ali Mahdi, stood to benefit from UN intervention: a cease-fire would have turned the status quo into a permanent situation and would have legitimised Mahdi's position as interim president of Somalia.[226] Deputy Under-Secretary-General James Jonah experienced this conflict of interest during his negotiations about the deployment of UN peacekeepers to Mogadishu in early 1992:

> Aideed knew that he would lose political power through the intervention. When the UN intervened he would lose leverage. That is why he was opposed to it. He controlled southern Mogadishu. If the UN got in there it would mean that it would dilute his control. He believed, remember he was head of the army, that he had all the weapons. He believed that he could by his own means settle his cause with his opponents.[227]

This fundamental conflict between Aideed's interest and the United Nations' objective of achieving peaceful political reconciliation became the basic parameter for international involvement in Somalia. It helps to explain much, if not all, of the obstruction and delays of the deployment of UN peacekeepers in Mogadishu and of the failure to negotiate lasting cease-fires between Ali Mahdi and General Aideed during 1992.

The deployment of the US-led intervention force UNITAF in December 1992 was unable to avoid this basic problem of international involvement in Somalia, although initially the force seemed able to avoid a conflict with Aideed. Shortly before UNITAF forces landed in Mogadishu, both Ali Mahdi *and* General Aideed publicly welcomed the arrival of the force, but the appearance was deceiving. Beneath the surface, the conflict between the factions lingered on. Quietly, faction leaders moved the bulk of their heavy weapons away from Mogadishu to avoid confrontations with the intervention force so that they would be able to continue their pursuit of power as soon as UNITAF was withdrawn. UNITAF thus succeeded

---

225 *Ibid.*

226 Hirsch and Oakley, *Somalia and Operation Restore Hope*, p. 19.

227 James Jonah, interview in New York, 28 January 1998; see Walter Clarke, interview with *Frontline*, p. 3; see also Robert Oakley: "Aideed never made any secret of his feelings that he was destined to be the

initially in avoiding confrontations with local militias and in creating a secure environment for relief operations. This success was not, however, the result of a solution to the political conflict in Somalia nor a consequence of UNITAF's overwhelming military power. Instead, the key reason for why UNITAF initially did not clash with Aideed was because it was unlikely to weaken him politically as long as its activities were limited to supporting the delivery of humanitarian assistance.

Unsurprisingly, then, Aideed's acquiescence in the international military intervention in Somalia began to erode when UNITAF started to affect the political power balance to his disadvantage. In early February 1993, SNA representatives from all over Somalia met with Aideed to complain that UNITAF's strategy of empowering local leaders and of encouraging the formation of local councils undermined the respect for the administrative structures the SNA had created during the civil war.[228] Their complaints were a first indication of the fundamental conflict of interest between the SNA and the international community. The conflict continued to grow as UNITAF assumed a greater role in the nation-building process. Accidents of implementation further added to the friction between the SNA and UNITAF. In late February, UNITAF forces in Kismayu failed to prevent one of Aideed's allies, Colonel Omar Jess, from being driven out of this strategically and economically important city by General Morgan, an ally of former President Siyad Barre. UNITAF's inaction does not seem to have been the result of a deliberate policy, but illustrates how difficult it was to operate in a politically and militarily volatile environment. Back in January, UNITAF had repelled an earlier attack by General Morgan against the city.[229] For his second attack in February,

---

pragmatic ruler of Somalia, because of the role he played in getting rid of the previous dictator;" Oakley, interview with *Frontline*, p. 3.

228 Hirsch & Oakley, *Somalia and Operation Restore Hope*, p. 78.

229 *The New York Times*, 26 January 1993, p. A3.

however, Morgan had changed his strategy: Unnoticed by UNITAF checkpoints, he secretly infiltrated his men into the city and later, under the cover of civilian crowds, attacked Colonel Jess's militias. Morgan's strategy forced UNITAF to choose between firing into the crowds or watching the battle take place.[230] When UNITAF chose the latter, General Morgan had in effect outsmarted the international forces. From the perspective of General Aideed, however, the event looked like an act of political partiality, particularly since UNITAF had earlier diminished Colonel Jess's ability to defend himself by insisting that he moved his heavy weapons into storage sites. The Kismayu incident prompted Aideed's followers to mount angry demonstrations against UNITAF and to attack one of its positions in Mogadishu.[231] As Oakley recalled, "the events of Kismayu caused him to explode."[232] Journalists saw the violent demonstrations against UNITAF as the first attempt by Aideed to flex his muscles.[233]

When UNITAF handed over authority to UNOSOM II in early May 1993, relations with General Aideed deteriorated further. Part of the reason for this development was the wider scope of UNOSOM II's mandate. Whereas UNITAF's participation in the disarmament process had been derived from the cease-fire and disarmament agreements of early January 1993, UNOSOM II was now mandated to disarm the Somali factions under Chapter VII of the Charter.[234] Moreover, the mandate requested the Secretary-General to assist in the creation of local administrative structures and the establishment of a police force.[235] The wider mandate

---

230 See Hirsch & Oakley, *Somalia and Operation Restore Hope*, p. 77; African Rights, *Somalia. Human Rights Abuses by the United Nations Forces*, July 1993, p. 17.

231 Hirsch & Oakley, *Somalia and Operation Restore Hope*, p. 77.

232 *Ibid.*, p. 78.

233 *The New York Times*, 25 February 1992, p. A1.

234 S/RES/814, 26 March 1993, part B, para 7; see Report of the Commission of Inquiry established pursuant resolution 885 to investigate armed attacks on UNOSOM II personnel, S/1994/653, 1 June 1994, para 44-45; *UNiS Doc.* 88, p. 368ff., 372.

235 S/RES/814, 26 March 1993, para 4 (a) - (g); *UNiS Doc.* 52, p. 261ff.

and greater scope of enforcement powers thus contributed to a greater assertiveness of the force in practice.

A series of incidents in the second quarter of 1993 contributed to a further heightening of tensions. Three days after the transfer of authority to UNOSOM II in early May, Colonel Jess and his militia marched openly towards Kismayu to recapture the city but were repelled by UN forces and suffered serious casualties. From the perspective of UNOSOM II, Jess's advance was a clear violation of existing cease-fire agreements. From the perspective of the SNA, however, international forces were now not only acquiescing in Morgan's conquest of Kismayu but they were openly protecting him.[236] In Mogadishu, initiatives by UNOSOM II to set up a new system for the selection of judges and new procedures for the appointment of Somali police officers further alienated the SNA as they resulted in the removal of SNA appointed officials and thus contributed to an erosion of its power in the area.[237] UNOSOM II also contributed to a loss of face for General Aideed when it obstructed his initiative to convene a peace conference for the central region of Somalia in the second quarter of 1993. Suspicious of Aideed's intentions, UNOSOM II placed various conditions on the conference which eventually led Aideed to abandon his project.[238]

The various issues of contention between UNOSOM II and the SNA were reflected in the broadcasts of SNA-controlled Radio Mogadishu. Transcripts of the period between 1 May and 4 June 1993 show an increasing hostility towards the international forces who were accused of trying to colonise Somalia.[239] Concerned about the impact of this propaganda on

---

236 Report of the Commission of Inquiry established pursuant resolution 885 to investigate armed attacks on UNOSOM II personnel, S/1994/653, 1 June 1994, para 92; *UNiS Doc.* 88, p. 368ff., 374.

237 *Ibid.*, para 64 - 69.

238 Report of the Commission of Inquiry established pursuant resolution 885 to investigate armed attacks on UNOSOM II personnel, S/1994/653, 1 June 1994, para 74 - 80; *UNiS Doc.* 88, p. 368ff., 374.

239 *Ibid.*, para 81 - 84.

the prospects for political reconciliation in Somalia and on the security of international personnel, UNOSOM II began to consider ways to stop these broadcasts. On a more general level, UNOSOM II had been concerned for some time that the SNA's control over Radio Mogadishu gave Aideed an unfair advantage over other faction leaders who, on 31 May, had urged UNOSOM II to take the radio station away from him.[240] Eventually, it was decided that US special forces technicians should examine the radio installation on 5 June during the inspection of a weapons storage site on the same premises.[241]

Members of the SNA leadership were aware of the desire by senior members of UNOSOM II to shut down Radio Mogadishu. During the days before the planned inspection, rumours circulated in Mogadishu that UNOSOM II intended to seize the radio station. When senior UNOSOM II military officers informed an aide to General Aideed late in the afternoon of 4 June that the site of the radio station would be inspected the following morning, he reportedly replied: "This is unacceptable, this means war."[242] Despite this warning and disregarding a further warning by the Brigadier in charge of the Pakistani contingent which was to carry out the inspection, the force commander of UNOSOM II decided to go ahead with the inspection.[243] In view of these facts, a UN inquiry into the events leading to the 5 June 1993 concluded that the inspection of the radio station "could not have come at a worse time for relations between UNOSOM II and the SNA."[244]

The escalation of violence on the day of the inspection thus appears to be rooted in a number of complex and interrelated factors. On one level, UNOSOM II's decision to inspect

---

240 Drysdale, *Whatever Happened to Somalia?*, p. 178.

241 Report of the Commission of Inquiry established pursuant resolution 885 to investigate armed attacks on UNOSOM II personnel., para 86 - 90.

242 Drysdale, *Whatever Happened to Somalia?*, p. 181.

243 *Ibid.*, p. 179.

the weapons storage in an atmosphere of extreme tension and despite clear warnings that such an act might result in a serious confrontation with the SNA, displayed a lack of political sensitivity. Similarly, at various stages during 1993, UNITAF and UNOSOM II alienated General Aideed and his faction in ways that might have been avoidable if they had chosen a more conciliatory approach. Fundamentally, however, a crucial conflict of interest existed between UNOSOM II and General Aideed which seems to have made some form of confrontation between them inevitable: While Aideed sought to play a role in Somalia which recognised his contribution to the ousting of President Siyad Barre and which reflected his military and political power, the international community pursued a policy of political reconciliation in Somalia which did not take these aspirations into consideration and sought an equal representation of weaker and stronger factions. During a National Reconciliation Conference in early May Aideed had indicated that he preferred — in the words of US envoy Oakley — "a political system in which the five major factions in Somalia would hold the real power, rather than a system which equated them with the small factions with much less power and support."[245] Sooner or later, these conflicting designs for the future of the country were bound to clash unless one or both sides changed their positions.

The Security Council's Decision to Launch a Humanitarian War

Following the clashes between UNOSOM II and the SNA on 5 June, Members of the Security Council had two options to respond: (1) to examine the cause of the clashes and — if they turned out to be spontaneous actions by uncontrolled militias — to seek a diplomatic

---

244 Report of the Commission of Inquiry established pursuant resolution 885 to investigate armed attacks on UNOSOM II personnel, p. 375.

settlement with the SNA, or (2) to take punitive measures against it.[246] A number of relief organisations argued for the first option fearing that UN military action would result in a dangerous military confrontation with Aideed's Habr-Gedir clan and disrupt the relief effort. The precise causes and responsibilities for the 5 June incident were far from clear. An inquiry by Professor Tom Farer concluded in late August 1993 that there was "circumstantial evidence of means, opportunity and motive" which linked General Aideed to the 5 June attacks on UNOSOM II forces.[247] His conclusion did not, however, provide proof for the crucial question as to whether the attacks were premeditated. There is substantial evidence to suggest that the attacks against UN troops on 5 June were in fact a spontaneous response by Aideed's followers.[248] According to a report by the UN Commission of Inquiry, "it is quite possible that the attacks on 5 June were orchestrated by the SNA on the spur of the moment after the inspections had begun."[249] These doubts are reinforced by the fact that on the evening of 5 June, emissaries of the USC/SNA assured UNOSOM II officials of their good intentions and desire for peace.[250]

---

245 Hirsch & Oakley, *Somalia and Operation Restore Hope*, p. 97; According to Admiral Howe, Aideed did not like "what representative government would mean because he didn't have the votes. I think this really meant a loss of power to him"; Jonathan Howe, interview with *Frontline*, p. 5.

246 China, Venezuela, and New Zealand originally insisted that the incident of June 5 be investigated properly, that Aideed would be punished only after proven guilty, and that UNOSOM take measures to protect itself rather that attack the SNA; see Provisional Verbatim Record of the 3229th Meeting of the Security Council, S/PV.329, 6 June 1993.

247 Executive summary of the report prepared by Professor Tom Farer of American University, Washington, D.C., on the 5 June attack on United Nations forces in Somalia, S/26351, 24 August 1993, para 23; UNiS Doc. 62, p. 300.

248 Drysdale, *Whatever Happened to Somalia?*, p. 187; see Walter Clarke and Admiral Howe, transcripts of interviews with *Frontline;* Captain Haad, transcript of an interview with *Frontline*, p. 2; General Montgomery, interview with *Frontline*, p. 11. Even the US envoy to Somalia Robert Oakley argued later: "Aideed had not decided, to the best we know, prior to the Pakistani entry into that weapon storage compound and radio station, to attack the United Nations....it's not a deliberate plan to attack the United Nations at that time in Mogadishu;" Robert Oakley, interview with *Frontline*, p. 4.

249 Report of the Commission of Inquiry, para 188.

250 Report of the Secretary-General, S/26022, 1 July 1993, para 10; *UNiS Doc.* 60, p. 274; see Drysdale, *Whatever Happened to Somalia?*, p. 183.

Despite warnings of the potential consequences of an escalation, regardless of crucial gaps in the evidence about the incident, and in spite of an existing offer for dialogue, Members of the Security Council decided for the second option. In resolution 837 of 6 June 1993, the Council expressed its outrage at what it described as "unprovoked", "premeditated" and "criminal" armed attacks. Although the resolution also requested the Secretary-General to urgently examine the incident, it took the unprecedented step of blaming explicitly "forces apparently belonging to the United Somali Congress/Somali National Alliance" for the attacks against UNOSOM II personnel. Without waiting for the results of the inquiry, the Council extended UNOSOM II's enforcement powers to a level which was also unprecedented in the history of UN involvement in internal conflicts. Resolution 837 authorised the Secretary General "to take all measures necessary" to secure the investigation of the 5 June incident and the "arrest and detention for prosecution, trial and punishment" of those responsible for the attacks. [251] In particular, the Council emphasised the "crucial importance of the early implementation of the disarmament of all Somali parties, including movements and factions" and the necessity of "neutralizing radio broadcasting systems that contribute to the violence and attacks directed against the Operation."

Why did the UN Security Council take the decision for armed punitive measures against General Aideed without a proper investigation of the incident and without seeking to consult with the USC/SNA? According to close observers, UN and US circles both in Somalia and in Washington and New York shared an overwhelming conviction that a forceful military response to the attack was the only option. According to Menkhaus, "this view was so predominant, in fact, that officials recall virtually no debate over what course of action to

---

[251] S/RES/837, 6 June 1993; *UNiS Doc.* 55, p. 267f.

take."[252] An analysis of the debate at the Security Council prior to resolution 837 provides some indication as to why there was such unanimity.

Statements by Member States at the Security Council on 6 June did not reflect any of the complex political dilemmas of the relationship between UNOSOM II and General Aideed's USC/SNA which had contributed to the confrontation of the day before. Rather, the statements show a strong tendency to perceive the confrontation between the UN and Aideed in terms of "good" versus "bad". On one side of the confrontation were General Aideed and the USC/SNA. The delegation of Pakistan, which had suffered most of the casualties, described them as "a bunch of murderous warlords and thugs" and as "monstrous regional thug dictators, drunk on a combination of their own excesses and external indifference".[253] Most delegations described the clashes between UNOSOM II and USC/SNA militias as "reckless", "criminal", and murderous attacks by "criminal elements" not merely against the intervention force but "against the whole international community".[254]

If General Aideed and the USC/SNA represented the bad guys in the ongoing confrontation, UNOSOM II represented simply and unambiguously the good guys. None of the delegations to the Security Council questioned UNOSOM's role in the events leading to the clashes of 5 June. Rather, UNOSOM II's involvement in this incident was judged only on the basis of the laudable purpose of the operation as a whole. Member States praised the "altruistic mandate" of the intervention force which had been able "to stem the wave of killings in the country and establish a climate conducive to the eradication of starvation of the Somali

---

252 Menkhaus, "Key Decisions in the Somalia Intervention", p. 15.

253 Provisional Verbatim Record of the 3229th Meeting of the Security Council, S/PV.329, 6 June 1993, p. 6.

254 See for example the statements of the representative of Cap Verde, Djibouti, Venzuela, Russia, Provisional Verbatim Record of the 3229th Meeting of the Security Council, S/PV.329, 6 June 1993, p. 9, 12, 16, 22.

population." They emphasised the international community could not permit that "the troops of countries that have so generously contributed to peace-keeping operations" become targets of warring factions." Their readiness to risk their lives to alleviate the suffering in Somalia were heroic deeds which made the force "truly worthy of the expectations and trust of the international community".[255] In accordance with the principally altruistic purpose of their mission the Pakistani soldiers who had been killed during the clashes were described as "martyrs".[256]

Since 'good' and 'bad' seemed so clearly identifiable in this incident, most Member States felt that they had sufficient information to authorise an immediate and firm response. Information from the UN Secretariat -- and as the representative of France added from French intelligence sources -- indicated "that the faction of General Aideed was responsible for the events." The crucial question whether, as the Council claimed, the attacks had been premeditated or whether, as Aideed later argued, they represented a spontaneous reaction by armed members of the SNA to information that UNOSOM II was trying to take over Radio Mogadishu, was not considered at the Council. If the Council knew of Aideed's offers for dialogue or about the complex chain of events that led to of the clashes, it did not alter its view of the distribution of right and wrong: "The guilty parties are known. Let them now bear the consequences of their acts."[257] Resolution 837 was adopted unanimously.

---

255 See statements by the representatives of Cap Verde, France, Venezuela and China, p. 14, 17, 19.

256 Statement by the representative of Djibouti, p. 12.

257 Statement by the representative of France, p. 20. The "good" versus "bad"-perception of the UN operation in Somalia was not only a problem of Members at the Security Council. Journalists experienced it in their day-to-day work as Richard Dowden of the Independent explained: "The United Nations-United States intervention in Somalia was not an easy story to report. The image portrait by most television journalists, particularly the US networks, was that the kind brave Americans were coming in to the rescue of starving millions. To inject some reality into this image was often portrayed as being in favor of the gunmen and the warlords. At first glance, the American troops did look like the good guys and the Somali fighters whose vicious and incomprehensible civil war was preventing food reaching

Implementing Escalation

As the debate on the response to the clashes of 5 June indicated, there was a broad consensus within the Security Council that the UN must respond firmly and decisively to the challenge. The question how exactly UNOSOM II should respond in operational terms was less clear. Some delegations urged for immediate action, others suggested waiting for the results of an investigation into the incident. Remarkably, there seems to have been little appreciation of the extent of the changes resolution 837 introduced for UNOSOM II. Two operating paragraphs of that resolution which considerably widened its mandate under Chapter VII of the Charter to include "neutralizing radio broadcasting systems" and to establish "the effective authority of the Operation throughout Somalia" were introduced as mere "reaffirm[ations]" of authorisations already given under the previous resolution 814.[258] A similar lack of awareness of the implications of those resolutions was evident within the US Government which had lobbied intensively for a strong response and whose military forces would carry most of the burden for these new responsibilities. Based on conversations with both senior and mid-level officials directly involved with Somalia, Hirsch and Oakley concluded that "it is evident that there was no real appreciation of how much of a change of policy and mission this was for UNOSOM II and the United States forces associated with it."[259]

In the absence of clear political guidance, UNOSOM II's practical response to the 5 June incident developed its own momentum. In the wake of that incident and in accordance with a request by the Security Council in resolution 837, the United States reinforced the

---

starving people looked like the bad guys"; Dowden, "Covering Somalia - Recipe for Disaster", in Girardet, ed., *Somalia, Rwanda, and Beyond,* p. 94.

258 S/RES/837, 6 June, 1993, para 3 and 5; *UNiS Doc.* 55, p. 268.

already strong US military contingent with heavily armed AC-130s ground-attack aircraft. A brief attempt on 7 June by the Special Representative of the Secretary-General, Admiral Howe, to seek agreement with General Aideed on an inquiry into the incident was quickly abandoned when Aideed insisted that he would accept only an independent inquiry but was unwilling to agree to an inquiry that was initiated by UNOSOM II.[260] With the diplomatic solution to the crisis in a deadlock and the military equipment for punitive measures at hand, UNOSOM II's options narrowed rapidly. As Admiral Howe recalled later, it was feared that the option of not responding to the attacks would have hurt "our own credibility and also for peacekeepers around the world".[261]

Accordingly, Howe requested on 8 June that the United States dispatch a special force to Somalia with the capability to arrest General Aideed.[262] Similarly, for the Deputy Force Commander of UNOSOM II, the American General Montgomery, the 5 June attack had changed the parameters of the entire operation: "The United Nations was attacked and we were at war."[263] Between 12 and 15 June UNOSOM II forces conducted a series of air and ground attacks against what was described as weapons storage sites and other military installations in the vicinity of Aideed's house in south Mogadishu and destroyed the broadcasting station of Radio Mogadishu.[264]

Moreover, resolution 837 had set the tone for the role of UNOSOM II in Somalia and created expectations amongst the international media, which kept asking UNOSOM II for news about the arrest of Aideed. Admiral Howe recalled that "there was huge pressure in the

---

259 Hirsch & Oakley, *Somalia and Operation Restore Hope*, p. 118.

260 According to Drysdale who was leading the consultations, Aideed was confident that such an inquiry would prove him innocent; Drysdale, *Whatever Happened to Somalia?*, p. 190-95.

261 Admiral Howe, interview with *Frontline*, p. 7.

262 *Ibid.*

263 General Montgomery, interview with *Frontline*, p. 3.

press."[265] When on 17 June, Moroccan forces suffered heavy casualties in attacks from crowds who were protesting against UNOSOM II's previous attacks, Admiral Howe responded by issuing a warrant for Aideed's arrest and later offered a $25,000 reward for his capture.[266] From that point on, UNOSOM II force command and General Aideed were locked head-on into confrontation. Aideed on the one side was outraged about the arrest warrant. Admiral Howe on the other side began to press for the detachment of US Rangers and Delta Force commandos to arrest Aideed.[267]

Events on the ground continued to follow their own momentum. Since 2 July, militias of the USC/SNA had abandoned their previous restraint and begun to attack UN installations and patrols all over Mogadishu. The attack on a meeting of unarmed elders and political aides of General Aideed at "Abdi's House" on 12 July triggered a new pattern of conflict in which the SNA was now taking the initiative.[268] Between 8 July and 22 August, seventeen US soldiers were killed or wounded in ambushes.[269] According to press reports it was the increase in US casualties that triggered a change in the Pentagon's position. The US subsequently decided to escalate the cycle of violence and counter-violence one step further.[270]

---

264 Report of the Secretary-General, S/26022, 1 July 1993, para 19 - 24; *UNiS Doc.* 60, p. 105.

265 Admiral Howe, interview with *Frontline*, p. 6.

266 Initially, Admiral Howe had been reluctant to agree to the arrest of Aideed arguing that this might result in unacceptable casualties; Hirsch & Oakley, *Somalia and Operation Restore Hope*, p. 120; see Admiral Howe, interview with *Frontline*, p. 6.

267 Bowden, "Blackhawk Down", *The Philadelphia Inquirer*, 16 November 1997; see Hirsch and Oakley, *Somalia and Operation Restore Hope*, p. 118.

268 According to an estimate of the ICRC, Report of the Commission of Inquiry, S/1994/653, 1 June 1994, para 151-54; *UNiS Doc.* 88, p. 379..

269 Report of the Commission of Inquiry, S/1994/653, 1 June 1994, Annex 4: Military Actions; *UNiS Doc.* 88, p. 392

270 Mark Bowden, "Blackhawk Down. An American War Story", *The Philadelphia Inquirer*, Reprint of a series that appeared from 16 November to 14 December 1997, p. 39.

5. Precipitate Withdrawal

In the aftermath of the battle of 3 October, harrowing television images and photographs of mutilated bodies of American soldiers were shown around the world. A few days later, on 7 October, the United States announced that all US forces would be withdrawn from Somalia by 31 March 1994. Shortly afterwards, the USC/SNA declared a unilateral cease-fire and during the following weeks, attacks against UN installations dropped sharply. Following the announcement of the American withdrawal, several European countries indicated their intention to withdraw their forces by the same date and in the course of the next six months UNOSOM II's force level fell to half its peak strength.

The effects of the withdrawal of the core units of UNOSOM II were immediate and drastic: Weapons search operations were halted and escorts to humanitarian aid convoys had to be reduced considerably. Most remaining units now focused on self-protection and few soldiers ventured beyond their heavily guarded compounds. In practice, if not in mandate, the character of UNOSOM II changed from a peace-enforcement to a peacekeeping operation which relied heavily on the cooperation of the factions on the ground.[271] By November, the Security-Council was pressing for a "fundamental review" of UNOSOM II's objectives and ordered the formal suspension of arrest actions against General Aideed.[272] Most Somalis who had been seized by US Rangers were also released. In February 1994, the Council decided to substantially revise UNOSOM II's mandate and to limit the size of the force to 16,000 troops.[273] Although the Council still emphasised that it held on to its vision of political reconciliation, the new mandate omitted crucial provisions in the resolution 814 (1993) on the

---

271 Boutros-Ghali: "In practice, UNOSOM II had already reverted to this peace-keeping mode in October 1993", "Introduction", *UNiS*, p. 66, para 185.

basis of which UNOSOM II had used force against factions which were seen to be acting against reconciliation. UNOSOM II was now mandated to "encourage" and "assist" the Somali parties in their "cooperative efforts" to disarmament and in the reorganisation of the police and judicial system. Its protection function was limited to major ports and airports, international personnel, installations and equipment, and to "safeguarding the lines of communications vital to the provision of humanitarian relief and reconstruction assistance."[274] The Council also reiterated its intention to complete the UNOSOM II mission by March 1995.[275]

Without the mandate or the capacity to play an assertive role, UNOSOM II became more and more marginal to the developments in Somalia, particularly to the establishment of security and to the process of political reconciliation. Much of what UNOSOM and international aid agencies had tried to build since 1992 dissolved or was destroyed. Banditry and attacks against humanitarian aid workers increased and aid agencies had to temporarily withdraw their international staff from towns such as Buale and Kismayo in southern Somalia and Belet Weyne in central Somalia.[276] At the same time, fighting erupted again between factions and sub-factions particularly in and around Mogadishu, Kismayo, Merca and Belet Weyne, where an entire UNOSOM II base was forced to surrender and hand over their weapons to SNA militias which occupied the town in the summer of 1994. Schools and a hospital that had been reconstructed by UNOSOM II were looted and burned. A local police force, comprised primarily of members of the Hawadle clan, was dissolved. Thousands of civilians were forced to flee when the SNA took control of the area. Journalists visiting the

---

272 S/RES/886, 18 November 1993; *UNiS Doc.* 77, p. 337f.
273 S/RES/897, 4 February 1994; *UNiS Doc.* 84, p. 353.
274 S/RES/897, 4 February 1994; *UNiS Doc.* 84, p. 353f.
275 *Ibid.*
276 Lyons, *Somalia*, p. 60.

town in August 1994 found that of the million dollar efforts of the international community nothing remained but gutted buildings and smouldering ruins.[277]

In the course of the following eight months, UNOSOM II forces were gradually withdrawn and the last soldier left Mogadishu on 3 March 1995.[278] The security situation in some parts of the country remained precarious and the humanitarian situation stayed difficult. However, fears of a new major humanitarian crisis proved largely unfounded. In 1996, the Secretary-General reported that "a return to widespread anarchy and disorder following the departure of UNOSOM II did not materialise to the extent that had been feared. The security in most parts of the country remained sufficiently stable to allow the continuation of relief and rehabilitation activities."[279] As of late 1999, political reconciliation has eluded Somalia and no widely accepted national institutions have been established. Political rivalries in Somalia continued and occasionally resulted in limited military confrontations. On a local level however, authority structures have proved more or less stable. Based on a practice of "wild capitalism", economic life in some parts of the country is not worse than in many African states which have a central government and national authority structures.[280] A report of the UN Office for the Coordination of Humanitarian Affairs (OCHA) judged in March 1998 that "some parts of the country, particularly areas in the north, are experiencing impressive political development, social stability and economic recovery." Moreover, international relief organisations have "learned how to 'do business' in the singular 'state of statelessness' which

---

277 Pierre Van Hoeylandt, "Von den Deutschen blieb nur Erinnerung", *Berliner Zeitung*, 31 August 1994, p. 7

278 Pierre Van Hoeylandt & Bartholomäus Grill, "Die Helfer gehen, der Krieg bleibt: Aus Somalia ziehen die Blauhelme ab. Bilanz einer katastrophalen Mission der Vereinten Nationen", *Die Zeit*, 3 March 1995, p. 4

279 "Introduction", *UNiS*, para 221, p. 79; see S/1997/135, 17 February 1997, and S/1997/715, 16 September 1997.

distinguishes Somalia from other countries."[281] In August 1999, *The Economist* reported that "the average Somali... is probably not worse off than the average Tanzanian or Zambian."[282] It seems ironic that Somalia appears to be better off without UN involvement. Nevertheless, the fact that the international community was unable to maintain sustained efforts towards political reconciliation requires further explanation.

In late September 1993 amidst continuing military confrontation between UNOSOM II and the USC/SNA in Mogadishu and a rising death toll on both sides, the Security Council had still reaffirmed its support for the operation. "We should not falter or waver at the eleventh hour because of the opposition of one warlord," stated the representative of Djibouti during the formal session of the Council. Other delegations similarly stressed the need for the UN to persevere in its efforts to achieve political reconciliation and to build a "free, democratic and sovereign Somalia".[283] Overall, member states expressed their confidence that UNOSOM II was on the right path. "It does seem that the United Nations is accomplishing its mission" said the representative of Djibouti and the United States delegation saw "a bright promise of a reconciled Somalia standing proud among its fellow nations of the world."[284] Only two weeks later, UNOSOM II's mission was stalled. By Christmas, a journalist's report of the situation in the country seemed a far cry from the way the Security Council had seen it earlier: "The UN forces remain in their bases, unwilling to patrol the streets or intervene in incidents. Ideas of

---

280 Karin von Hippel, *Why States Collapse? One Attempt at a Response - Somalia*, paper presented at the MacArthur Foundation's Annual Conference 1998 on *Regional Security in a Global Context* convened by the Department of War Studies, King's College London, April 1998.

281 *UN Consolidated Inter-Agency Appeal for Somalia, January - December 1998*, UN Office for the Coordination of Humanitarian Affairs, 31 March 1998, p. 1.

282 "A Failed State that is Succeeding in Parts", *The Economist*, 28 August 1999.

283 S/RES/865, 22 September 1993, para 4; *UNiS Doc.* 65, p. 302ff.; see Provisional Verbatim Record of the 3280th Meeting of the Security Council, 22 September 1993, S/PV.3280, p. 9-10.

284 *Ibid.*, p. 16, 26, 28, 22.

disarmament and nation building, prevalent a year ago, have long gone."[285] How did this change come about? Why did the United Nations withdraw from Somalia without accomplishing its objective of political reconciliation?

The Widening Gap between Goals and Means

On the face of it, the sudden turnaround in UNOSOM II's strategy was caused by the military disaster of 3 October when 17 US soldiers were killed and more than 75 wounded.[286] Only four days later, after a brief policy review amidst graphic television coverage of the bodies of US soldiers which were being dragged through the streets of Mogadishu, the US administration announced its decision to withdraw by 31 March 1994. Shortly afterwards, European governments decided to extract their respective UNOSOM II contingents by the same date. In fact, however, the beginning of the end of the peace-enforcement operation in Somalia had started much earlier, arguably as early as 6 June when the UN Security Council had authorised a strategy which called for the arrest, trial and punishment of General Aideed. With that decision, the Security Council had inadvertedly achieved three things which ultimately contributed to the collapse of the UN operation in Somalia.

First, the Council had taken a public stance against General Aideed and the USC/SNA. By interpreting the clashes of 5 June as a criminal offence which demanded the arrest, trial and punishment of Aideed, the UN had alienated the General beyond repair and thus undermined its own role as an impartial mediator between the parties in Somalia. Secondly, the Council had widened the gap between the goals of the operation and its capacities. Resolution 837 set a

---

285 Richard Dowden, "Howe urges UN to remain in Somalia. Latest US troop withdrawal raises fears of a return to famine and an attempt by Aideed to seize control", *The Independent*, 24 December 1993, p. 9.

286 Report of the Secretary-General to the Security Council, S/26738, 12 November 1993, para 48. *UNiS Doc.* 75, p. 311.

number of ambitious objectives, including disarming the factions, establishing law and order, assisting in political reconciliation and arresting General Aideed. At the time, however, UNOSOM II's force level was well below the envisaged 28,000 men that had been authorised in March. The June resolution called for the accelerated deployment of the remaining contingents and for additional military support "to provide the Operation the capability appropriately to confront and deter armed attacks."[287] But by the end of July, two months after the beginning of the escalation of violence in Mogadishu, the overall force level was still little over 20,000.[288] On the basis of an updated assessment by the Secretary-General UNOSOM II was now short of 10,000 men, or approximately one third of the entire force. A third factor that contributed to the collapse of UNOSOM was the growing dissent among different national contingents about the appropriate strategy. From the beginning of the operation, it had been clear that UNOSOM II's ability to carry out its mandate depended critically on the support of the United States, in particular on the US Quick Reaction Force, and on the logistic capacities of the US Army.[289] With the widened mandate authorised in Resolution 837, UNOSOM II's dependency had increased even further.

In June, the United States had been among the countries which had pressed for a decisive response to the clashes between UNOSOM II and USC/SNA militias on 5 June. Subsequent punitive air and ground attacks against the USC/SNA had been almost exclusively carried out by the US Quick Reaction Force. French and Italian UNOSOM II contingents refused to take part in these attacks. As the confrontation with the USC/SNA increased, Italy moved its contingent out of the city to the safer suburbs and France returned to its main area of

---

287 S/RES/837, 6 June 1993, para 7 - 8.

288 Excluding the US Quick Reaction Force with a total of 1,167 all ranks; Report of the Secretary-General to the Security Council, S/26317, 17 August 1993, para 6. *UNiS Doc.* 61, p. 279.

responsibility in Baidoa.[290] The French government even publicly criticised the breakdown of efforts for a political settlement with Aideed.[291] Militia leaders of the SNA later acknowledged that with the exception of US and Pakistani forces they had "some understanding with the other forces not to attack us and that we would not attack them."[292] In late August, the United States deployed additional elite forces to Mogadishu in order to better pursue the arrest of General Aideed. As both the Quick Reaction Force and *Task Force Ranger* were under the direct command of the Commander-in-Chief of the US Central Command, the United States was clearly at the forefront of the confrontation with the USC/SNA. Despite the fact that the Security Council formally reaffirmed its commitment to the operation in late September, in practice general support for the operations against General Aideed had long vanished. For the implementation of military operations against the general, UNOSOM II had been relying predominantly on US forces — and had thus set itself up for failure as soon as the United States pulled out.

Waning Commitment of the United States

Events in Mogadishu during the summer of 1993 appeared to indicate a rising determination of the United States to implement resolution 837. In parallel, a momentum in the opposite direction was developing in Washington. Within the administration, the decision to capture General Aideed had never been uncontested. Admiral Howe's request for the dispatch of Delta Force in June had initially met with resistance in the Pentagon. One of the strongest opponents was the Commander in Chief of US Central Command (CINCENT) in

---

289 Report of the Secretary-General to the Security Council, S/25354, 3 March 1993, para 76. *UNiS Doc.* 49, p. 253.

290 General Montgomery, interview with *Frontline*, p. 4.

291 Patrick J. Sloyan, "Hunting Down Aideed".

Florida, General Hoar, who was in charge of US forces in Somalia.[293] For several months, Hoar had argued that the strategy to arrest Aideed was deeply flawed.[294] According to military and congressional sources interviewed by *Newsday*, Hoar had objected that the chances of getting Aideed were one in four. Moreover, he felt that the United States would be seen to be conducting a manhunt. Even if Aideed was captured, Hoar argued, this would not bring about the expected change. During June and July, high-level officials in the administration and the military, including Les Aspin, Colin Powell and Anthony Lake, used General Hoar's arguments in a dispute with the State Department which was in favour of the 'snatch' operation.[295]

The military's opposition had been overruled in the wake of a series of attack against US soldiers between 8 and 22 August which triggered the dispatch of Delta Force to Mogadishu and the announcement by the State Department that United States would stay in Somalia until the warlords were disarmed, violence had ceased and a new Somali police force was established.[296]

Paradoxically, the same attacks against US forces that prompted the Clinton administration to increase American efforts to capture General Aideed also contributed to the erosion of domestic support for the operation. As the escalation of violence between UNOSOM II and the USC/SNA was causing more casualties among US soldiers and the civilian population in Mogadishu, commentators in the United States became increasingly suspicious of the operation. In early August, news analyses noted that the UN mission in

---

292 Captain Haad, sector commander for the USC/SNA in Mogadishu, interview with *Frontline*, p. 1.
293 The various chains of command are explained in footnote 215, p. 201.
294 Montgomery, interview with *Frontline*, p. 5.
295 Sloyan, "Hunting Down Aideed".
296 *The New York Times*, 28 August 1993, p. I 1.

Somalia had evolved from one of guarding humanitarian relief to aggressive military enforcement.[297] By late August, *The New York Times* reported that at the same time as the US was getting more involved in the Somalia operation, the Clinton administration was still groping for a clear rationale for the American presence in the country. On 10 September, in the aftermath of severe clashes with militias in which US and Pakistani forces killed as many as 100 Somalis, including women and children, editorials urged the United States to withdraw its forces by 15 November if the mission could not be redirected from war-making to peacemaking.[298] Two days later, Jimmy Carter, the former US President, made the case for a diplomatic solution to the dispute with Aideed in a long conversation with President Clinton at the White House. Carter argued that the key to success in Somalia was a political settlement. In particular, he stressed his conviction that without Aideed, no such settlement was possible. According to White House aides, the conversation had significant impact on the President and subsequently the administration's hard line approach began to weaken.[299]

Whilst criticism of the Somalia operation was rising, the administration failed to explain to the American people the rationale for the presence of US troops in that country and by late August, editorials began to demand such an explanation.[300] Even Members of Congress were apparently not adequately informed. One US Senator, Richard Lugar (R, Indiana), later stated: "I can't recall in any testimony that I saw here in the Congress that would have outlined to us what was occurring, what the risk might be."[301] Consequently, Congress reacted strongly when it was confronted with the news of rising US casualties in Somalia. In the wake of the death of three Americans in late September, Congressmen called for the immediate withdrawal

---

297 *The New York Times*, 11 August 1993, p. A2.
298 *The New York Times*, 12 September 1993, p. IV 18.
299 Bowden, "How the battle came to be", *Blackhawk Down*, p. 39.
300 *The New York Times*, 25 August 1993, p. A5, and 30 August 1993, p. A16.

of the remaining US troops.[302] A few days later, Congress passed a resolution demanding that the administration limit the US mission in Somalia or face the probability of a cut-off of funds.[303] On 2 October, the day before the US military disaster in Mogadishu, a further non-binding resolution was approved by an overwhelming majority of 406 to 26, which required the administration to seek its approval for the continued presence of US forces in Somalia.[304] Aggravated by the lack of a clear public explanation of the US role in Somalia, domestic support for the operation began to wither away.

At the same time, international support for the US-led hunt for General Aideed was decreasing rapidly as well, despite the fact that legal basis for the hunt for Aideed, resolution 837, had been adopted unanimously by Members of the Security Council. As early as mid-July, Italy threatened to withdraw its contingent from Somalia because it was concerned that the relief effort had turned into a combat operation in which the United Nations was taking sides in the conflict in Somalia.[305] A month later, the Italian and French contingents demonstrated their lack of support when they moved their contingents away from Mogadishu. Similarly, non-governmental organisations increasingly criticised international forces for focussing on the capture of General Aideed and neglecting their original humanitarian objectives.[306]

Pressure to abandon the war against Aideed had not only come from outside the US administration. Just two weeks after the arrival of Task Force Ranger in Mogadishu, President Clinton came under increasing pressure from several other directions to change US strategy.

---

301 Senator Richard Lugar, interview with *Frontline*, p. 3.
302 *The New York Times*, 26 September 1993, p. I 1.
303 *The New York Times*, 29 September 1993, p. A1.
304 *The New York Times*, 3 October 1993, p. I 45.
305 *The New York Times*, 16 July 1993, p. A1.
306 Ken Menkhaus, "Key Decisions of the Somalia Operation", p. 17.

Doubts about US strategy in Somalia increased when the new US Envoy to Somalia, Ambassador Gosende, sent an urgent cable to the White House in which he argued that the hunt for Aideed was futile and that an urgent shift in US policy was needed.[307] In addition to General Hoar, Ambassador Gosende was the second senior official in charge of Somalia policy who seriously questioned the chosen strategy.[308]

Internal doubts and awareness of heightened scepticism of the US Congress had direct implications not only for the general strategy of US forces in Somalia but also for their day to day operations. During that same period, a request by General Montgomery for the deployment of an additional Mechanised Task Force to provide better protection for his troops in an atmosphere of increased violence in the city was denied. This was, as Montgomery recalled later, "because the United States wanted out of Somalia, wanted to lower our troop presence, rather than increasing it.... I was told that [my request] was too big a force and would never fly in Washington."[309] In turn, the lack of operational success had implications for policy in Washington. Despite intensive efforts, *Task Force Ranger* had been unable to capture General Aideed quickly. The force's spectacular blunders, including an attack on a compound of the UN Development Fund, had further raised the questions of whether hunting Aideed was a viable strategy.[310]

Towards the end of September, parallel to the continuing snatch operations of Task Force Ranger, the State Department began working on a plan to achieve a political settlement with the help of the governments of Ethiopia and Eritrea. In Mogadishu, Admiral Howe

---

307 Keith B. Richburg, "U.S. Somalia Envoy Urged Policy Shift before 18 GIs Died", *Washington Post*, 11 November 1993, A39.

308 His opposition was particularly significant since Gosende had previously been among the supporters of the strategy to remove General Aideed; see Sloyan, "Hunting Down Aideed".

309 General Montgomery, interview with *Frontline*, p. 9.

310 Sloyan, "Hunting Down Aideed".

pursued similar efforts by contacting elders of the Habr-Gedir.[311] Officially, the administration was calling this contradictory strategy a "dual-track" policy. But by the end of September, observers felt that the announcement of a substantive policy review on Somalia was only a matter of weeks away.[312] A week before the Oct. 3 firefight, the administration moved from a "hang tough" stance to the verge of halting the hunt for Aideed and, in an address to the UN General Assembly on 27 September, President Clinton announced that military operations against the SNA had ended.[313]

In Mogadishu, however, the policy shift of the US government was not followed through. The Commander of the US Quick Reaction Force, General Montgomery, stated later: "Here we had no new orders or new guidelines ... nothing had ever been communicated to the field."[314] Evidently, the policy shift remained an announcement only and was not translated into operational practice. While the hunt for Aideed thus continued unchanged in Somalia it had lost all political backing at home. On 3 October, when a raid against senior advisors of Aideed resulted in a debacle, support for a tough stance against the General had already waned and outrage in the US about the American casualties was merely a final straw in the collapse of the enforcement strategy of the international community in Somalia.

---

311 Bowden, "How the battle came to be", *Blackhawk Down*, p. 39.

312 Thomas E. Ricks and Robert S. Greenberger, "Clinton Seeks Graceful Exit from Somalia", *Wall Street Journal*, 29 September 1993, p. 3.

313 *The New York Times*, 28 September 1993, p. A1; see Sloyan, "Hunting Down Aideed"; Menkhaus, "Key Decisions in the Somalia intervention", p. 19.

314 General Thomas Montgomery, interview with *Frontline*, p. 10.

Repercussions of the US Decision to Withdraw

Within weeks of the US decision to withdraw, several European countries announced that they too would withdraw their contingents by 31 March 1994.[315] The withdrawal of key contingents of UNOSOM II required an urgent review of the United Nations policy in Somalia. Essentially, the UN had three options: First, it could continue to the strategy of enforced disarmament of all factions and implement the mandate of resolution 837 to arrest and punish those responsible for the 5 June attacks on Pakistani peacekeepers. Second, UNOSOM II could revert to the role of UNOSOM I and try to assist political reconciliation as an impartial mediator between the parties. Third, UNOSOM II could withdraw entirely.

The UN Secretary-General strongly supported the first option: "The fact remains that the country will not enjoy complete stability unless and until the criminal elements have been apprehended and brought to justice"[316] Evidently, the UN Secretariat was still supporting their conception of an ideal solution to the conflict in Somalia. The Secretary-General thus attempted to find replacements for the withdrawing contingents so that the enforcement strategy could be continued.[317] But Member states were unwilling to provide the human and financial resources for a large operation. Out of 42 Member States which the Secretary-General had invited to contribute troops to UNOSOM in October, not a single one had replied by early 1994.[318] The financial situation of UNOSOM II demonstrated the same lack of commitment by Member States. As of 9 November, payment of assessments for UNOSOM II

---

315 Report of the Secretary-General to the Security Council, S/26738, 12 November 1993, para 90. *UNiS Doc.* 75, p. 333.

316 Report of the Secretary-General to the Security Council, S/26317, 17 August, para 73; *UNiS. Doc.* 61, p. 289. See the earlier report of the Secretary-General, S/1994/12, of 6 January 1994, *UNiS Doc.* 83, p. 345.

317 Report of the Secretary-General to the Security Council, S/26738, 12 November 1993, para 90. *UNiS Doc.* 75, p. 333.

were short of $140.6 million or 23.6 per cent of the amounts assessed on Member States between UNOSOM II's inception in May 1993 and 31 October 1993.[319] In addition to the lack of resources for a continued robust operation in Somalia, the Secretary-General was also faced with a different mood in the Security Council. Members of the Council now favoured a shift of strategy away from enforcement and towards dialogue with the factions. As the Secretary-General noted later: "Governments which had strongly supported the United Nations peace-enforcement strategy in Somalia, and had voted in the Security Council for the United Nations to take 'all necessary measures' against those responsible for the attacks on UNOSOM II forces, now spoke of the need to place greater emphasis on negotiations."[320] Continuing a peace-enforcement strategy in Somalia was apparently no longer an option.

The second option, to revert to impartial peacekeeping, was no longer open to UNOSOM II either. Efforts by the United Nations in late 1993 to convene a conference for national reconciliation failed to gain the co-operation of the USC/SNA. The faction boycotted a series of meetings convened by UNOSOM to start a dialogue with other factions.[321] The main issue of contention, as the Secretary-General acknowledged in a report on 6 January, was "over the issue of whether or not the United Nations should play a role in the national reconciliation process." The SNA insisted that the United Nations had no role to play.[322] Faced with the opposition of the SNA, UNOSOM II was unable to play a role as an impartial mediator. Two key factors contributed to the SNA's refusal to accept the United Nations in

---

318 Further report by the Secretary-General, S/1994/12/, 6 January 1994; *The United Nations in Somalia*, Doc. 83, pp. 345ff.

319 Report of the Secretary-General to the Security Council, S/26738, 12 November 1993, para 101. *UNiS Doc.* 75, p. 335.

320 Secretary-General Boutros Boutros-Ghali, "Introduction", *UNiS*, p. 62.

321 Report of the Secretary-General to the Security Council, S/26738, 12 November 1993, para 87. *UNiS Doc.* 75, p. 333.

322 Report of the Secretary-General, S/1994/12, 6 January 1994, para 5; *UNiS Doc.* 83, p. 345.

that role. First, the period of military peace-enforcement operations of UN and US forces against General Aideed's SNA during the summer of 1993 had closed the door to a return to a role of impartial third-party. In the view of the USC/SNA, the United Nations had become a party to the conflict. Secondly, the more fundamental problem still existed that the United Nations wanted to assist in the establishment of a government that was broadly representative of the various Somali clans and factions. General Aideed, however, had always sought to play a greater role than that. The confrontation with the United States and the withdrawal of US forces had even increased his popularity among his followers.

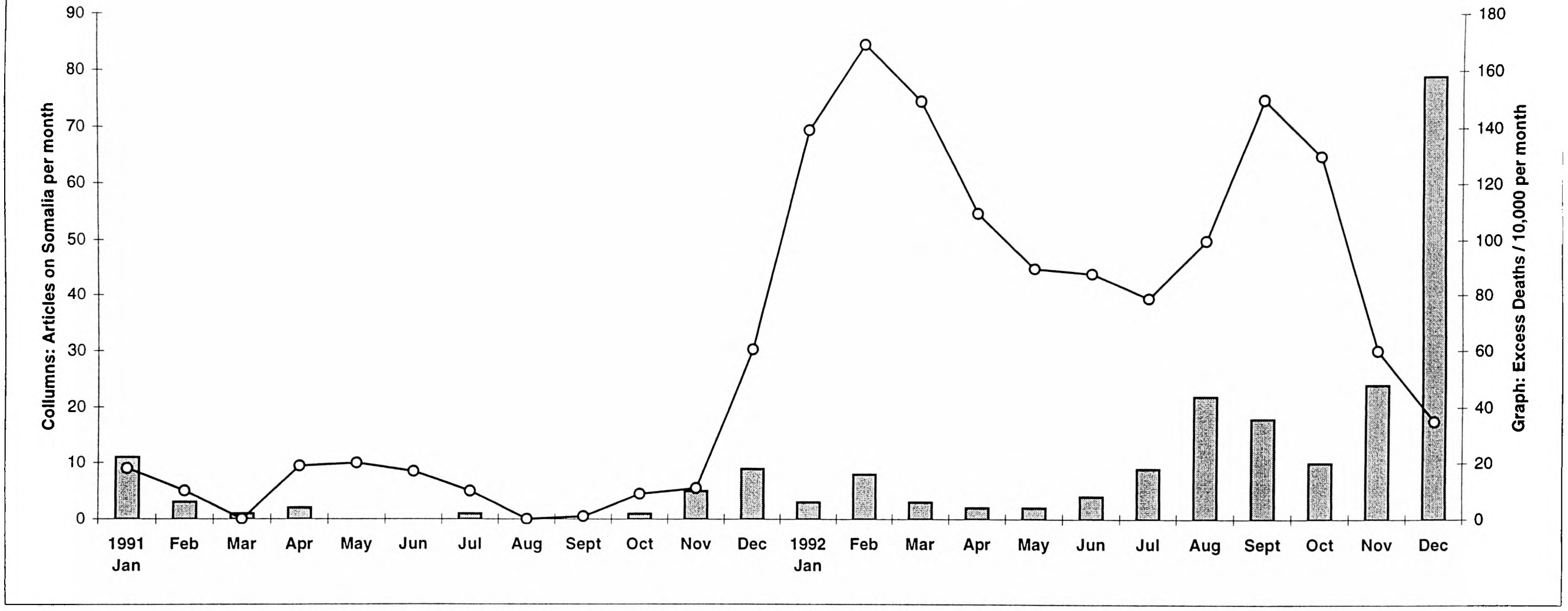
Although options one and two thus seemed impracticable, Member States felt that the third option, an immediate and complete withdrawal of UNOSOM II from Somalia, was unacceptable. As the Secretary-General put it: "Total withdrawal would not be a responsible act."[323] Faced with the dilemma of having to chose between three impracticable or undesirable options, the Security Council decided On 4 February 1994 to reduce the size of UNOSOM II to 16,000 troops and to give it a revised mandate without enforcement powers.[324] With that mandate the Council effectively chose the second of the three options: To revert to a peacekeeping operation which would rely on the co-operation of the parties on the ground in order to facilitate political reconciliation as an impartial mediator. As foreseeable, UNOSOM II continued to be haunted by a lack of co-operation, particularly from the USC/SNA. Its attempts to foster political reconciliation did not achieve tangible results and the contingents concentrated on their own protection until UNOSOM II was finally withdrawn in March 1995.

---

323 Report of the Secretary-General, S/26738, 12 November 1993; *UNiS Doc.* 75, p. 323ff.

324 S/RES/897, 4 February 1994; *UNiS Doc.* 84, p. 353.

Excess Mortality Rates in Combined Bay and Bakool Regions and Somalia Coverage in THE NEW YORK TIMES, January 1991 - December 1992



26 January
President Siyad Barrre is ousted in military coup

March / April
First counter attack by forces loyal to Siyad Barre

September
Barre's militia sieze Baidoa. Fighting continues until April 1992 causing population displacement and devastating main farming area, the main direct causes of the 1992 famine

23 January
Security Council urges all parties to cease hostilities and imposes an arms embargo

24 April
Security Council establishes UNOSOM I

14 September
UNOSOM I with 500 lightly-armed peacekeepers becomes operational

15 December
First units of the 30,000 strong UNITAF intervention force reach areas worst affected by the famine

Sources: Refugee Policy Group, *Lives Saved, Lives Lost*, November 1994; The NEW YORK TIMES Index, 1991 - 1992; and *The United Nations in Somalia, 1992 - 1996*

Chapter 5

Responses to Crisis and Genocide in Rwanda, 1993 - 1994

The small central African state of Rwanda and its 7 million inhabitants were little known to the world until April 1994. Then, between 6 April and July 1994, at least half a million people, mostly Tutsi, were cruelly slaughtered in a genocide that annihilated more than three quarters of the country's Tutsi population.[1] Since the adoption of the genocide convention in 1948, the international community had committed itself to "prevent and punish" massacres of that kind.[2] Moreover, since the late 1980s there had been a growing, if not universal, consensus that UN authorised military intervention to that end was compatible with international law.[3] Yet, Rwanda has become known as the country where the international community did not intervene to stop the killing: a case of non-intervention in face of genocide. In reality, the international response to crisis and genocide was more complex than that. As this chapter will show in greater detail, six months before the beginning of the genocide UN peacekeepers were deployed in Rwanda to support political reconciliation. When the crisis erupted in April 1994, several Western countries

---

1 Establishing the exact number of the victims of genocide in Rwanda is notoriously difficult. Based on comparisons between extrapolations from the number of Rwandan Tutsi in the 1991 census with the number of Tutsis that were alive in July 1994 and adjusted for those who who had died from natural causes as well as for Tutsis who had fled to Zaire, Human Rights Watch estimates that at least 500,000 Tutsi were killed during the genocide, representing 77 percent of the population registered as Tutsi; Human Rights Watch, *Leave None to Tell the Story: Genocide in Rwanda*, written by Alison DesForges (New York: Human Rights Watch, 1999), p. 15; see Gérard Prunier, *The Rwanda Crisis, 1959 - 1994: History of a Genocide* (London: Hurst & Company, 1995), p. 261ff..

2 Convention on the Prevention and Punishment of the Crime of Genocide, A/RES/260 A (III), 9 December 1948, *UNaHR Doc.* 7, p. 151.

intervened briefly to evacuate foreign citizens before the UN Security Council decided in mid-April to withdraw most of the peacekeepers. One month later, the Council changed its position and authorised the reinforcement of the peacekeeping force. In late June, after reinforcements had failed to arrive, the Council even authorised a French-led force to intervene in Rwanda. Rwanda is thus much more than a case of non-intervention in the face of genocide.

The failure of the international community, or more specifically the United Nations and its member states, in Rwanda was not simply that it did not intervene to stop the genocide. Rather, the international community may be criticised for five specific failures that need to be examined in greater detail: First, the United Nations failed to prevent the crisis in Rwanda although it had tried to. Second, the United Nations decided to withdraw most of its forces from the country during the height of the genocide in April. Third, the United Nations adopted an impartial position between the perpetrators of genocide and their military opponents. Fourth, the UN ordered the reinforcement of its military presence only after the peak of the genocide. Finally, it authorised a French-led military intervention that appears to have been at least in part aimed at saving the perpetrators of genocide from military defeat at a time when the genocide was already coming to an end.

This chapter examines in detail why the international community acted in the way it did and seeks to establish whether these criticisms are indeed justified. Just as in the case study on Somalia, it is hoped that some more general factors can be identified which help understand to what extent the international community is able to intervene effectively in humanitarian crises and what factors may stand in the way of an effective response. On that basis, a more detailed account may be offered on how international responses to genocide in Rwanda represented a

---

[3] See Chapter 3.

moral failure. Without a deeper understanding of the complexity of the moral and political issues raised by this crucial case it is doubtful whether the international community as a whole and individual governments will draw the right lessons from the failures of the past.

1. Failure of Conflict Prevention in Rwanda, August 1993 – April 1994

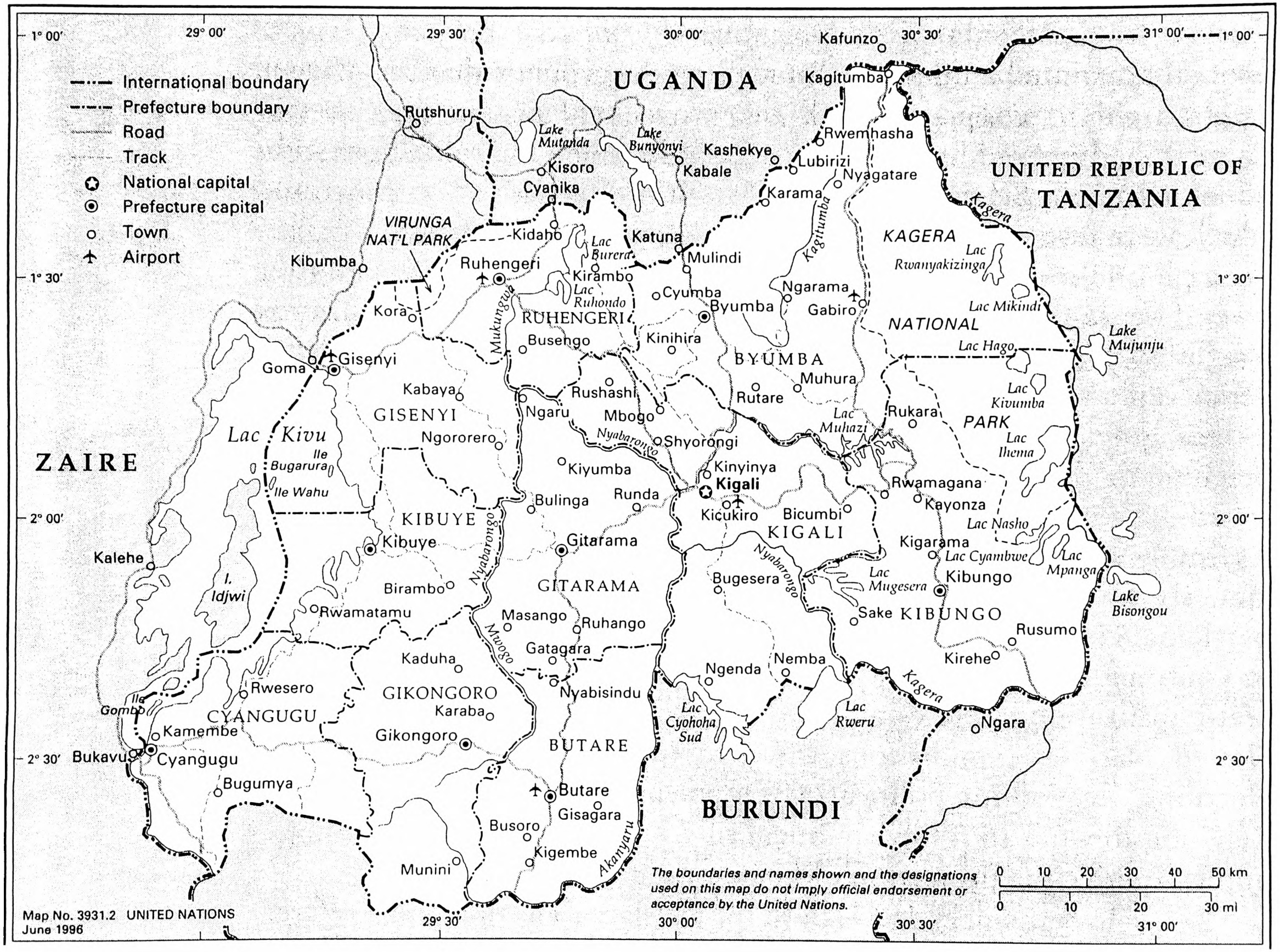
One aspect often ignored about the conflict and genocide in Rwanda in 1994 is that it occurred despite, and perhaps even as a consequence of, considerable efforts at conflict prevention by the international community. Since 1991, international mediators had attempted to foster political reconciliation between the Rwandan government under President Habyarimana and the Rwandese Patriotic Front (RPF), a rebel organisation of Rwandese Tutsi refugees that had invaded Rwanda from Uganda in October 1990. When both sides had agreed to a cease-fire in June 1993, the United Nations had deployed a military observer force, UNOMUR, to verify compliance.[4] In August the government and the RPF reached a comprehensive peace agreement in Arusha which envisaged the establishment of a "broad-based transitional government", the repatriation of Rwandan refugees, the resettlement of displaced persons, and the integration of the armed forces of both parties.[5] The objectives of the Arusha agreement were ambitious considering that the conflict between the Hutu majority and Tutsi minority in Rwanda went back to before the country's independence in 1961, had claimed tens of thousands of lives, and had caused hundreds of thousands of Tutsis to flee their country. During the 1990s, the conflict was further exacerbated by growing economic difficulties and the strengthening of a faction of

---

4 *The United Nations and Rwanda, 1993-1996*, The United Nations Blue Books Series, vol. x (New York: United Nations, Department of Public Information, 1996), p. 18-20.

5 Transmitted in a letter from the Permanent Representative of the United Republic of Tanzania to the UN Secretary General, A/48/824-S/26915, 23 December 1993, reprinted in *The United Nations and Rwanda (UNaR)*, Doc. 19, p. 169-201.

Rwanda


International boundary
Prefecture boundary
Road
Track
National capital
Prefecture capital
Town
Airport
UGANDA
UNITED REPUBLIC OF TANZANIA
ZAIRE
BURUNDI
Kafunzo
Kagitumba
Rutshuru
Lake Mutanda
Lake Bunyonyi
Kashekye
Kabale
Lubirizi
Rwemhasha
Nyagatare
Karama
Kisoro
Cyanika
VIRUNGA NAT'L PARK
Kidaho
Kibumba
Ruhengeri
Lac Burera
Katuna
Mulindi
Kagitumba
Kagera
KAGERA
Lac Rwanyakizinga
Lac Mikindi
NATIONAL
Lac Hago
Lake Mujunju
Kirambo
Lac Ruhondo
Cyumba
Byumba
Ngarama
Gabiro
Kora
RUHENGERI
Mukungwa
Busengo
Kinihira
BYUMBA
Muhura
Rutare
Gisenyi
Goma
Kabaya
Rushashi
Ngaru
Mbogo
Lac Muhazi
Rukara
PARK
Lac Kivumba
Lac Ihema
GISENYI
Lac Kivu
Ngororero
Nyabarongo
Shyorongi
Ile Bugarura
Ile Wahu
Kiyumba
Kinyinya
Kigali
Rwamagana
Kayonza
Kicukiro
Bicumbi
KIGALI
Lac Nasho
Kigarama
Lac Cyambwe
Lac Mpanga
Kalehe
KIBUYE
Kibuye
Gitarama
Nyabarongo
Bulinga
Runda
Bugesera
Lac Mugesera
Kibungo
Lake Bisongou
I. Idjwi
Birambo
GITARAMA
Rwamatamu
Masango
Ruhango
Sake
KIBUNGO
Rusumo
Kirehe
Muvogo
Gatagara
Kaduha
Nyabisindu
Ngenda
Nemba
Kagera
Rwesero
GIKONGORO
Karaba
Ile Gombo
CYANGUGU
Kamembe
Gikongoro
Lac Cyohoha Sud
Lac Rweru
Ngara
Bukavu
Cyangugu
BUTARE
Bugumya
Butare
Gisagara
Busoro
Kigembe
Akanyaru
Munini
1° 00′
29° 00′
29° 30′
30° 00′
30° 30′
31° 00′
1° 30′
2° 00′
2° 30′
The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.
0 10 20 30 40 50 km
0 10 20 30 mi
Map No. 3931.2 UNITED NATIONS
June 1996

hardline Hutu supremacists who exploited and fostered existing ethnic tensions to their advantage.[6] To support the Arusha peace process the UN Security Council had established in October 1993 a United Nations Assistance Mission to Rwanda, UNAMIR, with an authorised deployment of some 2,500 peacekeepers.[7] The troops were not only to monitor observance of the cease-fire agreement but also to "contribute to the security of the city of Kigali". With the arrival of more than twelve hundred troops by late December the first phase of deployment was completed — as the Secretary-General reported to the Security Council — "largely on schedule."[8]

When on 31 December the scheduled establishment of the transitional government with participation of the RPF was cancelled and in the following months the security situation in Rwanda deteriorated considerably, it became increasingly clear that the peace process was in serious danger.[9] The UN Security Council nevertheless authorised a second infantry battalion to be deployed in Rwanda.[10] In February, two further deadlines to establish the transitional institutions were not met and the Security Council increased political pressure on the parties, particularly on elements within the government of President Habyarimana, to comply with the Arusha agreements.[11] On 5 April 1994, the Security Council went so far as to threaten the withdrawal of UNAMIR if transitional institutions were not established "within the next six weeks."[12] The following day, Habyarimana appeared to have yielded to international pressures

---

6 For accounts of the history of conflict in Rwanda see: Prunier, *The Rwanda Crisis*, pp. 1-150; Human Rights Watch, *Leave None to Tell the Story*, pp. 31-178; African Rights, *Death, Despair, and Defiance*, pp. 1-96.

7 SC/RES/872, 5 October 1993; *UNaR Doc.* 24, p. 231-233.

8 Report of the Secretary-General on UNAMIR, S/26917, 30 December 1993, para 29.

9 "Introduction", *UNaR*, p. 31.

10 UN Resolution 893, UN Doc. S/RES/893, 6 January 1994; *UNaR Doc.* 30, p. 241.

11 Statement by the President of the Security Council, S/PRST/1994/8, 17 February 1994; *UNaR Doc.* 33, p. 243.

12 Security Council Resolution 909, S/RES/909, 5 April 1994, para 2; *UNaR Doc.* 36, p. 251.

when he travelled to Dar-es-Salam and, together with leaders of other East-African states and representatives of the OAU, signed a communiqué which called upon the parties to the conflict in Rwanda to "establish without delay all the remaining transitional institutions."[13]

However, rather than to strengthen the Arusha peace process, Habyarimana's renewed public commitment to it triggered its total collapse.[14] Returning from Dar-es-Salaam in the evening of 6 April, the plane carrying President Habyarimana, and also the Burundian President Cyprien Ntaryamira, was shot down when approaching the Kigali airport. Both presidents were killed.[15] Within an hour of the crash, the *Interahamwe* — armed militia of the governing party MRN(D) — and the *Garde Présidentielle* set up roadblocks in the capital. On the basis of prepared lists, death squads sought out members of opposition parties and members of parliament who had supported a reconciliatory policy towards the RPF and executed them on the spot.[16] On 9 April, after every potential opposition from moderate Hutu parties had been eliminated, the coup leaders formally established a so called "interim government".[17] The seizing of power by extremist elements of the Habyarimana government appeared to have many

---

13 *Communiqué issued at the end of a regional summit meeting held at Dar es Salaam on 6 April on the situation in Burundi and Rwanda.* Annex to a letter from the Chargé d'affaires a.i. of the Permanent Mission if the United Republic of Tanzania to UN Secretary-General, UN Doc. S/1994/406, 7 April 1994, para 7; *UNaR Doc.* 37, p. 253.

14 It has been argued that the strong international pressure may have contributed to the rising tensions which led to the coup d'état of 6 April and to the subsequent genocide; see Bruce D. Jones, "'Intervention without Borders': Humanitarian Intervention in Rwanda, 1990 - 1994", *Millennium. Journal of International Studies*, vol. 24, no. 2, 1995, pp. 225-249, p. 227.

15 Responsibility for Habyarimana's assassination has still not been established beyond doubt. For an analysis of various theories see: Prunier, *The Rwanda Crisis*, pp. 213-228; see Report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Rwanda, A/50/709-S/1995, 2 November 1995, para 26-27; *UNaR Doc.* 154, p. 569ff.

16 Among the politicians who were killed within 24 hours of the beginning of the coup were: the Prime Minister, the President of the Supreme Court, the Minister for Agriculture and leader of the Parti Social Démocrate together with most of the leadership of his party, the leader of the democratic faction of the Parti Libéral, the former Foreign Minister and negotiator of the Arusha agreement, the Information Minister, and the editor of an anti-Hutu extremist newspaper in Kigali; *Final Report of the Commission of Experts established pursuant to Security Council resolution 935,* S/1994/1405, 9 December 1994, para 68; see Prunier, *The Rwanda Crisis*, p. 229.

of the characteristics of a *coup d'état* albeit conducted from within the government and its agencies. Parallel to this coup, the *Garde Présidentielle* and *Interahamwe* began to implement a premeditated plan of systematic extermination of the Rwandese Tutsi.[18] In cooperation with local police, provincial *préfets*, mayors, and other officials and assisted by parts of the Hutu population who had been called upon by radio stations to kill their Tutsi neighbours, they targeted large concentrations of Tutsi who had assembled in churches, stadiums, and other supposedly safe places to seek refuge.[19] From Kigali, the genocide campaign spread to cities and villages across the country. Within three months it claimed the lives of at least 500,000 people.[20]

At the same time, the *coup d'état* and genocide also triggered the resumption of the war between the Rwandan government army (FAR) and the RPF. Within the following three months, the RPF occupied three quarters of the country, taking Buyumba on 21 April, Rusumu at the Tanzanian border on 30 April, Nyanza on 29 May, Gitarama on 13 June, Kigali on 4 July, Butare on 5 July, Ruhengeri on 14 July, and Gisenyi on 17 July.[21] On 19 July, after having forced the "interim government" into exile in Zaire, the RPF established a new Government of National

---

17 *Letter from the Permanent Representative of Rwanda to the President of the UN Security Council*, S/1994/428, 13 April 1994, *UNaR Doc. 43*, p. 25; see Prunier, *The Rwanda Crisis*, p. 232ff; Human Rights Watch Africa, *Genocide in Rwanda (April-May 1994)*, London, May 1994, p. 6.

18 The systematic nature of the killings is well documented and virtually undisputed: The Commission of Experts established pursuant resolution 935 concluded: "Overwhelming evidence indicates that the extermination of Tutsis by Hutus had been planned months in advance of its actual execution. The mass extermination of Tutsis were carried out primarily by Hutu elements in a concerted, planned, sytematic and methodical way and were motivated out of ethnic hatred. These mass exterminations were clearly 'committed with intent to destroy, in whole or in part, a national, ethnic(al), racial or religious group, as such" within the meaning of article II of the Convention on the Prevention and Punishment of the Crime of Genocide, 1948", Letter from the Secretary-General to the President of the Security Council transmitting the final report of the Commission of Experts, UN Doc. S/1994/1405, 9 December 1994; *UNaR Doc.* 107, pp. 415-441, para 58. See also: African Rights, *Rwanda: Death, Despair and Defiance,* revised 1995 edition (London: African Rights, 1995); Report of the United Nations High Commissioner for Human Rights on his mission to Rwanda of 11-12 May 1994, UN Doc. E/CN.4/S-3/3, 19 May 1994, *UNaR Doc.* 48, pp. 262-265.

19 On the organisation of the genocide and particularly the implication of government officials see: African Rights, *Death, Despair, and Defiance*, pp. 100-176; Human Rights Watch, *Leave None to Tell the Story*, p. 222-262.

20 See footnote 1, p. 235.

Unity in Kigali.[22] Thus, within less than one year after the signing of the Arusha peace agreement, Rwanda experienced a collapse of the peace process, a military coup, genocide, and a change of government by military conquest — all despite efforts by the international community to contribute to stability in the country.

Why was conflict prevention in Rwanda such an extraordinary failure? There were, of course, many contributing factors. In order to understand the most important ones one needs to look in detail into the original decision to deploy UN peacekeepers in Rwanda and revisit the local challenges that the force had to overcome to be successful. One needs to examine why warning signals about the impending crisis were ignored and understand the role of the UN Secretariat in shaping the United Nation's response to growing tensions in the country. Finally, one has to explore to what extent the international community was really committed to make UNAMIR work.

The Original Decision to Deploy UNAMIR

When the government of Rwanda and the Rwandese Patriotic Front signed a peace-agreement in August 1993 and invited the United Nations to assist in its implementation, another conflict had been occupying the attention of policy makers for some time. Since March 1993, the UN operation in Somalia had encountered increasing difficulties. In early June, tensions between the United Nations and the Somali warlord General Aideed had culminated in military confrontations which claimed the lives of dozens of UN peacekeepers and hundreds of Somalis. The United Nations came to be perceived as a party to the conflict and the likelihood that it would be able to achieve political reconciliation in Somalia was increasingly doubtful. As the

---

21 See map of advances of the RPF, April to July 1994, p. 274; printed in: Human Rights Watch, *Leave None to Tell the Story*, p. 693-694

achievement of the original goals of the operation were becoming ever more uncertain and as the costs were steadily increasing, the US administration became less and less convinced of its role in Somalia.[23] That experience might have contributed to a general reluctance among UN Member states to contribute to peacekeeping operations in a volatile environment. Moreover, Rwanda was of little strategic interest to four out of five permanent members of the Security Council. There was also little media attention to events in Rwanda which might have given governments an incentive to agree to a new peacekeeping operation.

Nevertheless, Member States were prepared to let the United Nations play a role in the process of political reconciliation between the Habyarimana government and the RPF in Rwanda. According to the Secretary-General, Member States shared the concern of the Rwandese parties that a delay in establishing a transitional government and assembly could jeopardise the peace process.[24] In many ways, Rwanda looked like an ideal case for a UN peacekeeping operation: the signing of the Arusha peace-agreement had given the international community an opportunity to contribute to political reconciliation in a conflict that had claimed several thousand lives in the past three years. The force had been requested by both parties to the conflict and the operational objectives that had been proposed by the Secretary-General did not foresee any activities that would lead UNAMIR into major military confrontations. As the Secretary-General had informed the Council, there was also reason to believe that without international assistance the peace process could easily falter. For all of these reasons, UNAMIR's mission appeared to be comparatively straightforward and on 5 October 1993 the

---

22 For accounts of the military conflict from April to June 1994 see: Prunier, *The Rwanda Crisis*, 213-281.

23 Warren P. Strobel, *Late-Breaking Foreign Policy. The News Media's Influence on Peace Operations* (Washington, D.C.: United States Institute for Peace, 1997), pp. 176ff.

24 Secretary-General Boutros Boutros-Ghali, "Introduction," *The United Nations in Rwanda*, p. 25.

Security Council authorised its mandate unanimously.[25] The situation in Rwanda, however, was much less stable than the signing of the Arusha accords may have seemed to suggest.

Local Challenges

An impression of just how difficult it would be to transform the Arusha agreement into lasting reconciliation could have been gained as early as week after the agreement was signed when the UN Commission for Human Rights published a report on Rwanda. The report listed numerous incidents of politically and ethnically motivated massacres and assassinations and implicated the Habyarimana government, militias of the ruling party MRND(D), and the Hutu-extremist coalition partner CDR in their planning and execution. More generally, the report criticised the absence of the rule of law in Rwanda, a tradition of impunity, an inadequate judicial system, the absence of any system for the protection of ethnic minorities and injurious propaganda.[26]

More critically, the Arusha accords met with considerable opposition in Rwanda.[27] They threatened powerful vested interests in the government of President Habyarimana.[28] Members of the ruling MRND(D) and the CDR feared they would lose power in a new parliament in which a coalition of Hutu opposition parties and the RPF might be able to challenge their position. The Rwandese Army (FAR) feared it would lose influence as result of its agreed demobilisation which would merge 15,000 RPF soldiers and 40,000 of the FAR into a new army of only 20,000

---

25 *Ibid.*, p. 27. Incidentally, UNAMIR was authorised only a few days before the killing of US servicemen in Somalia caused a backlash in the willingness of Western governments to authorise or take part in peacekeeping operations.

26 Report by the Special Rapporteur on extrajudicial, summary or arbitrary executions on his mission to Rwanda, 8 - 17 April 1993, E/CN.4/7/Add.1, 11 August 1993, para 44 - 58; reprinted in *UNaR Doc.* 20, p. 208-210.

27 Human Rights Watch, *Leave None to Tell the Story*, p. 125f.

28 "Threats to Arusha," *Africa Confidential*, vol. 34, no. 18, p. 8.

men.[29] The agreed repatriation of some 200,000 Tutsi refugees from Uganda was a concern to all parties. When these refugees had left Rwanda at various stages since independence, Hutu families had moved into their houses and had been living there ever since. Rwanda was also comparatively densely populated and the remigration of a large number of people was bound to create tensions.[30] Overcoming all of these problems within the timetable of Arusha was a formidable challenge, one much more difficult than it might have appeared from the outside.

In October 1993, the assassination of the newly elected Hutu president of Burundi by Tutsi soldiers and subsequent massacres which claimed the lives of tens of thousands of Burundians, both Hutu and Tutsi, reinforced concerns of many Rwandan Hutu that Tutsi would attempt to exploit the power-sharing agreements of Arusha and strengthened the position of Hutu-extremist organisations.[31] In October and November hundreds of thousands of refugees fled from Burundi across the border into Rwanda, Tanzania, and Zaire. Their presence raised further tensions in South-West Rwanda.[32] Superficially, the massacres of Hutus in Burundi also gave some credence to Hutu extremists who argued that reconciliation with the RPF carried the risk that the Hutus in Rwanda would be killed as well. Hutu extremists in Rwanda increasingly advocated a "final solution" to the political problems of the country: the physical elimination of the entire Tutsi minority.[33] The death of 40 persons in a series of violent incidents in November and December highlighted how explosive the situation in Rwanda had become.[34]

---

29 The former Chief of Staff of the Rwandese Army, Colonel Augustin Ndiliyimana, had already raised that problem in March 1992 to Peter Molt, in P. Molt, "Zerfall von Staat und Gesellschaft in Ruanda," no page numbers; see also Prunier, *The Rwanda Crisis*, pp. 192ff.

30 For a critical discussion of the problem of overpopulation in Rwanda see: African Rights, "The Overpopulation Myth", *Death, Despair, and Defiance*, p. 15-18.

31 Human Rights Watch, *Leave None to Tell the Story*, p. 5.

32 *Africa Confidential*, vol. 34, no. 25, 17 December 1993, p. 7.

33 African Rights, *Death, Despair, and Defiance*, pp. 69 - 85.

34 Report of the Secretary-General on the situation in Rwanda, S/26927, 30 December 1993, para 5; *UNaR Doc.* 29, p. 237.

In early 1994, the *Interahamwe* intensified their efforts to derail the peace process. A series of bomb attacks and the assassination of prominent politicians both from the opposition and from the government heightened political tensions even further. At the same time, the two principal radio stations of the country, *Radio Télévision Libre Des Milles Collines* (RTLM) and Radio Rwanda continuously transmitted racial incitement against the Tutsi minority and publicly advocated the physical extermination of the Tutsis.[35] Weapons were being distributed to the civilian population, and the Interahamwe was trained to kill large numbers of civilians.[36] In that atmosphere, the establishment of the transitional institutions, a crucial step in the peace process, was postponed several times.[37] To those who were following the development of the peace process in Rwanda, it became increasingly obvious that the UN peacekeeping operation was sitting on top of a volcano of political tensions and that its original mandate was ill-suited to stop that volcano from erupting.

Warning Signals of the Impending Crisis

Contrary to conventional wisdom there was no shortage of warning signals about the precarious situation of the peace process in Rwanda, but these were not heard, or if heard, not acted upon. Even prior to UNAMIR's authorisation in October 1993, a joint Government-RPF delegation warned the Secretary-General in New York that delays in setting up the force might lead to the collapse of the peace process.[38] Once the mission was established in Rwanda, regular

---

35 Africa Rights, *Death, Despair, and Defiance*, pp. 78 85; Human Rights Watch, *Leave None to Tell the Story*, 65 - 83.

36 Human Rights Watch Arms Project, *Arming Rwanda*, vol. 6, no. 1, January 1994, p. 14 - 19; see Report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Rwanda, A/50/709-S/1995, 2 November 1995, para 9; *UNaR Doc.* 154, p. 569.

37 Second progress report of the Secretary-General on UNAMIR, S/1994/360, 30 March 1994, para 13; *UNaR Doc.* 35, p. 246.

38 *Report of the Independent Inquiry Into the Actions of the United Nations During the 1994 Genocide in Rwanda*, by Ingvar Carlsson, Han Sung-Joo, and Rufus M. Kupolati, 15 December 1999. No page numbers (published as html document on the internet at www.un.org/News/ossg/rwanda_report.htm).

cables from UNAMIR to the UN Secretariat in New York conveyed information about rising tensions in the country.

The most prominent of those cables was sent from UNAMIR Kigali to the Secretary-General's military adviser, Major-General Maurice Baril, on 11 January. [39] In this cable the Force Commander General Dallaire conveyed three crucial pieces of information he had received from an important informant; firstly, the UN was informed that there had been plans by members of the *Interahamwe* to derail the peace process during the opening ceremony of the transitional parliament 6 days earlier, on 5 January; part of those plans, it was claimed, was to kill a number of Belgian peacekeepers in order to provoke the withdrawal of UNAMIR. Secondly, the informant conveyed first hand information about arms caches in Kigali and indicated that he was willing to help UNAMIR seize those arms if he were guaranteed protection. Thirdly, the informant claimed that he himself had been involved in the training of *Interahamwe* militias to carry out massacres of civilians at a rate of up to 1,500 people per hour. These efforts, the informant said, were part of the preparations for the extermination of the Tutsi minority in Rwanda.

In another cable to Kofi Annan and James Jonah, Under Secretaries-General for Peacekeeping and Political Affairs respectively, the Special Representative of the Secretary-General (SRSG) Jacques-Roger Booh-Booh reported on 2 February "increasingly violent demonstrations, nightly grenade attacks, assassination attempts, political and ethnic killings" and indicated that the UN was "receiving more and more reliable and confirmed information that the armed militias of the parties are stockpiling and may possibly be preparing to distribute arms to their supporters". The report concluded with the political judgment that "if this distribution takes

place, it will worsen the security situation even further and create a significant danger to the safety and security of UN military and civilian personnel and *the population at large*".[40] Three weeks later, Dallaire warned even more urgently that "time does seem to be running out for political discussions, as any spark on the security side could have catastrophic consequences".[41] On 26 March, Dallaire even told New York that he needed contingency plans in case an "extreme scenario takes place".[42]

Information from UNAMIR was regularly related to the UN Security Council. Reports by the Secretary-General conveyed an image of difficult and deteriorating conditions in Rwanda. The first report on the deployment of UNAMIR on 30 December 1993 informed the Council "that a well-armed and reportedly ruthless group was operating in the area [in and around the demilitarised zone], with a view to disrupting or even derailing the peace process" and warned that "the relative ease of access to considerable arms and the ethnic tensions amongst and around the [375,000] refugees [from Burundi in the southern region of Rwanda] have created a potentially destabilizing situation."[43] On 17 February, the Security Council issued a statement expressing its concern over delays in establishing a transitional government and over the deteriorating security situation in Rwanda — presumably based on oral reports by the UN Secretariat.[44] On 30 March, the Secretary-General reported to the Council that "owing in part to the continuing political stalemate, the period under review has seen a rapid and dramatic deterioration in the security situation in Kigali". The report noted the SRSG's "serious concern

---

39 Code Cable from Dallaire\UNAMIR\Kigali to Baril\DPKO\UNations New York, 11 January 1994. A copy of the cable is reproduced here as Annex 1.

40 Quoted in *Report of the Independent Inquiry*. Emphasis added.

41 *Ibid.*

42 Human Rights Watch/FIDH interview by telephone, 25 October 1997; quoted in Human Rights Watch, *Leave None to Tell the Story*, p. 170.

43 Report of the Secretary-General on the United Nations Assistance Mission For Rwanda, S/26927, 30 December 1993, para 16.

44 S/PRST/1994/8, 17 February 1994; UNaR Doc. 33, p. 243.

about increasing reports regarding the distribution of weapons to civilians, which constitutes a serious threat not only to public security in Kigali and elsewhere in Rwanda but also to UNAMIR personnel". It also warned that "ethnic and politically motivated crimes, including assassinations and murders... have increased".[45] Although reports by the Secretary-General were generally moderate in tone and lacked the details of field reports from UNAMIR, they sent clear signals to Members of the Security Council that the operation was not running on course.

Aside from information from the UN Secretariat, several UN member states had their own intelligence sources in Rwanda. The national intelligence service of Belgium, SGR, filed regular reports from Kigali to Brussels indicating preparations for the planned massacres of large numbers of Tutsis. One report of 2 February relayed information about the mission of the *Interahamwe* to assassinate Tutsi civilians:

> In particular they said that they had been assigned the mission to localise all the Tutsi families. The assassination of Tutsi was to take place in those areas where they are concentrated.[46]

On 2 March Belgian intelligence reported that an informant from the MRND had warned that "if things go badly, the Hutu will massacre them [the Tutsi] without pity".[47] A desk level analysis of January 1994 by the CIA reportedly foresaw as one of the possible scenarios for the development of the situation in Rwanda large scale massacres of the civilian population which could claim not less than half a million lives.[48]

---

45 Second Progress Report of the Secretary-General on UNAMIR for the period from 30 December 1993 to 30 March 1994; S/1994/360, 30 March 1994; UNaR Doc. 35, pp. 245, 248.

46 "Le complément d'information du 2 février 1994 du SGR", translation from French original: "Ils auraient notamment reçu la mission de localiser toutes les familles Tutsi. Des assasinats de Tutsi seraient prévus dans les zones où ils sont concentrés." Document no. 7340 ff., *Rapport du Groupe Ad Hoc à la Commission des Affaires Étrangères*, p. 68.

47 Document 20, Belgian Military Intelligence, 2 March 1994; quoted in Human Rights Watch, *Leave None to Tell the Story*, p. 168.

48 *The International Response to Conflict and Genocide*; quoted from Rapport du Groupe Ad Hoc à la Commission des Affaires Étrangères, p. 79; Human Rights Watch, Leave None to Tell the Story, p. 18.

Warning signs such as these indicate that at least to experts it must have been clear that the situation in Rwanda warranted an urgent review of international policy towards the country. On the other hand, even experts such as Gérard Prunier, a close observer of events in Rwanda at the time, conceded afterwards that "it was indeed difficult for Westerners" to make a meaningful connection between on the one hand the rumours and widespread sense of foreboding and on the other hand the magnitude of the horrors that were being planned.[49]

Lack of Resolute Response by the UN Secretariat

As shown above, there was no lack of warning signals about the impending crisis. The crucial question was whether these signals would be transmitted to the relevant decision making authorities within governments and the UN Security Council. One factor that contributed to the failure of the international community to prevent the genocide in Rwanda was the way UNAMIR and the UN Secretariat responded to the warning signals they had received. The *Report by the Independent Inquiry Into the Actions of the United Nations During the 1994 Genocide in Rwanda* described in detail how UN officials failed to respond vigorously to the rising levels of violence in the country and how they failed to sufficiently alert the Security Council about how serious the situation really was. According to the Inquiry, the Secretariat responded to warnings contained in the cable of 11 January from UNAMIR by insisting that "we must handle this information with caution". Requests by the Force Commander to be given permission to raid arms caches in Kigali were declined.[50] On 3 February, the Secretariat informed the Force Commander that such an approach would be beyond the mandate of UNAMIR and that he should instead continue to "assist, on a case by case basis, in illegal arms recovery measures

---

49 Prunier, *The Rwanda Crisis*, p. 211.

50 *Report by the Independent Inquiry.*

conducted by the Rwandese Government authorities."[51] UNAMIR was also instructed to inform President Habyarimana about the received warnings. From a perspective on the ground, it was clear this directive required UNAMIR to cooperate in the recovery of arms with some of the same people that were suspected to be involved in the creation of the arms caches in the first place. When the Secretariat was informed on 2 February that Habyarimana had not taken any action in response to UNAMIR's warnings, it failed to take the matter further. From January to early April, the only way UN officials exercised pressure on the government to stick to the peace process was by threatening the withdrawal of the force.[52] This was hardly a threat for a government which was in all likelihood related to the forces that had been planning at least since January to target Belgian peacekeepers in order to precipitate UNAMIR's withdrawal. Finally, there is no indication that the Secretariat used its information about the pending crisis in Rwanda to initiate contingency planning in case the plans for the extermination of the Tutsi or the resumption of the war would be put into practice. [53] In immediate terms, the Secretariat's decision not to allow UNAMIR to play a more active role was a blow for UNAMIR's authority in Rwanda which further contributed to the deteriorating situation. According to the Sector Commander for Kigali, Belgian Colonel Luc Marchal "the irony was that we knew exactly what and where the problem was, but our hands had been effectively tied. The consequence of this was that the population lost confidence in us."[54]

The second aspect of the Secretariat's mishandling of the situation in Rwanda regarded the way it relayed information to the Security Council. Although reports of the Secretary-General contained numerous warnings about the deteriorating security situation they were generally

---

51 *The United Nations in Rwanda*, p. 32.
52 *Report by the Independent Inquiry.*
53 *The International Response to Conflict and Genocide*, vol. 2, p. 9; *Report by the Independent Inquiry.*

written in diplomatic language and attempted to give space also to the positive aspects of the mission's progress. The report of 30 December, for example, emphasised that on the positive side "the fact that the cease-fire has generally been respected demonstrates that the parties remain committed to the peace and reconciliation process initiated by the Arusha agreement."[55] As a result, the report may have obscured the seriousness of the situation. More crucially, despite numerous general warnings about the deteriorating situation in Rwanda, none of the explicit warnings from UNAMIR about a planned extermination of Tutsis appears to have been relayed explicitly to the Council.[56] Another instance of lack of initiative within the Secretariat was its response to a letter by the Belgian Foreign Minister of 14 February 1994 which argued in favour of a stronger mandate for UNAMIR. The proposal — as the Independent Inquiry noted — "does not appear to have been given serious attention within the Secretariat...".

Partly as a consequence of the lack of urgency with which the Secretariat reported to the Security Council about events in Rwanda many members of the Council were not fully aware of the gravity of the situation. According to the Canadian Deputy Permanent Representative to the United Nations who at the time was also head of the working group on peacekeeping operations and thus in a position to be generally concerned with Rwanda,

> [Rwanda] was really a dossier without problems. Even when UNAMIR started to be deployed we did not foresee many problems... Maybe other Members of the Council were paying more attention but I did not have the impression. Even in January 1994 the Council did not make much of Rwanda....[After that] we realised that the situation in Rwanda was getting worse by the month but it was seen to deteriorate, maybe, like the situation in Mozambique."[57]

The UN Secretariat has been criticised heavily for mishandling the situation in Rwanda prior to the genocide. Closer examination reveals however that there were substantial reasons for

---

54 Col. Luc Marchal in an interview with R. M. Connaughton, Brussels, 30 March 1995; R M Connaughton, *Military Support and Protection for Humanitarian Assistance*, p. 22.

55 Report of the Secretary General on the Situation in Rwanda, 30 December 1993.

56 *Report of the Independent Inquiry.*

57 David Malone, interview in Oxford, 20 November 1996.

the way the Secretariat acted. According to interviews with members of the Secretariat and Representatives of the Security Council, UN officials were convinced that there was not sufficient support in the Security Council to allow UNAMIR to pursue activities that would have involved a greater involvement in Rwanda.[58] As the spokesman of Secretary-General Kofi Annan later put it wryly: "The Council was just not in the mood for action."[59]

Lack of International Commitment to UNAMIR

Since the beginning of UN involvement in Rwanda, Member States had demonstrated a consistent lack of commitment. A joint Government-RPF delegation had initially asked for the deployment of more than 4,000 troops to Rwanda and a UN reconnaissance team had estimated that a force of 4,500 was required to fulfil the mandate in Rwanda. However, the United States delegation to the Security Council suggested that only a symbolic presence of 100 (sic) be sent to Rwanda and France felt that 1,000 would suffice.[60] Recommendations by the Secretary-General were thus adjusted to a force of some 2,500 military personnel so that UNAMIR was authorised by the Security Council at little more than half the size originally assessed.[61]

UNAMIR's mandate was also more limited than the Secretary-General's proposal. The United States in particular introduced a number of amendments to the draft resolution which weakened the mandate. Specifically, the United States insisted on limiting UNAMIR's responsibilities in relation to the disarmament of civilians and the establishment of a weapons secure area.[62] Moreover, the Council made clear that UNAMIR would have to be run on a tight budget when it invited the Secretary-General "to seek economies and to report regularly on what

---

58 Interviews by the author with David Malone, Fred Eckhard, and Marrack Goulding; see *The International Response to Conflict and Genocide*, vol. 2, p. 89.

59 Fred Eckhard, Spokesman of the Secretary-General, interview in New York, 30 January 1998.

60 *Report by the Independent Inquiry.*

is achieved in this regard".[63] UNAMIR's authorisation for the full period of six months was also conditional on substantive progress towards the implementation of the peace agreement within 90 of the start of its deployment.[64]

As early as December 1993, the Secretary-General reported that the Council had asked him "to consider ways of reducing the total maximum strength of UNAMIR."[65] According to a UN spokeswoman, the Secretariat had to "beg" the Security Council to dispatch the second of two proposed battalions to Rwanda.[66] Although within the following three months UNAMIR reached its envisaged maximum force level, the general mood of the Council was set towards limiting the force, not towards expanding its responsibilities.[67] In a situation which required more not less assertive international military assistance this attitude seriously limited the scope within which the Secretariat had to consider UNAMIR's strategic options to respond to threats to the peace process.

Some troop contributors to UNAMIR, such as Belgium, the former colonial power in Rwanda, voiced their concern about the situation in Rwanda and argued for a "firmer stance on the part of UNAMIR with respect to security":

> ...unless the negative developments we are witnessing are halted, UNAMIR might find itself unable to continue effectively its basic mission of playing a major role in the implementation of the Arusha Peace Agreement.[68]

---

61 *Report of the Secretary-General on Rwanda*, S/26488, 24 September 1993, UNaR Doc. 23, p. 221ff.

62 *Report by the Independent Inquiry*.

63 S/RES/872, 5 October 1993, para 9.

64 S/RES/872, 5 October 1993, para 2 and 9; *UNaR Doc.* 24, p. 232.

65 S/26927, 30 December 1993, para 30.

66 Silvana Foa, *Daily Press Briefing of the Office of the Spokesman for the Secretary General* in New York, 27 November 1996, p. 5.

67 By 22 March, it numbered 2539 military personnel including 942 soldiers from Bangladesh, 440 Belgians and 843 Ghanaians; Second progress report of the Secretary-General on UNAMIR, S/1994/360, 30 March 1994, para 25; *UNaR Doc.* 35, p. 247.

68 Letter dated 14 March from the Minister of Foreign Affairs of Belgium to the Secretary-General; not issued as a United Nations document, translated from French, *UNaR Doc.* 34, p. 244.

It is difficult to know whether this expression of support for a more assertive role for UNAMIR was genuine. It is possible, of course, that Belgium was trying to build up a strong moral position on the basis of which it might later withdraw. In any case, the United States and Britain blocked Belgium's initiative before it could even reach a vote, citing the costs of more troops and the risk that expanding the mission could endanger the peacekeepers.[69] In resolution 893 of 6 January 1994 and again in resolution 909 of 5 April 1994 the Council reiterated its request for the Secretary-General to monitor the size and cost of the mission and to seek economies.[70]

The cautious attitude of UN member states towards a greater engagement in Rwanda was based to a considerable extent on domestic politics. The United States, a key player at the Security Council, is a good example to illustrate this point. Its attitude towards Rwanda was shaped by the changes in the administration's policy on peace-keeping operations that had begun in response to experiences in Somalia. After the death of American soldiers in Mogadishu in October 1993, the Clinton administration had initiated a policy review of its position on US support and US involvement in peace support operations. In the spring of 1994, a presidential decision directive was about to be published which generally would not rule out US involvement in peace support operations but which would set strict criteria and conditions for such support.[71] From a foreign policy point of view the administration had no interest in getting involved more closely.

Nor was there any public interest, let alone pressure, to push the administration into an involvement it would not have chosen by itself. While specialised periodicals were reporting on

---

69 Kuperman, "Rwanda in Retrospect", p. 116.
70 S/RES/893, 6 January 1994; S/RES/909 (1994), 5 April 1994.

the events in Rwanda, general media attention to the looming crisis was minimal. According to media surveys of the time between January and April 1994 "there was virtually no Western media coverage of events in Rwanda."[72] The only two African stories that gained attention were the withdrawal of US troops from Somalia and the violence that preceded the elections in South Africa. The *New York Times* carried only a brief report on 13 March that the US Department of State had issued a travel alert for Rwanda.[73] In the absence of media attention to Rwanda, there was no trace of domestic pressure that might have changed the US administration's cautious attitude towards involvement and could have let UNAMIR take a more assertive stance.

Lack of Humanitarian Concern

Without significant media coverage about Rwanda, individual decision makers, who from a humanitarian point of view may have been concerned about the risk of renewed violence in Rwanda, did not push for a greater US commitment to UNAMIR either. The virtual absence of humanitarian concern was not surprising. A crucial factor in explaining this lack of concern was the international community's general lack of awareness of the gravity of the situation. As has been suggested before, Members of the Security Council and delegates at the United Nations had information about the rising tensions. They were, however, also dealing with a range of other tense situations simultaneously. If indications had been publicised that a genocide of hundreds of thousands of people was about to be initiated, maybe, humanitarian concern could have played a greater role in pushing governments towards a more assertive policy in Rwanda. The diplomatic tone in which information about rising tensions in Rwanda was relayed to the Security Council did not indicate what was to come. Moreover, there was no certainty that the

---

71 See *The Clinton Administration Policy on Reforming Multilateral Peace Operations (PDD 25)*, 3 May 1994.

72 *The International Response to Conflict and Genocide*, vol. 2, p. 46.

tensions would escalate to the extent that they did. In the absence of such certainty, there was little on which humanitarian concern could have been based. Thus, humanitarian considerations could in principle not have played any of the roles identified in Chapter 1: the crisis was not widely perceived as one that would cause a humanitarian disaster; those who may have believed in a moral principle that humanitarian crises required a military response had little to base their case on at that time; and the fact that genocide was thought possible but had not yet occurred prevented the issue from becoming a potential focal point for debate in the Security Council or in the media. As for domestic public opinion in the United States, the lack of media coverage prevented the emergence of any humanitarian concern at all for the lives of Rwandese civilians. Thus, humanitarian considerations had no strength to initiate major policy changes prior to the beginning of the genocide.

2. Withdrawal in the Face of Genocide, April 1994

On 8 April, less than 48 hours after the beginning oft the massacres in Kigali, Belgian intelligence sources estimated that up to 1,500 Tutsis had been killed. The following day, it gave a figure of "more than 10,000," and not even two weeks later, on 22 April, it spoke of "hundreds of thousands" Rwandese killed and the numbers were still rising.[74] At about the same time, on 21 April 1994, the UN Security Council decided to reduce the 2,500 UN peacekeepers in Rwanda to a token force of some 270 men.[75] This effective withdrawal in the face of genocide has been recognised as a black mark on the moral conscience of the international community and

---

73 *Ibid.*, p. 91.

74 *Rapport de la Commission Ad Hoc Rwanda*, p. 130-131.

75 S/RES/912, 21 April 1994; *UNaR Doc.* 52, p. 268f. By mid-May the force had shrunk to 444 men; Report of the Secretary-General on the situation in Rwanda, S/1994/565, 13 May 1994, para 2; *UNaR Doc.* 61, p. 277.

as a paradigm case for how not to respond to grave humanitarian crises. Although the fact of withdrawal has been frequently described, several details are worth recapitulating.

Contrary to popular perception, some UN forces in Rwanda initially sought to use their limited means to protect civilians from the *Garde Présidentielle* and *Interahamwe*.[76] At the Amahoro Stadium, the Hôtel des Milles Collines, and several other sites the presence of UN guards provided a measure of protection for Tutsi civilians who were gathered there. On several occasions when UN troops withdrew from protected sites, the remaining civilians were subsequently massacred by *Interahamwe*.[77] Despite such instances, the efforts by UN peacekeepers succeeded in saving as many as thirty thousand people from certain death.[78] Compared to the scale of the massacres, the effect of these local initiatives was small but it indicated how well equipped and reinforced troops — as the UN Force Commander General Romeo Dallaire later put it — "could have made the task of killing much more difficult."[79]

Another less noticed aspect of the international withdrawal from Rwanda is that it occurred despite the fact that sizeable and well-equipped international forces were actually in the country during the early phase of the genocide. Within hours of the *coup d'état* in Kigali, the governments of France, Belgium and Italy launched coordinated military operations to evacuate the approximately three thousand foreign nationals who were living in Rwanda at that time.[80] The first or a total of some 1,100 elite troops arrived on 8 April, merely 32 hours after the

---

76 Secretary-General Boutros-Ghali, "Introduction", p. 38; R.M. Connaughton, "Military Support and Protection for Humanitarian Assistance, Rwanda, April December 1994", *The Occasional*, Strategic & Combat Studies Institute, no. 18, 1996, p. 28.

77 Human Rights Watch, *Leave None to Tell the Story*, p. 213ff.

78 *Ibid*, p. 24.; Alex de Waal, "We do deserts, we don't do mountains," *The London Review of Books*, vol. 21, no. 22, 11 November 1999, p. 18.

79 *The New York Times*, 28 February 1998, p. A4.

80 Prunier, *The Rwanda Crisis*, p. 234.

assassination of President Habyarimana.[81] In the course of the following 5 days, they organised escorts for the transport of foreign citizens from their homes, from embassies and hotels to Kigali airport and airlifted them to Kenya. Rwandan employees of embassies and aid agencies, in some instances even Rwandese spouses of foreign citizens, were left behind.[82] When on 13 April the evacuation of foreign citizens from Rwanda was complete, international rescue forces left without delay despite requests by the UN force commander to the UN Secretariat to be sent reinforcements so that he could stop the killing. Thus, although almost 4,000 foreign troops — 2,500 UN peacekeepers, 1,100 soldiers of various evacuation forces plus some 250 US soldiers on standby in Burundi — were in Rwanda or its immediate vicinity during the first week of genocide, they were not used to stop the killing.[83]

The withdrawal of UN forces from Rwanda has often been criticised as a collective failure of the international community. A less frequently mentioned aspect of that withdrawal is the fact that it was the result of an unanimous decision by all members of the UN Security Council. That decision was made in a late night session on 21 April when all fifteen Members of the Council voted in favour of resolution 912.[84] Incidentally, the resolution described the reduction of UNAMIR's force level to 270 men not as a withdrawal of the force but as an effort to "adjust the mandate of the Mission" to a new role. In accordance with resolution 912, UNAMIR was "to act as an intermediary between the parties in an attempt to secure their agreement to a cease-fire", "to assist in the resumption of humanitarian relief operations", and "to monitor and report" on the situation in Rwanda.[85] The apparent disconnect between the ongoing massacres and the role resolution 912 envisaged for UNAMIR adds more awkward

---

81 "Annex 1: Chronology of Events (October 1993 - July 1994)", *Report of the Independent Inquiry*.
82 *Ibid.*, p. 235.
83 Human Rights Watch, *Leave None to Tell the Story*, pp. 605-613.
84 3368th Meeting of the Security Council, 21 April 1994, S/PV.3368, p. 6.

questions to the set of issues that is raised by the details of international withdrawal from Rwanda: Why was UNAMIR not reinforced immediately? Why were the international rescue troops that could have reinforced UNAMIR not used to stop the genocide? Why did members of the UN Security Council decide so unanimously to reduce UNAMIR to a token force level and why did they not acknowledge this as a withdrawal?

A good way to understand the various interrelated factors that contributed to the international community's withdrawal in the face of genocide in Rwanda is to trace the international response to the crisis between 7 April, when the massacres began in Kigali, and 21 April 1994, when the Security Council decided to reduce UNAMIR to less than 300 troops.[86] News of the death of the Rwandese President Habyarimana reached most Members of the UN Security Council in New York early in the morning of 7 April. But it was only later that day when the news of the death of 10 Belgian peacekeepers broke that the severity of the situation was fully understood. "What really made headquarters in New York understand the gravity of the problem was unfortunately not the massacres of Rwandans, but the death of 10 Belgian soldiers who had been assassinated together with the Prime Minister of Rwanda," recounted the then Deputy Representative of Canada to the Security Council. "There was a wave of emotion in New York. But much more about the [Belgian] soldiers than about the tens of thousands of Rwandans."[87]

Late in the evening of 7 April, the Council met in an emergency session to approve an immediate response to the new crisis in the form of a presidential statement. Reflecting the mood at the Council the statement strongly condemned the outbreak of violence, in particular the

---

85 S/RES/912, 21 April 1994, para 8.
86 S/RES/912, 21 April 1994.
87 Malone, interview in Oxford, 20 November 1996.

attacks against United Nations personnel. At the same time, the Council appealed "to all parties and factions to desist from any further acts or threats of violence and to maintain the positions they held before" the death of President Habyarimana. It also reaffirmed its commitment to the Arusha Peace Agreement and "urged all parties to implement it fully and in particular to respect the cease-fire."[88]

The decision to call upon both sides to stop the fighting and end the killing was in line with the policy of the Council in the past. Only two days earlier, the Council had met to consider a report by the Secretary-General on the situation in Rwanda. In response to the rising tensions in the country, the Council had approved a continuation of UNAMIR only for a limited period of six weeks and had threatened to withdraw the force after that date if the parties did not make substantial progress towards political reconciliation.[89] Now that the peace process had collapsed and UN peacekeepers had been killed, the momentum at the Council at the beginning of the genocide was thus towards withdrawal, not towards taking a stronger stance in Rwanda. In order for the United Nations to change its previous policy, one or several Member States would have had to take the lead.

International Reactions to the Crisis

As a former colonial power in Rwanda, Belgium had for a long time taken a strong interest in the country and was generally familiar with its political situation. It had contributed the core troops of UNAMIR. On 7 April, the Belgian Foreign Minister Willy Claes contacted Belgian diplomats in New York warning them that a *coup d'état* or widespread massacres might take place as a result of the assassination of President Habyarimana. He also stated: "If there

---

88 S/PRST/1994/16, 7 April 1994; see Chapter 6.

89 See chapter 6.

should be many deaths, public opinion would not understand if UNAMIR remained passive, hiding behind the limitations of its mandate."[90] The forceful moral rhetoric of this appeal was swept away when by the evening of 7 April the news reached Europe that ten Belgian peacekeepers had been murdered. An investigation by the Belgian Senate concluded later:

> ...l'assassinat des dix paras a provoqué un choc tel, tant dans l'opinion publique que parmi l'ensemble des autorités politiques, qu'il y avait unanimité, tous partis confondus, pour retirer les troupes belges.[91]

Now, the immediate priority was the security of a comparatively large group of Belgian residents and peacekeepers in Rwanda. In a coordinated effort with France and Italy, a force of 1,100 troops, code-named Operation Amaryllis, was sent to Kigali during the following days to ensure the evacuation of all foreigners from Rwanda.[92] The United States sent troops on standby to neighbouring Burundi. Initially, according to Prunier, there had been plans by Belgium to let the evacuation forces join the Belgian UN contingent and use the combined forces to stop the killing in Rwanda. But in the end that option was not approved by the government: public opinion demanded the withdrawal of the force and Paris had expressed its opposition to the Belgian initiative.[93] The evacuation forces left Rwanda between 11 and 13 April.

While the forces were leaving, the Belgian Foreign Minister informed the Secretary-General at a meeting in Bonn on 12 April that Belgium had decided to withdraw its entire UNAMIR contingent. The following day, the Permanent Representative of Belgium explained the decision in a letter to the President of the Security Council:

> The chaos in Rwanda has assumed such proportions that the implementation of the Arusha agreements seems very seriously jeopardized.... It is obvious that under these conditions the continuation of the UNAMIR operation has become pointless within the terms of the present

---

90 Commission d'enquête, *Rapport*, pp. 525-526.

91 *Rapport du groupe 'Ad Hoc' Rwanda à la Commision des Affaires Étrangères*, p. 128.

92 In April 1994, approximately 1500 Belgians, 650 French and 800 other nationals including 258 Americans were living in Rwanda. Prunier, *The Rwanda Crisis*, p. 234.

93 *Ibid.*, p. 235.

> mandate. In any event, the continued presence of the Belgian contingent would expose it to unacceptable risks...."[94]

The death of the Belgian soldiers had caused a complete policy reversal. A few weeks earlier, Belgium was the one country that had still advocated a more forceful stance for UNAMIR. Now, it instructed its Embassies to convince the Members of the Security Council and the troop contributing countries to suspend the entire operation.[95] Belgium, with its record of support for political reconciliation in Rwanda, might have helped achieve a policy reversal in the Council to endorse a humanitarian intervention. However, domestic public opinion — as perceived by politicians — led it to move in the exact opposite direction and advocate the withdrawal of international forces. Concern for the lives of Belgian soldiers clearly took priority over existing humanitarian concern for the victims of the massacres in Rwanda.

The reaction of developing countries to the crisis in Rwanda was less affected by the news of the assassination of UN peacekeepers. While France, Belgium and the United States were evacuating foreign nationals from Rwanda, Nigeria presented a draft resolution on behalf of the Non Aligned (NAM) Caucus, calling for expanding the size and mandate of UNAMIR.[96] The African Group within the United Nations expressed its concern for the lives of Rwandese civilians in a letter to the President of the Security Council on 12 April stating that "the security of the Rwandese people and other foreigners should equally be a matter of concern for the international community".[97] The Organisation of African Unity (OAU) strongly condemned the massacres in Rwanda and appealed to the Security Council "to ensure the continued and

---

94 S/1994/430, 13 April 1994; *UNaR Doc.* 44, p. 259.

95 Rapport du Groupe 'Ad Hoc' Rwanda à la Commision des Affaires Étrangères, p. 128.

96 *Report of the Independent Inquiry.*

97 Letter from the Chairman of the African Group, the Permanent Representative of Cameroon, to the President of the Security Council, S/1994/420, 12 April 1994; *UNaR Doc.* 42, p. 256.

effective functioning of UNAMIR."[98] Despite the strong moral language employed in these initiatives and declarations, they were not backed up by credible offers of troops that may have helped UNAMIR to protect civilians in Rwanda. Lacking the political resolve to send military forces to Rwanda, the developing countries' political strategy for dealing with the crisis was similar to that of the UN. Both the African Group and the OAU called for an immediate cease-fire, appealed for humanitarian assistance and re-emphasised the importance of the Arusha Peace Agreement. Moreover, neither of them mentioned the *coup d'état* that had taken place or identified the massacres as a campaign of genocide perpetrated by the leaders of the newly installed "interim government."

A week later, the cease-fire strategy of the OAU and the UN appeared more and more illusory and the Security Council was moving towards deciding to withdraw UNAMIR. In that situation, developing countries issued a number of urgent appeals to the Security Council to keep the reduced force in the country. Hinting at his fear to the contrary, the Secretary-General of the OAU, Salim Ahmed Salim, wrote in a letter to the UN Secretary-General: "The purpose of this communication is... to express our confident hope that the United Nations will not do anything or take any action which could be misconstrued as abandonment of the people of Rwanda at their hour of need."[99] Similarly, the President of Uganda, Yoweri Museveni, appealed to the United Nations that UNAMIR should maintain its presence in Rwanda.[100]

Bangladesh, the largest troop contributor to UNAMIR with 942 troops, did not merely condemn the violence but offered - under certain conditions - to maintain its contingent in

---

98 Statement by the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution transmitted in a letter from the Executive Secretary of the OAU to the President of the UN Security Council, S/1994/440, 14 April 1994, para 9; *UNaR Doc.* 46, p. 260.

99 Letter by the Secretary-General of the OAU to the UN Secretary-General, not issued as a UN document; *UNaR Doc.* 50, p. 267.

Rwanda. It emphasised that UNAMIR forces were short of equipment, weapons and ammunition even to defend themselves: "the Bangladeshi contingent is exposed to unnecessary risk to its life and security. Bangladheshi troops do not even have adequate weapons to defend themselves, if attacked by any organized groups." In spite of these dangers, Bangladesh left it to the Secretary-General to decide whether to keep Bangladeshi troops in Rwanda as part of UNAMIR.[101] That offer was conditional upon achieving the security and safety of the troops: first, the parties to the conflict "should make a clear and dependable commitment to the United Nations or OAU that they will not harm or attack the UNAMIR forces;" second, "Bangladeshi troops in Rwanda will have to be further reinforced and they must be given the necessary heavy equipment, including artillery and armoured personnel carriers (APCs) to defend themselves, if attacked."[102]

Given the acute dangers to the safety of UNAMIR and despite the conditions that were attached, the offer to keep Bangladeshi troops was remarkable. Posing these conditions was the result of previous experiences of Bangladesh and other developing countries which had provided troops to the UN operations in Somalia. Since the United States and other Western countries had announced their withdrawal from Somalia in October 1993, troop contributors from developing countries had found themselves without strong military support for their lightly armed troops. Without that support they were incapable of implementing their mandate in the hostile and highly volatile environment of Somalia.

The reaction of the United States to the *coup d'état* and the beginning of the massacres in Rwanda moved rapidly towards pushing for a total withdrawal of UNAMIR. In response to

---

100 Letter from the Permanent Representative of Uganda to the President of the Security Council, S/1994/479, 21 April 1994; *UNaR Doc.* 51, p. 267.

101 Letter from the Permanent Representative of Bangladesh to the President of the Security Council, S/1994/481, 21 April 1994; *UNaR Doc.* 49, p. 265.

102 *Ibid.*, para d). (i) and (ii).

initial Belgian suggestions to expand UNAMIR's mandate the administration reportedly decided in the evening of 7 April that the mandate could not be broadened to Chapter VII and suggested that UNAMIR should be withdrawn.[103] During informal consultations in 12 April, the US Ambassador to the United Nations voiced serious doubts about the viability of UNAMIR, apparently noting that it could not carry out its original mandate and might even be a destabilising factor. The following day, the US suggested to withdraw the bulk of UNAMIR. Twenty-four hours later it stated that the Security Council would have to pass a resolution for the orderly evacuation of the force and by 15 April the US expressed firm opposition to keeping UNAMIR in place.[104] At the United Nations, there was little doubt about the reasons for that position. A member of the Department for Peacekeeping Operations summarised the way the US position was perceived in the Secretariat and the consequences of that position for the mood in the Security Council as follows:

> The United States, of course, was still smarting from Somalia and, in the informal discussions in the Council, had made it clear that Rwanda was the test case for PDD-25 (i.e. the U.N. must learn to say no). If we had asked the Council for enforcement authorization for UNAMIR, my guess is that we would have been hooted out of the hall.[105]

In early April, nothing had changed from the previous months that would have made the US administration more inclined to support a humanitarian intervention in Rwanda. Since the US had announced its withdrawal from Somalia in October 1993 it had been reluctant to take on further responsibilities for peace support operations. It was only in March 1994 that US forces had withdrawn from Somalia. At the same time, Bosnia and Haiti were demanding the attention of the administration. Generally, the United States was opposed to widening its involvement in any further crises. From a policy point of view, the US administration was thus disinclined to

---

103 *Commission d'enqête*, Rapport, p. 532.

104 *The International Response to Conflict and Genocide*, vol. 2, p. 90. See Connaughton, "Military Support and Protection for Humanitarian Assistance", p. 26.

support, let alone initiate, a forceful international response to the deteriorating situation in Rwanda.

Public Opinion and Humanitarian Concern

If the international community was to respond to the beginning of the genocide in Rwanda by sending a military force to stop the killing, something would have had to change the general mood of the previous six months among Members of the Security Council. Could the knowledge of and the news about the massacres in Kigali have created sufficient humanitarian concern to swing that mood around? Theoretically, the international community had sufficient information about what was happening in Rwanda. As has been suggested earlier, the reports of national intelligence services of some Member States had warned of the impending crisis long before it erupted. While the crisis was developing in Rwanda, Belgian intelligence continued to transmit reports to Brussels which clearly identified the political background of the massacres and identified those in charge.[106] On 8 April, senior French military officers reportedly predicted that 100,000 Tutsi would be killed.[107] Moreover, as the Independent Inquiry noted later, as early as 7 April "France, Belgium, US and Italy evidently believed the situation to be so volatile as to warrant immediate evacuation of their nationals".[108]

Similarly, UNAMIR in Kigali had strong circumstantial evidence that a genocide was being carried out under the general command of Colonel Théoneste Bagosora. Only two days before the beginning of the genocide, Colonel Bagosora had declared in the presence of General Dallaire and Sharyahar Khan, the councilor of the SRSG: "The only plausible solution for

---

105 Confidential communication to the author by an official in the UN Department of Peace-keeping Operations, 16 August 1996.

106 *Rapport de la Commission Ad Hoc Rwanda*, chapter 4.5, p. 55ff.

Rwanda would be the elimination of the Tutsi."[109] Then, during the night of 6 to 7 April, Colonel Bagosora called the Special Representative of the UN, Jacques-Roger Booh-Booh and reportedly told him: "Don't worry, this is a coup but everything is under control." The same message was conveyed to the US Ambassador in Kigali.110 When on 8 April 1994 the new leaders proclaimed an "interim government" in Kigali while the killings were still going on there could have been little doubt about who was in charge of events.

Besides internal reports, information about events in Rwanda was also publicly available. A number of journalists gave accurate analyses of the crisis from its very beginning.[111] Marc Doyle of the BBC correctly identified the "interim government" and the militias as the organisers of the killings.[112] On 12 April, Jean Hélène of *Le Monde* expressed the fear that the Tutsis would all systematically be massacred before RPF forces could capture the capital. Catherine Bond of the London *Times* reported on that same day that most of the killings were probably not random.[113] On 15 April, a report by *Africa Confidential* accurately assessed the situation:

> Signs are the fatal attack [on President Habyarimana] was part of a coup attempt by Hutu extremists in the Garde Présidentielle (GP).... The GP barred United Nations' troops from the wreckage. With surprising speed on the evening of the 6 April attack, the GP, with lists ready, arrested or assassinated ministers (Premier Agathe Uwilingiyimana was killed) and thousands of

---

107 Agnès Callamard, manuscript, "French Policy in Rwanda: A Diabolic Banality", p. 30; quoted in Human Rights Watch, *Leave None to Tell the Story*, p. 603.

108 *Report of the Independent Inquiry.*

109 Translation from French original: "La seule solution plausible pour le Rwanda serait l'élimination des Tutsi," Rapport de la Commission *Ad Hoc* Rwanda, p. 79.

110 Faustin Twagiramungu in an interview with Prunier, Paris, 24 May 1994; Prunier, *The Rwanda Crisis*, p. 225. Colonel Bagosora was later indicted by the International Tribunal for Rwanda for directing the genocide during the first days after 6 April. *Reuters*, 24 January 1996.

111 A summary of surveys of the coverage of Rwanda in British, French and US media is provided in *The International Response to Conflict and Genocide*, vol. 2, pp. 46-48. The coverage of the crisis by German media is examined in Gudrun Honke and Sylvia Servaes, "Die Ruanda-Berichterstattung der deutschen Presse," in Hildegard Schürings, *Ein Volk verläßt sein Land. Krieg und Völkermord in Ruanda* (Köln: ISP, 1994), pp. 229 - 238.

112 *The International Response to Conflict and Genocide*, vol. 2, p. 46.

113 *Ibid.*

> Tutsi or Hutu dissidents. By Saturday, a Hutu-ultra government had been formed, with no Tutsi or credible opponent of Habyarimana's."[114]

Based on such information in the media, in specialist publications, and based on their own internal reports, NGOs which were working in Rwanda realised the true nature of the situation. From Monday, 10 April on, the British aid agency Oxfam, for example, had continuous crisis meetings at headquarters in Oxford. To most analysts, it was clear that what was happening in Rwanda was genocide.[115]

While, in theory, sufficient information was available for an accurate analysis of events in Rwanda, that information was covered by the noise of false or inaccurate information — a classic case of Clausewitzean fog of war.[116] At the UN Security Council, the representative of Rwanda was the centre of a campaign of misinformation by the "interim government". In negotiations with the United Nations and public statements at the Security Council, the representative sought to portray the killings as a spontaneous outbreak of tribal violence, linked the war between the RPF and the FAR with the mass killings, and lobbied for a cease-fire with the argument that this would halt the massacres. He also pleaded for emergency aid for the victims of the "humanitarian" crisis.[117] Both Secretariat officials and representatives of Members of the Council later stated that the Rwandan presence "hampered the quality of the information

---

114 *Africa Confidential*, vol. 35. no. 8, 15 April 1994, p. 8.

115 Oxfam's regional manager pushed very early to call the massacres a "genocide" publicly. However, Oxfam considered with great caution the likely attention that would be raised by the crisis in British politics. Consequently, it decided *against* a high profile advocacy strategy and did not raise significantly the resources spent on advocacy for the Rwanda crisis until the end of April; Ed Cairns, Senior Policy Adviser to Oxfam, Chief of Policy for Rwanda (April - July 1994), interview in Oxford, 21 October 1996.

116 See "Intelligence in War", Carl von Clausewitz, *On War*, edited by Michael Howard and Peter Paret (London: Everyman's Library, 1993), p. 136-37.

117 Letter from the Permanent Represenative of Rwanda to the Security Council transmitting a note from the Minister of Foreign Affairs and Cooperation of Rwanda, S/1994/428, 13 April 1994, *UNaR Doc.* 43, p. 257; and the statement by the Permanent Representative of Rwanda, Mr. Bizimana, to the Security Council, 3368th meeting, forty-ninth year, 21 April 1994, S/PV.3358, p. 5 - 6.

that the Secretariat felt it possible to provide to the Council and the nature of the discussion in that body".[118]

UN diplomats did not believe that the representative's statements were accurate descriptions of events in Rwanda. But the mere fact that the "interim government" was able to publicly accuse the RPF of conducting massacres may well have increased the Council's inclination to remain impartial in this conflict. Privately, UN diplomats realised very soon after the beginning of the massacres in Kigali that the killings in Rwanda amounted to genocide. Discussions circled around whether the international community had an obligation to intervene under the Genocide Convention.[119] There was reluctance, however, to call the genocide by its name publicly. As the Canadian Deputy-Representative to the UN Security Council recalled later:

> The word genocide was not one favoured by officials. This was because of the Genocide Convention. If one reads the Genocide Convention it becomes clear very quickly that there is an obligation to intervene in the case of a genocide. Not only did nobody have an interest to intervene but the policy that had been adopted for the short term was a further discouragement to intervene. Consequently, one did not speak of "genocide."[120]

The Genocide Convention, which in fact does not contain a clear legal obligation to intervene militarily to prevent or stop genocide was thus, by some, perceived to constitute at least a moral obligation to intervene.[121] In accordance with that perception, the US State Department sent out directives to diplomats advising them that the killings were not to be described as genocide but as "acts of genocide" so as to downplay the relevance of the 1948

---

118 *Report of the Independent Inquiry.*

119 Malone, interview, Oxford, 20 November 1996.

120 *Ibid.*

121 Article I of the Genocide Convention states that the contracting parties undertake "to prevent and to punish" genocide which is described as "a crime under international law". However, Article VIII specifies: "Any Contracting Party *may call upon the competent organs of the United Nations* to take such action under the charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide". Arguably, this does not constitute a legal obligation for states to use military force to stop genocide. A/RES/260 A (III), 9 December 1948, reprinted in *UNaR Doc.* 7, p. 151-153. Emphasis added.

Genocide Convention and associated obligations.[122] Troop contributing countries, such as Canada, were similarly reluctant to use the term because they did not want to put their soldiers in personal danger.[123]

Another serious factor that impeded the build up of domestic pressure was the relative inaccuracy of the majority of media reports on the crisis. According to media surveys, the massacres in Rwanda were "generally portrayed as ancient tribal feuds."[124] Serious newspapers such as the *Frankfurter Allgemeine Zeitung*, were no exceptions:

> NAIROBI, 11 April. The racial madness, that has haunted the Central-African republic of Rwanda for days, has claimed more than a thousand lives in the capital Kigali alone. The owner of a petrol station talks about an "orgy of murder". Tutsi slaughter Hutu, Hutu slaughter Tutsi.... It seems that once again the ancient hatred between Hutu and Tutsi is claiming gallons of blood everywhere in the country.[125]

The passage is representative of numerous press reports in most major national newspapers which used "ethnic hatred," "racial madness," in which "everybody was killing everybody," and metaphors that compared the genocide to a natural catastrophe or an epidemic disease as simplistic models to explain a complex crisis that contained elements not only of ethnic animosities generally, but also of interests of an extremist elite.[126]

The Role of the UN Secretariat

In this situation of widespread confusion, the UN Secretariat did not use information that was available to it through UNAMIR to provide accurate and objective information to the Council. On 20 April, the Secretary-General presented his first special report on the situation in

---

122 *The International Response to Conflict and Genocide*, vol. 2, p. 921. See Connaughton, "Military Support and Protection for Humanitarian Assistance," p. 27.

123 Malone, interview, Oxford, 20 November 1996.

124 *The International Response to Conflict and Genocide*, vol. 2, p. 46.

125 Günter Krabbe, "In Ruanda ein Nationalitätenkrieg," *Frankfurter Allgemeine Zeitung*, 12. April 1994.

126 See p. 277 ff.

Rwanda to the Security Council.[127] In it he described the organised campaign of genocide as "a torrent of widespread killings" and argued that "the killings were started by unruly members of the Presidential Guard." In striking resemblance to the propaganda emanating from the "interim government", the Secretary-General argued that "authority collapsed, the provisional government disintegrated and some of its members were killed in the violence." The Secretary-General reported the proclamation of an "interim government" and accepted "the Defense Minister and the high command of the Rwandese Government Forces (RGF).... [as] the only interlocutors available on the Government side." The Secretary-General's report presented the murders of the Prime Minister, of other members of the Government, and of 10 members of the Belgian contingent as "particularly tragic consequences of the violence"[128] carried out "by unruly RGF soldiers." Finally, the report suggested a causal link between the resumption of hostilities between RPF and RGF with the campaign of genocide: "Without a cease-fire, combat between them [the two opposing forces] will continue and so will the lawlessness and the massacres of civilians."[129] In accordance with the erroneous analysis of the political situation, the Secretary-General argued that "the most urgent" task was "to secure a cease-fire through contacts with the representatives of the armed forces and the RPF, in the hope that this would lead to political efforts to return to the peace process under the Arusha agreement."[130]

The analysis of the conflict by the Secretary-General was inaccurate or imprecise in several aspects: it failed to explain the political nature of the *coup d'état*, it did not identify those

---

127 Special Report of the Secretary General on UNAMIR, containing a summary of the developing crisis in Rwanda and proposing three options for the role of the United Nations in Rwanda, UN Doc. S/1994/*470*, 20 April 1994; *UNaR Doc.* 48, pp. 262-265.

128 *Ibid.*, emphasis added.

129 Special Report of the Secretary General on UNAMIR, containing summary of the developping crisis in Rwanda and proposing three options for the role of the United Nations in Rwanda, UN Doc. S/1994/*470*, 20 April 1994; *UNaR Doc.* 48, pp. 262-265.

130 *Ibid.*, para 5.

who were responsible for the massacres, it placed the responsibility for ending the massacres on both the RPF and the interim government in an indiscriminate way, and it accepted the authority of the "interim government" without reservations. It also failed to mention that there was evidence of some opposition within the FAR. At the beginning of the crisis, some officers in the army and the militias, including the Chief of the Army during the early phase of the genocide and the informant who had warned UN Force Commander Dallaire of the impending crisis in January, had declared their opposition to the genocide.[131] That opposition might have been supported or encouraged by the international community. The failure of the Secretariat to analyse the nature of the crisis accurately is highlighted by the fact that the Secretary-General would correct his analysis six weeks later. In a report dated 31 May he stated:

> [there is strong evidence that] the overwhelming responsibility [for the killings] lies with the "interim Government" and the Rwandan government forces...It would be senseless to attempt to establish a cease-fire and to allow deliberate killings of civilians in the Rwandan government forces zone to continue.[132]

The reasons for why the Secretary-General's analysis erred in April but was later corrected are difficult to assess. One factor for the inaccuracy of the early report may have been a lack of expertise on Rwandese politics within the UN Secretariat. A high UN official who was not directly in charge of the Rwanda operation but in a leading position in the Secretariat later admitted: "I had an imperfect understanding of the situation. I just did not understand what was happening in Rwanda."[133] That theory would also be supported by the fact that the accurate analysis of the crisis was presented in the first report of the Secretary-General after a visit to

---

131 "Military Opposition: The April 12 Statement", Human Rights Watch, *Leave None to Tell the Story*, p. 204.

132 Report of the Secretary-General on the situation in Rwanda, S/1994/640, 31 May 1994, para 38; UNaR Doc. 64, p. 296.

133 Confidential interview in New York, January 1998. Disturbingly, one year after the April 1994 crisis another high-level official argued privately that genocide in Rwanda was, in some sense, not as morally repugnant as the killings in Bosnia. In his view, what he described as a violent outbreak, or fever, of uneducated people could be more easily understood than the massacres organised and executed by university graduates in Bosnia; confidential interview in New York, October 1995.

Kigali from 22 - 27 May by Iqbal Riza, Assistant Secretary-General in the Department of Peacekeeping Operations, and General Maurice Baril, military advisor to the Secretary-General. Theirs was the first direct impression of the crisis on the ground by high level officials of the UN Department of Peacekeeping Operations.[134] A more sombre explanation of the inaccuracy of the early reports may be that it was politically inopportune in New York to publicly identify the perpetrators of the massacres and to describe the killings as genocide. Such a report of the Secretary-General might have prompted calls for international intervention which would have been unwelcome to key Members of the Council. Privately, officials of the UN Department of Peace-keeping operations have acknowledged that this may be a plausible explanation.[135]

Road-maps for the International Response to Genocide

Whatever the reasons for the inaccuracy of the Secretary-General's reports were, they provided the logical basis for the three options which the Secretary-General proposed for the United Nations' presence in Rwanda: 1) Massive reinforcement, 2) maintenance of a small UN presence in Kigali to facilitate talks between the parties, and 3) complete withdrawal. The first alternative was what one might call a mandate for a humanitarian intervention: the Secretary-General argued that the crisis in Rwanda "could only be changed by the immediate massive reinforcement of UNAMIR and a change in its mandate so that it would be equipped and authorised to coerce the opposing forces into a cease-fire, and to attempt to restore law and order and put an end to the killings"[136] That option would involve an "immediate and massive

---

134 Report of the Secretary-General on the situation in Rwanda, S/1994/640, 31 May 1994, para 1 - 3; *UNaR Doc.* 64, p. 290.

135 Confidential communication to the author, January 1998.

136 Special Report by the Secretary-General on the situation in Rwanda, S/1994/470, 20 April 1994, para 13; *UNaR Doc.* 48, p. 263f..

reinforcement of UNAMIR and a change in its mandate."[137] The Secretary-General argued that in the presence of such a force, humanitarian agencies and NGOs would also be able to distribute humanitarian assistance throughout the country. The second alternative was based on the second option which the Secretary-General had proposed to the Security Council in the previous week: the Special Representative and the Force Commander would remain in the country with a single infantry company of some 270 men "to act as an intermediary between the two parties in an attempt to bring them to an agreement on a cease-fire." The Secretary-General stressed that in this scenario the provision of humanitarian relief would be limited. "A full relief effort would be impossible without a cease-fire." [138] The third alternative would have been the complete withdrawal of UNAMIR. Specifically, the Secretary-General emphasised that he did not favour this option and warned "that the consequences of complete withdrawal, in terms of human lives lost, could be very severe indeed."[139] "Ultimately," the report concluded, "it is only the parties who signed the Arusha agreement, namely the Government of Rwanda (or its successor) and the RPF, who must bear the responsibility for deciding whether their country and people find peace or continue to suffer violence."

The choices presented in the Secretary-General's report were essentially large scale military enforcement operation, total withdrawal, or a small presence which would assist in securing a cease-fire and, one might add, could work as a face saving device for the United Nations. These alternatives were based on a flawed perception of the political situation in Rwanda which emphasised the humanitarian dimension of the crisis at the expense of its political causes. The first alternative for the UN as presented by the Secretary-General represented what might have seemed the morally right thing to do in accordance with the

---

137 *Ibid.*

humanitarian imperative for military intervention; but it was conceptually flawed and overambitious. Whether this was intended or not, the option had to be perceived by the members of the Security Council as an unrealistic and impracticable option. It was above all not well enough thought through and was not presented with sufficient emphasis to convince member states to agree to a costly operation. By designing the only option that involved a significant presence of UNAMIR in Rwanda in unrealistic terms, the Secretariat effectively supported the options for the withdrawal of UNAMIR.

In the early phase of the genocide, no realistic perspective for action was thus presented by the Secretariat to the Security Council despite the fact that it had both the information and authority to publicly advocate a strategy to help stop the massacres. In the absence of clear information leadership by the UN, news about the crisis in Rwanda remained covered by "noise": a high level of false or merely inaccurate information. Not surprisingly, media interest in a complicated and difficult story plummeted in April. Following a sudden rise in media coverage when the plane of President Habyarimana was shot down, some attention was paid to the evacuation of foreigners from Rwanda. Between the beginning and the middle of April, the aggregate coverage of ABC, CBS and NBC Nightly Newscasts in the United States rose from no coverage at all to a maximum of some 17 minutes. After that, coverage dropped again to a total of merely 5 minutes. At the same time, crises in Haiti and Bosnia were covered 30 minutes each as were the elections in South Africa. [see p. 312].[140] A Joint Evaluation of Emergency Assistance to Rwanda summarised the reasons for this lack of coverage.

> The lack of coverage cannot be blamed simply on the relative disinterest in Rwanda. The real danger, the genuine confusion on the ground, the restricted mobility of the reporters and the

---

138 *Ibid.*, para 15.

139 *Ibid.*, para 19.

140 Livingston and Eachus, 1995; quoted from *The International Response to Conflict and Genocide*, vol. 2, p. 48.

> inability to fly out photos or videos were major handicaps. In addition, American employers had ordered their reporters out for reasons of safety, and possibly also because of costs.[141]

With a general lack of precise understanding of the events in Rwanda and no perspective for realistic international responses, humanitarian concern about the massacres remained scattered and did not develop into focused domestic pressure for intervention. A crucial factor was thus absent which might have reversed the existing policy momentum for withdrawal within governments and at the Security Council.

3. Impartial Treatment of the "*Genocidaires*" and their Opponents

Numerous studies have clearly established who organised and executed the *coup d'état* of 6 April 1994 and the subsequent genocide in Rwanda.[142] The coup was initiated by extremist elements of President Habyarimana's own government under the leadership of Colonel Théoneste Bagosora, including the leaders of the militias of the ruling party MRND(D) — the *Interahamwe* —, the *Garde Présidentielle* (GP), and elements of the *Forces Armées Rwandaises* (FAR) who disagreed with the process of political reconciliation with the RPF and opposed the Arusha peace process.[143] These were the forces which established on 9 April the so called "interim government" which was to represent the Rwandan government to the international community in the following months.[144] The masterminds, organisers and perpetrators of the genocide have also been identified with great certainty. They included the leaders and members of the *Garde Présidentielle* and *Interahamwe* as well as provincial *préfets*, mayors, members of local police forces and other officials. While the extent of the direct involvement of the FAR in

---

141 *The International Response to Conflict and Genocide*, vol. 2, p. 46.

142 See footnote 19, p. 241.

143 Report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Rwanda, A/50/709-S/1995, 2 November 1995, para 26-27; *UNaR Doc.* 154, p. 569ff.

144 *Letter from the Permanent Representative of Rwanda to the President of the UN Security Council*, S/1994/428, 13 April 1994, *Doc. 43*, p. 25; see Prunier, *The Rwanda Crisis*, p. 232ff; Human Rights Watch Africa, *Genocide in Rwanda*, p. 6.

the genocide is more complicated, it is certain that their opposition to advancing forces of the RPF provided a protective screen that allowed the continuation of the massacres in FAR-held parts of the country.[145]

Against the FAR and the "interim government" stood the Rwandese Patriotic Front (RPF) and its armed forces, the Rwandan Patriotic Army (RPA). RPA forces committed grave violations of international humanitarian and human rights law including assassinations, summary executions, and indiscriminate attacks against women and children. It is difficult to estimate the number of people killed by the RPA. According to Human Rights Watch, tentative estimates point to a minimum death toll of 25,000 to 30,000 people.[146] There is, however, an important difference between these killings and the crimes committed by forces operating under the "interim government". Whereas the massacres of more than 75% of the Tutsi population clearly constitutes genocide, the Special Rapporteur of the Commission of Human Rights concluded that the crimes committed by the RPA "constitute assassinations, and more specifically political assassinations, violating the right to life, which is a fundamental right established by certain conventions binding on Rwanda".[147] Although the RPA was thus not without blame it was the only force that fought the perpetrators of genocide actively during the first 72 of 106 days of genocide.[148] On 18 July, it was the RPF who put an end to the genocide by defeating the "interim government" and its army.[149]

---

145 On the position of the chief of the FAR during the early phase of the genocide see: Prunier, *The Rwanda Crisis*, p. 229; Human Rights Watch Africa, *Genocide in Rwanda*, p. 6.

146 It is likely, though not certain that this number includes soldiers, militias and civilians killed in combat; Human Rights Watch, *Leave None to Tell the Story*, p. 734;

147 *Report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Rwanda*, including summaries of his missions of 9-20 June, 29-31 June and 14-25 October 1994 and 27 March 3 April and 25-28 May 1995, UN Doc. A/50/709-S/1995/915, 2 November 1995, para 20, reprinted in *UNaR Doc.* 154, pp. 569-592, 571.

148 Even *Opération Turquoise* never engaged FAR forces.

149 Human Rights Watch, *Leave None to Tell the Story*, p. 13.

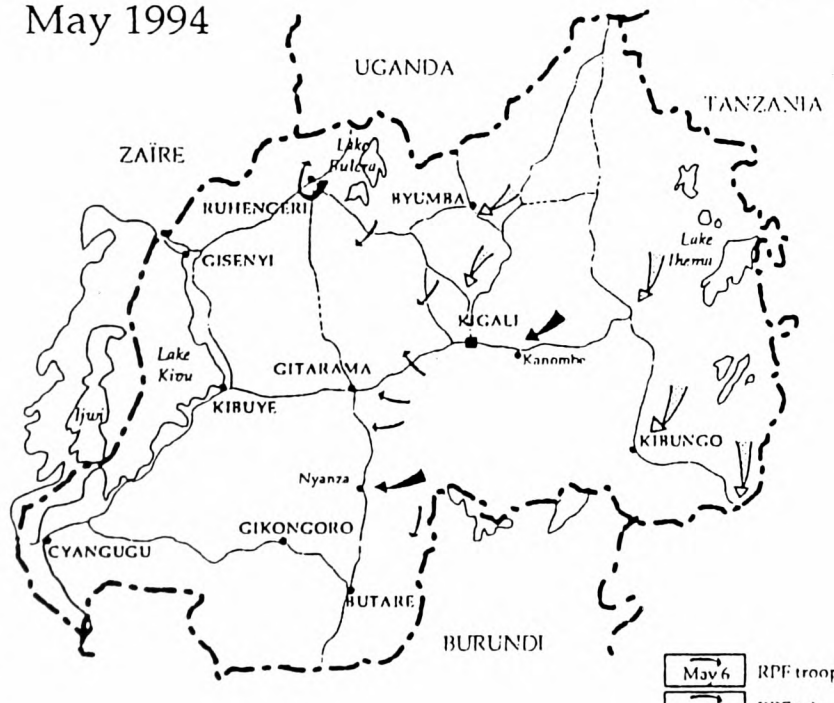
RWANDA
The Advance of the RPF
April to July 1994

April 1994



RPF position on April 6, 1994
April 11 — RPF troops arrive in Kigali
April 21 — RPF troops take Byumba
April 27 — RPF troops take Kibungo and Rwamagana
April 30 — RPF troops take Rusumo (Tanzanian frontier)
Main Road

May 1994



May 6 — RPF troops encircle Ruhengeri
May 22-23 — RPF takes the airport and the Kanombe military camp
May 29 — RPF troops take Nyanza

Scale
0 — 50 km

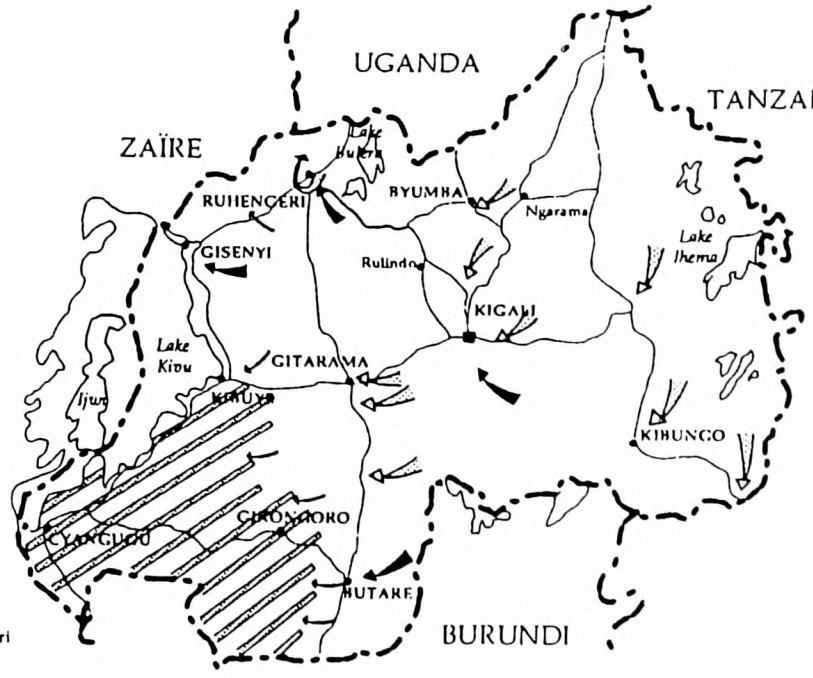
Christine DESLAURIER to FIDH / HRW - 1996

June 1994



June 2 — RPF troops take Kabgayi
June 13 — RPF troops take Gitarama

July 1994



July 3 — RPF troops take Butare
July 4 — RPF troops take Kigali
July 14 — RPF troops take Ruhengeri
July 17 — RPF troops take Gisenyi
Opération Turquoise (June 23 - August 21, 1994)

Scale
0 — 50 km

Christine DESLAURIER to FIDH / HRW - 1996

The United Nations nevertheless chose to adopt a policy of strict impartiality between the "interim government" and the RPF. This impartial approach had several elements: it started with the way the United Nations chose to present its analysis of the crisis in Rwanda. In its initial response to the crisis on 7 April, the Security Council condemned in general terms the "acts of violence" that had occurred in Kigali. Security Council resolution 912, passed two weeks later, still described the ongoing genocide vaguely as "ongoing violence in Rwanda".[150] Even six weeks into the genocide the Security Council did not provide an accurate analysis of who was committing the killings. Resolution 918 of 17 May still spoke only in general terms of "the ongoing violence in Rwanda" and condemned "the very numerous killings" which it suggested had been committed by "armed individuals".[151] This general way in which the crisis was depicted conveyed an inaccurate impression of the events in Kigali. It never mentioned the fact that a military coup had been staged in Kigali, it refrained from identifying the "interim government", in particular the Presidential Guard and the *Interahamwe,* as the perpetrators, and it remained vague in its description of the ongoing killings as a genocide: Resolution 918 merely stated in general terms that "that the killing of members of an ethnic group with the intention of destroying such a group, in whole or in part, constitutes a crime punishable under international law." The sentence alluded to the words in which 1948 Genocide Convention defined the term "genocide" but the Council did not use the term itself. It was not until the end of May that the UN linked the killings directly to the "interim government" when the UN Secretary General stated in a report to the Security Council that "the killers included members of the Rwandan

---

150 S/RES/912, 21 April 1994, para 4; *UNaR Doc.* 52, p. 268.
151 S/RES/918, 17 May 1994, *UNaR Doc.* 62, p. 282.

government forces, but the main were drawn from the Presidential Guard and the Interahamwe, the youth militia recruited and formed by the late President's party."[152]

The vague and in large part inaccurate analysis of the *coup d'état* and genocide in Rwanda corresponded to the measures the Security Council chose to respond to the crisis. In its first statement of 7 April the Security Council appealed "to all Rwandese and to all parties and factions to desist from any further acts or threats of violence" and urged them to continue implementing the Arusha agreement "in particular to respect the cease-fire." [153] (Incidentally, the "interim government" responded that it would welcome such a cease-fire whereas the RPF was opposed to it asserting that "There will be no negotiations with these criminals.")[154] Resolution 912 of 20 April further emphasised the UN's impartial response strategy when the Council decided to reduce the force level of UNAMIR and ordered it "to act as an intermediary between the two parties in an attempt to bring them to an agreement on a cease-fire" between what it still called "the forces of the Government of Rwanda" and the Rwandese Patriotic Front. In mid-May the Council continued to maintain its impartial position when it urged "*all parties* to cease forthwith any incitement, especially through the mass media, to violence and ethnic hatred" and imposed an arms embargo on the country which exempted only United Nations personnel.[155]

Impartiality was also a guiding principle of the Security Council's decision in mid-May to reinforce UNAMIR and in late June to authorise the French-led military intervention *Operation Turquoise* both of which are examined below.[156] Overall, the United Nations' consistently impartial response to *coup d'état*, genocide, and war in Rwanda was striking in that

---

152 Report of the Secretary-General on the situation in Rwanda, S/1994/640, 31 May 1994; *UNaD Doc.* 64, p. 291, para 7.

153 S/PRST/1994/16, 7 April 1994; *UNaR Doc.* 39, p. 254.

154 Interview with SWB, Radio France Internationale, 13 April 1994, quoted in Prunier, *The Rwanda Crisis*, p. 237.

155 S/RES/918, 17 May 1994, *UNaR Doc.* 62, p. 282; emphasis added.

it placed it in a awkward position of mediator between on the one hand the leaders of an extremist military coup and perpetrators of a genocide and on the other hand their military opponents. There is even a possibility that this approach may have delayed the defeat of the FAR and thereby prolonged the time during which genocide could go on unhindered. It is thus essential to examine in detail the reasons why the United Nations chose to remain impartial.

Other Policy Options Against the Genocide

Theoretically, the international community had a number of options to respond to the genocide in Rwanda other than by outside humanitarian intervention. (1) The UN Security Council could have diplomatically isolated and publicly condemned the "interim government" which was conducting the massacres. Although it is very doubtful whether such a statement alone would have stopped the massacres, it would have set an important public signal. (2) The Council could have imposed a weapons embargo against the "interim government" in the early phase of the crisis rather than impose a general weapons embargo against all parties to the conflict as it did in mid-May, six weeks after the beginning of the genocide. Such an embargo might have further reduced the ability of the RFA to stop the advance of the RPF and might thus have given the "interim-government" less time to complete the genocide. (3) The Council could have warned the perpetrators of the killings that genocide was punishable under international law. A firm and united international condemnation not of the massacres in the abstract but of those who were conducting them might have provided at least a measure of support to those more moderate members of the former Habyarimana government who were against the killings.[157] (4) The international community could have diplomatically supported the RPF, the

---

156 See pp. 288 ff. and pp. 302 ff.

157 See Human Rights Watch, *Leave None to Tell The Story*, p. 204.

only force which was actively fighting the "interim government". Such support would have been in line with the position of some observers who have argued that "the RPF advance, in terms of international humanitarian law, should be seen as a humanitarian intervention."[158] (5) On the basis of the latter argument the international community could have actively supported the campaign of the RPF; it could have provided military advice, equipment or military intelligence. (6.) Finally, the international community could have done nothing, let the RPF campaign take its course and, maybe, sent military observers to discourage RPF soldiers from revenge killings.

None of these alternative options would have provided any certainty that the genocide would be stopped rapidly. But any one of them would have been more supportive of the RPF and less complacent towards the genocide campaign of the "interim government" than the strategy of the international community. The question is: why did the international community chose none of these options and instead remained impartial?

One answer is that options 1 to 5 were unlikely to gain the approval of the UN Security Council if only due to the likely resistance of France which had the power to veto such initiatives. As has been stated before, France had had close ties with the government of President Habyarimana in the past and had intervened militarily to support his army against invasions by the RPF. According to the Head of the UN Department of Political Affairs, Under-Secretary-

---

158 African Rights, *Death, Despair, and Defiance*, p. 1070. That view is based on an interpretation of the international convention on the prevention of genocide. In 1975, the government of Rwanda had acceded to the convention although it had made reservation of Article IX which allows any of the Contracting Parties to submit disputes relating to the interpretation, application or fulfilment of the Convention to the International Court of Justice; Roberts and Guelff, eds., *Documents on the Laws of War*, p. 164, 166. *African Rights* argues that the RPF while by itself not a signatory state of to the convention, acceeded to it by entering an agreement with the government of Rwanda to participate in a transitional government in Rwanda.

General Marrack Goulding, "the French were certainly not going to allow the Council to intervene on the side of the RPF."[159]

UN Culture of Impartiality

Another, maybe equally important, reason why the international community did not support the RPF was phrased in strong terms by Goulding: "It would have been completely contrary to the whole ethos of the United Nations to intervene on one side or the other."[160] In fact, according to Goulding, the option to support the RPF "was never considered... because we were not going to get involved in a partial way in that conflict."[161] There are many good reasons for the UN to have an organisational culture of impartiality. The fact that the UN typically does not intervene in a conflict on behalf of one side or another helps it to maintain a politically neutral position which permits it to assume a role of mediator. When UN peacekeepers are deployed in a conflict zone, impartiality is also a pragmatic principle that helps ensure their safety and security.[162] In Rwanda, the UN had lightly armed peacekeepers on the ground whose lives might have been threatened by forces of the "interim government" if it had endorsed the RPF. Impartiality is also a principle that facilitates agreement among Members of the Security Council when different Members support different sides in a conflict. The role that the UN had assumed in Rwanda since 1993 both with UNOMUR and UNAMIR was based on that principle. From the perspective in New York there were thus initially sound reasons for the UN to maintain

---

159 Marrack Goulding, interview in Oxford, 10 December 1997.
160 *Ibid.*
161 *Ibid.*
162 See the discussion of the principle of impartiality in chapters 2 and 3.

an impartial position to the conflict in Rwanda, to call upon both sides to agree to a cease-fire, and to impose an arms embargo on both sides. [163]

There is evidence, however, that an impartial stance was also to some extent a merely habitual response by diplomats at the United Nations. "I think this is a necessary reflex in New York," said one Representative. "When people fight we call for a cease-fire."[164] As the observer remembered, there was also a diffuse hope that "when the fighting ends, maybe, the massacres will end as well."[165] In April 1994, United Nations diplomats were not alone in thinking that calling for a cease-fire was the appropriate response to the crisis. The British aid agency Oxfam was among those who supported that strategy. However, according to one of its Senior Policy Advisors, "it was a knee-jerk assumption that whenever there is a conflict we want a cease-fire."[166] In so far as these statements are indicative of mainstream attitude of the international community at the time, the natural thing to do for the UN was not to support the RPF campaign and to remain impartial.

Systemic Predispositions to Support the "Interim Government"

Several other factors contributed to the lack of inclination of the Security Council either to actively oppose the "interim government" or to support the RPF. One complication inherent in the way the UN operates was the presence of a representative of the self-appointed "interim government". By coincidence, Rwanda was a non-permanent member of the Security Council during the crisis and the representative of the Habyarimana government, Mr. Bizimana, stayed

---

163 See Security Council resolution 912, S/RES/912, 21 April 1994, para 6; Security Council Resolution 918, S/RES/918, 17 May 1994, para 1; Security Council resolution 925, S/RES/925, 8 June 1994, para 6; As late as 22 June the Security Council maintained an impartial stand between the parties demanding "that all parties to the conflict and others concerned immediately bring to an end all killings of civilian populations in areas under their control...."; Security Council resolution 929, S/RES/929, 22 June 1994, para 9.

164 Malone, interview in Oxford, 20 November 1996.

165 *Ibid.*

on after the *coup d'état* to represent the "interim government." Despite widespread uneasiness among diplomats when confronted with misleading accounts of the situation in Rwanda in meetings of the Security Council, only few countries objected to his presence. Consequently, the "interim government" was able to make its opinion heard at the Council.[167] By contrast, the only access the representative of the RPF had to Members of the Security Council and the press was through informal conversations, often in the UN delegates dining room in New York.[168]

International Perception of the Rwandese Patriotic Front

From the beginning of the conflict, the RPF campaign had been also at odds with the international community. When the RPF battalion engaged forces of the Hutu extremist insurgents on 7 April, it acted against the explicit request by the UN force commander who had been instructed by the UN Secretariat to convince them not to resume hostilities.[169] When the main forces of the RPF advanced from the North of Rwanda against the capital, they were violating the provisions of the Arusha agreement by entering the demilitarised zone and by resuming hostilities.[170]

The reluctance of the United Nations to endorse the RPF campaign was further based on doubts among diplomats in New York about the integrity of the RPF as well as about its ability to stop the massacres. For a rebel movement that had unsuccessfully attempted to invade Rwanda several times since 1990 it was not clear that it had the military means and morale to

---

166 Ed Cairns, interview in Oxford, 21 October 1996.
167 See Security Council, forty-ninth year, 3368th meeting, 21 April 1994, S/PV.3368.
168 Fred Eckhard, Spokesman of the Secretary-General, interview in New York, January1998.
169 *Report of the Independent Inquiry.*
170 See the text of the Arusha Peace Agreement of 4 August 1993; reprinted in UN Doc. A/48/824-S/26915, 23 December 1993; *UNaR Doc.* 19, pp. 169-201.

conquer the entire country rapidly enough to stop the massacres.[171] At the same time there were reports that massacres were being committed by RPF forces. The representative of the "interim government" repeatedly accused the RPF of committing massacres of Hutu civilians. Adding to the confusion was the fact that the reports of the Secretary-General did not at the time clarify the difference between instances of violations of international humanitarian law by RPF forces and the genocide that was being committed by the "interim government."[172] To uninformed observers, Rwanda may have erroneously seemed to be a case of mutual genocide. Consequently, the RPF was originally not perceived in New York as having a particular legitimacy. "In a sense"," as one diplomat later recalled "it was a guerrilla like any other."[173] For the UN Security Council to endorse the military campaign of a little known rebel movement would have been a long stretch for anybody's imagination. This was especially so due to the fact that until the Security Council authorised the French-led *Opération Turquoise* in July 1994 there had never been a precedent for UN endorsement of military intervention other than those led by the United States.[174] In sum, an impartial position between the RPF and the "interim government" was thus the easiest policy to agree on by Members of the Security Council. It was rooted in a long-standing culture of impartiality within the United Nations, it reflected general

---

171 Malone, interview in Oxford, 20 November 1996. A crucial factor why the RPF invasions had been stopped in 1990 and 1992 was military support for the Habyarimana government by France and Belgium.

172 The UN Commission of Experts concluded in December 1994 that it was unable to find evidence to indicate that killings of Hutu perpetrated by a number of individual RPF soldiers were systematic, or were sponsored, or even approved of, by Government officials or army commanders. *S/1994/1405*, 9 December 1994, para 98; *UNaR Doc.* 107, p. 425. The report recommended, however, that investigation of violations of international humanitarian law and of human rights law be continued by the Prosecutor for the International Tribunal for Rwanda. In November 1995, a UN Special Rapporteur concluded that while genocide was the appropriate term for the killing of Tutsis by the "interim government", the killing of Hutus by Tutsis constituted violations of international humanitarian law and violations of human rights, but were not systematic and on a distinctively different scale. Specifically, they did not constitute genocide.

173 Malone, interview in Oxford, 20 November 1996; translation from French: "Dans un sense, c' était une guérrilla comme une autre".

174 Adam Roberts, "The United Nations: Variants of Collective Security", in Ngaire Woods, ed., *Explaining International Relations since 1945* (Oxford: Oxford University Press, 1996), p. 325.

unease about the idea of supporting a rebel organisations against a government, and it seemed congruent with "democratic" visions of the future of Rwanda.

4. Reinforcement of UNAMIR after the Genocide

A fourth notable aspect of the international responses to the genocide in Rwanda is that it was not simply a case of non-intervention. Instead, the UN Security Council decided on 15 May to reinforce UNAMIR to a level of 5,500 troops.[175] The timing and implementation of that decision were somewhat puzzling, however, and provide further examples of the complex reality of military interventions in humanitarian crises.

The most striking fact about the decision to reinforce UNAMIR was that it occurred after the peak of the killings in Rwanda, at a time when it was doubtful — based on experience from previous UN operations — whether reinforcements would arrive in time to be effective. When the UN Secretary-General first raised the possibility of reinforcing UNAMIR on 29 April, the RPF objected to the idea of a UN intervention declaring that:

> The time for U.N. intervention is long past. The genocide is almost completed. Most of the potential victims of the regime have either been killed or have since fled.[176]

Although the declaration may have been partly motivated by fears that a UN intervention might prevent the RPF from completing its military campaign, numerous studies have since confirmed the thesis that by the end of April the intensity of genocide had declined dramatically. In December 1994 the UN Commission of Experts, charged with examining the genocide in Rwanda, concluded that the large majority of massacres occurred between 8 April and 1 May and mentioned only one massacre of "hundreds of Tutsis" reported to have occurred on 16

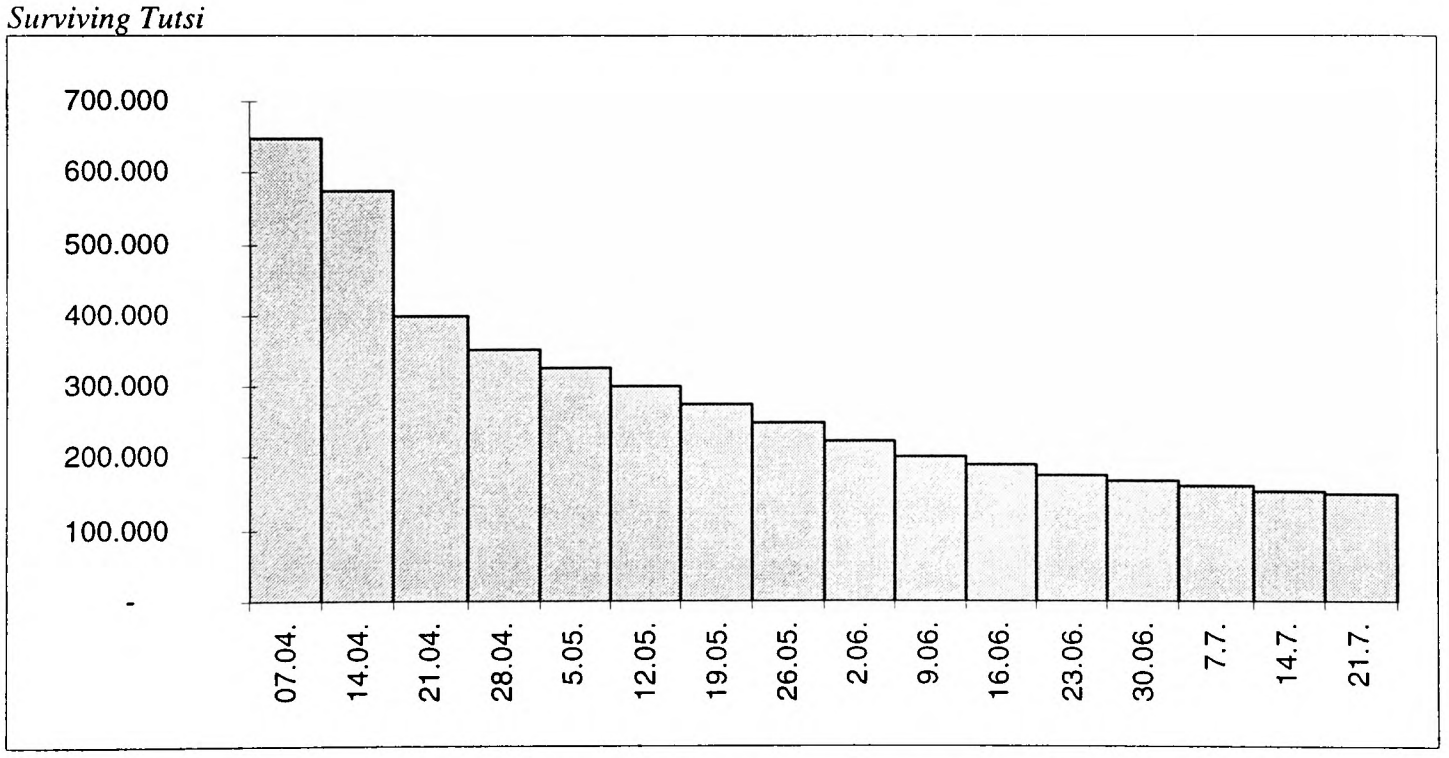
---

175 *Ibid.*

176 Quoted in Human Rights Watch, *Leave None to Tell the Story*, p. 699.

May.[177] According to research by Human Rights Watch, authorities ended most large-scale massacres towards the end of April.[178] The same trend was confirmed by the author of the first comprehensive collection of eyewitness accounts of the genocide in Rwanda, Rakiya Omaar of *African Rights*. According to her, "there is almost no major massacre that took place after 30th April. With the exception of Bisesero hill, all the major massacres I know of happened between the 8th and the 25/26th April." [179] The implications of these observations are shown in a computation of average daily death rates of genocide between April and July 1994 on page 317. Another way of illustrating the same trend is on the basis of approximate estimates of the surviving Tutsi population in Rwanda during the same period.

Estimated Pace of Genocide in Rwanda, April - July 1994



Source: Alan J. Kuperman, "Rwanda in Restrospect", *Foreign Affairs*, January/February 2000, p. 97.

---

177 S/1994/1405, 9 December 1994, paras 73 - 92; *UNaR Doc.* 107, pp. 423 - 425.

178 Human Rights Watch, *Leave None to Tell the Story*, p. 10.

179 Rakiya Omaar, co-director of *African Rights*, interview in London, 18 October 1996. On Bissesero hill, near Cyangugu in South-West Rwanda, approximately 50,000 Tutsis were killed between April and 30 June when French troops deterred further attacks. According to eye-witnesses there were only 900 survivors by that time. The largest massacre took place on 13 May; African Rights, *Death, Despair, and Defiance,* p. 662ff.

The reason behind the decline of daily death rates was that towards the end of April both the nature and extent of the killings had entered a new phase. By that time, four weeks had passed since the beginning of the massacres and most of the large concentrations of civilians who had sought refuge in churches and other confined places had been eliminated. From early May on, the killings continued on a much smaller scale and in a highly decentralised manner and there were few large massacres. According to Omaar, "there was nobody left to kill. People were chased not in groups but one by one."[180] A corespondent of the *Economist* confirmed this observation in a graphic description of the situation in May and June: "This was the time when it was easier to find a dead Tutsi than one that was alive."[181]

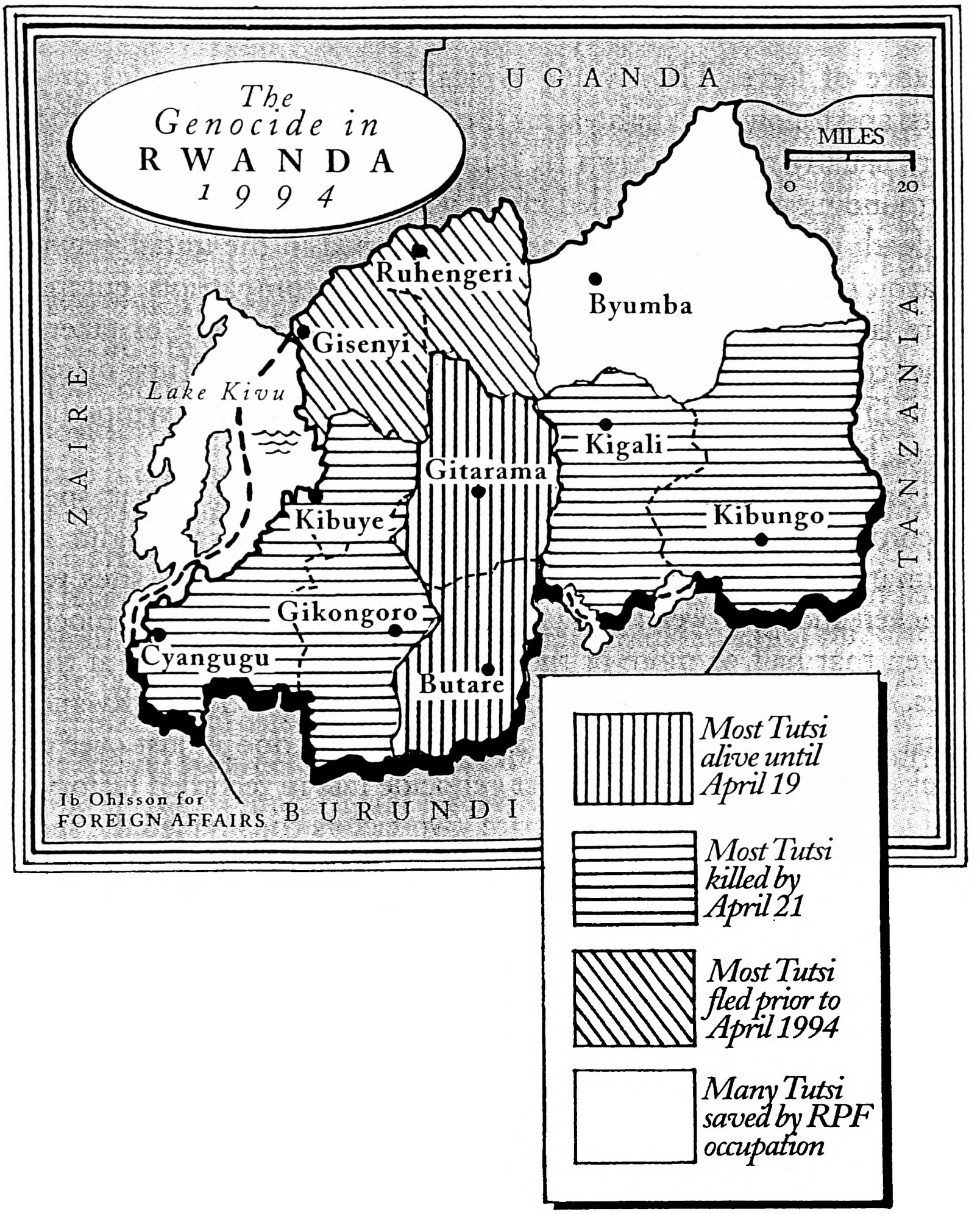
Thus, although killings were still continuing in a decentralised way, the genocide in Rwanda was already beyond its peak when the UN Security Council decided on 17 May to send 5,500 troops as reinforcements for UNAMIR. The mandate of the enlarged force included authorisation

> (a) To contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance, where feasible, of secure humanitarian areas; [and]
> (b) To provide security and support for the distribution of relief supplies and humanitarian relief operations;[182]

On the face of it, this mandate seemed like an adequate, if belated, response to the crisis in Rwanda. In reality, however, it contained a number of serious flaws. One was that UNAMIR had no explicit authorisation under Chapter VII of the UN Charter to use force to achieve its objectives. It was authorised "to take action in self-defense"(paragraph 4) and Chapter VII was merely alluded to in the Council's determination that "the situation in Rwanda constitutes a

---

180 Omaar, interview in London, 18 October 1996.
181 Alan Zarembo, Rwanda correspondent for *The Economist*, interview in New York, 24 March 1998.
182 S/RES/918, 17 May 1994, para 3; *UNaR Doc.* 62, p. 283.



Source: Alan J. Kuperman, "Rwanda in Retrospect", *Foreign Affairs*, January/February 2000, p. 97.

threat to peace and security in the region".[183] Another problem was that the idea of protected areas, while it allowed continued protection of civilians by UNAMIR guards in Kigali, was ill-suited to stop the killings of Tutsis that were continuing in a decentralised way in the part of the country that was held by the "interim government".[184] The only civilians to whom humanitarian zones could have offered a measure of protection at the time were large concentrations of Hutu refugees who were fleeing from the advancing forces of the RPF. This problem was exacerbated by the still comparatively small force level of the reinforced UNAMIR. Even 5,000 troops were bound to have only limited success in protecting people that were scattered across a territory half the size of Belgium.

Despite these problems UNAMIR might have been able to offer at least limited protection to some of the people and could have sent a deterrent signal to the perpetrators of genocide if it had been implemented speedily. The UN Secretary-General had originally envisaged that reinforcements would begin to be arrive in Rwanda seven days after their formal authorisation and that the whole force of 5,000 troops should be in theatre within one month.[185] However, by early July — more than six weeks after resolution 918 was passed — UNAMIR's force level had only increased from 444 to 503 and there was no prospect that more troops would arrive any time soon.[186]

The decisions of the Security Council to reinforce UNAMIR after the peak of the genocide and to give it a mandate and force level which would have provided it with only a limited ability to address the killings in Rwanda seem at odds with the necessities on the ground.

---

183 *Ibid.*

184 See regional distribution of killings, p. 252.

185 Report of the Secretary-General on the situation in Rwanda, S/1994/565, 13 May 1994, para 18-21; *UNaR Doc.* 61, p. 280.

186 *The United Nations and Rwanda*, p. 47, para 138.

These decisions, as well as the debilitating delay of their implementation, need to be examined in greater detail. Why did the UN change course in May? Why did it authorise the redeployment of UNAMIR? Why did it nevertheless fail to implement its decision until August? One Representative to the United Nations answered the first two questions by pointing to a single dominant factor: "Media pressure and public opinion. It's very simple. Nothing but that."[187] Examined more closely, the decision-making process on the reinforcement of UNAMIR appears to be more complex: media pressure and public opinion did not come out of nowhere and were not the only factors that played a role.

The Decision to Reinforce UNAMIR

Although the Security Council's decision to withdraw most of UNAMIR from Rwanda was taken unanimously, several members had expressed strong reservations during the formal Council session on 21 April. The Nigerian representative raised the question of "whether we as a community have really made our best efforts to assist the people of Rwanda, or if we have been content to say that the responsibility is for the Rwandese alone and that it is they who must take the responsibility for their actions."[188] The representative of Djibouti voiced the dissatisfaction of his delegation with the options of international responses to the crisis that had been proposed by the Secretary-General: "We see not so much the need to coerce the combatants into a cease fire and enforce law and order as the need to maintain minimum safety for innocent civilians and to offer some protection, while pushing for a return to negotiations."[189] Other reservations about

---

187 Malone, interview in Oxford, 20 November 1996.

188 *Ibid.*

189 *3368th Meeting of the Security Council*, Thursday, 21 April 1994, UN Doc. S/PV.3368.

the Security Council's decision were raised by the Secretary-General of the Organisation for African Unity.[190]

Initiatives for Intervention

Within a week after the Security Council's decision to withdraw most of UNAMIR several actors simultaneously started initiatives to reinsert a force to Rwanda. It is worth noting that these initiatives began at a time when media coverage, at least in the US, had dropped sharply. Aggregate television coverage of Rwanda in the main newscasts here had declined from a peak of about 18 minutes a day in mid April to only 4 minutes.[191] On 29 April amid only slowly rising media attention, the UN Secretary General reversed his previously cautious policy towards the Rwanda crisis in a letter to the Security Council:

> UNAMIR reports strong evidence of preparations for further massacres of civilians in the city... massacres continue on a large scale in the countryside, especially in the south ....
> The events of the last few days have confirmed ... that UNAMIR's revised mandate is not one which enables it to bring the massacres under control ....
> In these circumstances, I urge the Security Council to re-examine the decisions which it took in resolution 912 and to consider again what action, including forceful action, it could take, or could authorize Member States to take, in order to restore law and order and end the massacres.[192]

The letter marks the beginning of an initiative by the UN Secretary-General to persuade Members of the Security Council of the need for a forcible response. Its underlying political analysis of the situation in Rwanda four weeks after the beginning of the crisis still contained serious flaws regarding the causes and actors of the massacres. The cause of the massacres was still identified with "deep-rooted ethnic hatreds".[193] As perpetrators of the killings the Secretary-General identified "uncontrolled" soldiers and -- presumably equally uncontrolled -- "armed groups of civilians." Both formulations fail to convey the organised character of the orchestrated

---

190 See letter by Salim Ahmed Salim to Boutros Boutros-Ghali quoted on page 264;*UNaR Doc.* 50., p. 266.
191 *The International Response to Conflict and Genocide*, vol. 2, p. 48.
192 S/1994/518, 29 April 1994; *UNaR Doc.* 54, p. 270.
193 *Ibid.*

campaign of genocide. That analysis had serious implications for the response the Secretary-General advocated. Based on his analysis, the "only" solution for the crisis was suggested to be the restoration of law and order which should be done by the United Nations. The Secretary-General was effectively calling for a purely humanitarian intervention: it was humanitarian not only in the sense that it was advocated on the basis of humanitarian concern about the ongoing massacres but also in that it had no realistic political objectives: to "restore law and order and end the massacres" in a scenario which invoked memories of the lawlessness of Somalia with the additional challenge of suppressing "deep rooted ethnic hatreds". Humanitarian intervention was what the Secretary-General called for, but it was designed in a way that made it highly unlikely that it would be met with the approval of Member States. Moreover, it was doubtful whether at this stage of the conflict a policy reversal was likely to have the intended result of stopping the genocide. Given the past record of the United Nations, it was not likely that any UN reinforcements would arrive in time to make a difference.

Parallel to the new initiative by the UN Secretary-General, aid agencies began to denounce the killings in Rwanda explicitly as "genocide" and advocated international intervention. On 28 April, Oxfam and *Médecins sans Frontières* were among the first aid agencies to use this key term in public.[194] By 1 May there was considerable media coverage and Oxfam ran full-page adverts. Later, Oxfam's director went to New York and lobbied with the Secretary-General and permanent representatives to the Security Council for an increase of UNAMIR.[195] The U.S. Committee for Refugees used the term "genocide" in a public appeal on

---

194 Michael Holman, "Oxfam warns of Rwanda Genocide", *The Financial Times*, 29 April 1994; Nicolas de Torrenté, *L'action de MSF dans la crise rwandaise: Un historique critique. Avril-Décembre 1994*, unpublished paper (Paris: Médecins sans Frontières, July 1995), p. 6 and 23; Fiona Terry, Director of Research, *Médecins sans Frontières*; telephone interview, 4 August 2000.

195 Ed Cairns, interview in Oxford, 21 October 1996; see Guy Vassall-Adams, *Rwanda: An Agenda for International Action* (Oxford: Oxfam Publications, 1994), p. 42.

3 May. On 4 May, the UN Secretary-General made a dramatic appeal to the public on *Nightline*, a popular US television programme, saying that "Here you have a real genocide, in Kigali,"[196] and "something must be done or we will all be accused of genocide."[197]

The advocacy strategy of Oxfam and other organisations illustrated one of the main traits of the debate about intervention in Rwanda: identifying the massacres as "genocide" was associated with an international moral obligation to intervene. The question of "genocide" and the moral obligation for humanitarian intervention became a focal point in the international debate on the appropriate response to the Rwanda crisis. It also contributed to a rise in US media coverage. One indicator for this increase was the aggregate coverage of ABC, CBS, and NBC nightly newscasts on Rwanda. Between 21 April and mid-May the Rwanda coverage increased by approximately 400 per cent.[198]

Resistance of the Security Council

Despite initiatives for intervention by the UN Secretary-General and by NGOs and despite increasing media coverage, it remained difficult to reach international agreement on a policy reversal in the United Nations' response to the crisis in Rwanda. The Security Council was changing its position only slowly. One day after the Council had received the letter from the Secretary-General which initiated his campaign for intervention, the Council issued a presidential statement. While acknowledging that "massacres and wanton killings... in a systematic manner" were occurring, the Council called in an impartial way upon "all Rwandan parties" to guarantee the protection of displaced persons and refugees. It appealed to all states to

---

196 "Introduction", *The United Nations in Rwanda,* p. 51.

197 Press Briefing by the Spokesman for the Secretary-General, 11 March 1996.

198 It received almost twice as much attention as Bosnia but still only half as much as the elections in South Africa and the situation in Haiti. See graph, p. 305; approximate figures taken from "Network Coverage by

refrain from providing arms or any military assistance to the parties to the conflict. Without mentioning the option of military intervention, it requested the Secretary-General to explore the extension of humanitarian relief, to report on the implementation of the arms embargo on Rwanda and "to make proposals for investigation of the reports of serious violations of international humanitarian law during the conflict.[199] In essence, the urgent request by the Secretary-General for humanitarian intervention did not provoke a fundamental shift in the Council's position. Rather than considering forcible military intervention, the Council focused in his deliberations on the humanitarian symptoms of the crisis.

On a more fundamental level, however, Members of the Council felt challenged by initiatives of the UN Secretary-General and NGOs to describe the killings in Rwanda publicly as genocide. That term was perceived to be crucial to the question of whether or not the international community was to intervene in Rwanda. More particularly, as an independent study expressed it later "the genocidal violence against civilians did... raise the question of an obligation to act under the Genocide Convention."[200] The US delegation to the United Nations was apparently instructed to use the term "acts of genocide" so as to avoid the term "genocide".[201] The British government did "not accept the term" either.[202] France initially criticised the UN Secretary-General for using the term,[203] until — under growing domestic pressure — Foreign Minister Alain Juppé declared the killings a genocide on 16 May.[204]

Topic," Livingstone and Eachus, 1995; reprinted in *The International Response to Conflict and Genocide*, vol. 2, p. 48.

199 S/PRST/1994/21, 30 April 1994; *UNaR Doc.* 55, p. 271.

200 *The International Response to Conflict and Genocide*, vol. 2, p. 50.

201 *Ibid.*, p. 92.

202 *Ibid.*, p. 50.

203 Marrack Goulding, interview in Oxford, December 1997.

204 *The International Response to Conflict and Genocide*, vol. 2, p. 50.

The debate on the appropriateness of the term "genocide" was remarkable because it was more about the moral and political obligations which could arise from using the term than about its objective accuracy: a UN Special Rapporteur had already considered the question in August 1993 with regard to the killings of some 2,000 persons. Although the Special Rapporteur stated that it was not for him to pass judgement "at this stage" he clearly indicated that he considered the killings of the Tutsi in 1993 a genocide.[205] Moreover, the 1948 Genocide Convention is ambiguous as to whether or not there is an obligation to use military force to end a genocide.[206] The focus of the debate on the applicability of the term "genocide" despite the fact that the term does not invoke legal obligations for military intervention under international law requires explanation. One way to explain this disconnect between legal fact and public debate is to assume that policy makers did not actually believe themselves in an obligation for intervention but expected that domestic pressure to intervene would increase if they agreed to use the term "genocide". Interviews with leading UN officials and representatives revealed however that they in fact believed personally that the Genocide Convention carries an obligation for military intervention.[207] In the absence of a legal obligation for intervention it seems therefore plausible to assume that decision-makers felt under a moral obligation to intervene to stop the genocide. At the very least, the idea of an obligation to intervene militarily provided a clear focal point for negotiations at the UN Security Council and for public debate.

---

205 The Special Rapporteur stated: "The cases of intercommunal violence brought to the Special Rapporteur's attention indicate very clearly that the victims of the attacks, Tutsis in the overwhelming majority of cases, have been targeted solely because of their membership of a certain group, and for no other objective reason. Article II, paragraphs (a) and (b) [of the Genocide Convention] might therefore be considered to apply in these cases." The aforementioned articles refer to the definition of genocide that is used in the Convention on the Prevention and Punishment of the Crime of Genocide; Report by the Special Rapporteur on extrajudicial, summary or arbitrary executions on his mission to Rwanda, 8 - 17 April 1993, E/CN.4/1994/7/Add.1, 11 August 1993, para 78; *UNaR Doc.* 20, p. 213.

206 See footnote 121, p. 270 .

207 Malone, interview in Oxford, 20 November 1996; Marrack Goulding: "Genocide" is a term that has ... connotations of the international community doing something against it. There is an international

Despite the reluctance of key Members of the Security Council to accept any obligation for intervention, the Secretary-General continued consultations with Members of the Organisation of African Unity (OAU) to secure troop commitments for a UN intervention force. Even the report by the Joint Evaluation of Emergency Assistance to Rwanda which is generally critical of the UN Secretariat argued that this process "while slow relative to the needs on the grounds, ...was not so tardy by standards of multilateral diplomacy. The Secretariat had to identify troops, secure finances, and prepare a plan."[208] By mid-May, even those Members of the Security Council who were reluctant to agree to a reinforcement of the UN operation in Rwanda felt that they could no longer oppose it. By that time, media attention to the situation in Rwanda had reached a new peak[209] and the Secretary-General had presented an option for intervention. A Representative for the United Kingdom expressed the dilemma of the Security Council during a meeting on 16 May: "The United Nations cannot impose an end to the bloodshed. But neither can it stand idly by."[210] At the end of that meeting, the Council authorised in principle the reinforcement of UNAMIR to force level of 5,500 soldiers.[211] However, diplomats in New York felt that Members of the Council had agreed to that mandate not because they were convinced that the operation was viable but in order to do something under pressure of media reports and public opinion.[212] In this instance, authorising an ill-conceived but superficially promising humanitarian intervention provided a justificatory cover for lack of effective action by the Council, giving the impression that the crisis was being dealt with. Shortly after the Security Council had authorised the reinforcement of UNAMIR, media attention to the crisis plummeted.

---

convention condeming genocide and, I think, it provides for some kind of sanctions against it, doesn't it?"; interview in Oxford, December 1997.

208 *The International Response to Conflict and Genocide*, vol. 2, p. 50.

209 See Annex 1.

210 3377th Meeting of the Security Council, 16 May 1994, S/PV.3377, p. 12.

211 Resolution 918, S/RES/918 (1994), 17 May 1994, para 5.

212 Malone, interview in Oxford, 20 November 1996.

Aggregate television coverage of key newscasts in the US just prior to that decision had been more than 25 minutes. One week later it had dropped to less than 5 minutes.[213] It is impossible here to argue that the authorisation of UNAMIR's reinforcement is a sufficient causal explanation for that drop, but the correlation is striking.

UNAMIR's new mandate was a compromise which tried to reconcile the concern of key member states about the risks of the operation with the requirements of effective protection of civilians in Rwanda. As has been mentioned before, resolution 918 contained several flaws: it did not provide UNAMIR an explicit authorisation to use force under Chapter VII of the UN Charter and thus required it to rely on the consent of the parties in a situation where the likelihood of consent was minimal. Given the unresolved issue of how to deploy to Rwanda troops that had been pledged, it was doubtful whether these reinforcements would arrive in time to achieve what the mandate asked them to achieve: to help protect civilians by establishing humanitarian zones in Rwanda. It authorised the force to "take action in self defense" against those who "threaten protected sites and populations" yet it did not provide the force with the means to achieve that aim. Finally, changes of the situation on the ground made it doubtful whether the establishment of protected sites would still have the desired effects given the fading intensity of the genocide.[214]

Implementation

Lack of deep commitment towards reinforcing UNAMIR was not only evident in its ambiguous mandate but also in its slow implementation. As a UN peacekeeping operation, the deployment of UNAMIR depended on the cooperation and commitment of Member States to

---

213 *The International Response to Conflict and Genocide*, vol. 2, p. 48.

214 See *supra*, p. 288.

provide troops and equipment. Even under normal conditions the United Nations needed typically three to six months to deploy a force of the size of UNAMIR.[215] In this case, the lack of equipment and of the military units that had been offered by Nigeria, Ghana, Tanzania, Senegal, Zimbabwe and Zambia caused additional delays: vehicles needed to be requested from other Member States, leasing agreements had to be approved, the vehicles needed to be painted in UN colors, soldiers had to be trained on their new equipment, the equipment had to be transported form its bases to Rwanda, etc. The pure bureaucratic and logistical difficulties of assembling an intervention force from more than half a dozen countries caused substantial delays.

These delays were further increased by the fact that some key Member States — although having authorised UNAMIR — were not really committed to the force. During informal negotiations prior to the adoption of Resolution 918 some states had sought to delay the deployment of the force.[216] This was reflected in the small print of Resolution 918. Paragraph 7 of the resolution contained a formulation which could be interpreted as conditioning the second phase of UNAMIR's deployment — the deployment of two battalions — on further reports by the Secretary-General regarding "the cooperation of the parties, progress towards a cease-fire, availability of resources and the proposed duration of the mission."[217]

An important part of the resistance against a rapid reinforcement of the force came from the United States. For domestic policy reasons, the US administration viewed UNAMIR as a test case for Presidential Decision Directive 25 (PDD 25) which set out conditions for US support

---

215 Interviews with officials in the Department of Peacekeeping Operations, October 1995.

216 New Zealand made the disagreement public in its statement at a meeting of the Security Council after the adoption of resolution 918; 3377th Meeting of the Security Council, 16 May 1994, S/PV.3377.

217 Resolution 918, S/RES/918 (1994), 17 May 1994, para 7.

for peace support operations.[218] During the meeting of the Security Council on 16 May, the US representative requested the following factors to be closely examined prior to the second phase of deployment: "a well defined concept of operations; availability of resources; consent of the parties; progress towards a cease-fire; and the duration of the mandate."[219] The fact that these conditions were almost a verbatim rendering of conditions laid out for US support for peace-support operations reveals the importance that the Clinton administration attached to being seen to adhere to the principles it had laid out in PDD 25 earlier that month.[220]

5. Authorisation of Opération Turquoise after the Peak of the Genocide

A fifth puzzling aspect about international responses to genocide in Rwanda — and the last one to be examined here — is the UN Security Council's authorisation of a French-led military intervention in Rwanda in late June 1994. At that time, as has been indicated above, the genocide was at least two months beyond its peak. Killings, in so far as they were still continuing, occurred in a decentralised manner; survivors of previous massacres were pursued individually or in small groups in the part of the country held by the "interim government". Politically, the situation in Rwanda had also entered a new stage since the "interim government" had lost the strategic city of Gitarama to RPF forces on 13 June and hovered on the brink of military collapse.[221]

---

218 *Clinton Administration Policy on Reforming Multilateral Peace Operations (PDD 25)*, publication number 10161, 3 May 1994; released on the internet by the Bureau of International Organizational Affairs, U.S. Department of State, February 22, 1996.

219 During the same meeting the US Representative to the United Nations said: "The cries of the victims in Rwanda have been heard calling upon the Security Council to act. The sheer magnitude of the humanitarian disaster in that tragic country demands action." 3377th meeting of the Security Council, forty-ninth year, 16 May 1994, *UN Doc. S/PV.3377*, p. 12/13.

220 See Chapter 3.

221 Prunier, *The Rwanda Crisis*, p. 273.

One week later, on 22 June, the Security Council gave France the green light for a 2,500 strong multinational military intervention in Rwanda which was to remain until UNAMIR would eventually take over.[222] The mandate of *Opération Turquoise,* the French code-name for the operation, stressed "the strictly humanitarian character of this operation" which was authorised under Chapter VII of the Charter to use "all necessary means" to establish and maintain "secure humanitarian areas" and to "provide security and support for the distribution of relief supplies and humanitarian relief operations."[223] The Security Council maintained its earlier position to the crisis by emphasising that *Opération Turquoise* was to act "in an impartial way" and by requesting "that *all parties to the conflict* and others concerned immediately bring to an end all killings of civilian populations in areas under their control." [224] This mandate incorporated many of the elements that were at the time at the core of the developing concept of humanitarian intervention: multinational operation under the leadership of a single country (at least in name)[225], authorisation of the use of force under Chapter VII, impartial approach, establishment of protected areas. From the perspective on the ground, however, it contained serious problems.

One was the very idea of allowing France to lead an intervention that was designed to be humanitarian and "strictly impartial". France had had close political and military links to the Habyarimana government since the two countries signed an agreement on military training and technical cooperation in 1975.[226] Between 1990 and 1993, France had provided extensive military support for the Habyarimana government against the Rwandese Patriotic Front.[227] The

---

222 S/RES/929 (1994), 22 June 1994; *UNaR Doc.* 71, p. 308.

223 *Ibid.*

224 *Ibid.*, para 2.

225 The only non-French national contingent of *Opération Turquoise* were 32 soldiers from Senegal.

226 Prunier, *The Rwanda Crisis*, p. 101.

227 See "Les livraisons d'armes", *Enquête sur la tragédie rwandaise, 1990-1994, Rapport d'information par la mission d'information de la commission de la défense nationale et des forces armées et de la commission des affaires étrangères, sur les opérations militaires menées par la France, d'autres pays et l'ONU au Rwanda entre 1990 et 1994*, volume I, Rapport (Paris: Assemblée Nationale, 1998), pp. 168-

last French troops had left Rwanda only in mid-December 1993.[228] There were even indications that France may have secretly continued to deliver arms or acquiesced in the delivery of arms to the Rwandese Government Army which may have continued throughout the genocide possibly until mid-June and despite a UN arms embargo.[229] There were also suspicions, including among Members of the UN Security Council, that France would use the cover of a "humanitarian intervention" to intervene once again to save its old allies from military defeat.[230] Such suspicions were echoed by the response of the warring parties in Rwanda: Whereas the "interim government" warmly welcomed the French initiative,[231] the RPF warned that if France was to try to inhibit its military advance it would "resist with all necessary means."[232]

The close ties to the Habyarimana government were reaffirmed during the first week of the crisis. When France evacuated its embassy in Kigali amidst the violence of the military coup in April, it also provided transportation for the late President's wife, Agathe Habyarimana, and several prominent members of the "Akazu," the close inner circle of extremists in the government, including their families.[233] Prior to the evacuation by French paratroopers, according to press reports, files were burned in the French embassy "as if the Germans stood in front of the doors of Paris."[234]

178; François-Xavier Verschave, *Complicité de Génocide? La politique de la France au Rwanda* (Paris: Éditions de la Découverte, 1994)

228 "Annex 1: Chronology of Events", *Report of the Independent Inquiry*.

229 See Colonel Dominique Bon, *Lettre du Continent*, 16 June 1994; cited in Prunier, *The Rwanda Crisis*, p. 287; see also the reports on arms deliveries to Rwanda in: Report of the International Commission of Inquiry (Rwanda), S/1996/1995, 14 March 1996, para 32; *UNaR Doc.* 178, p. 677; Human Rights Watch Arms Project, "Rearming with impunity: international support for the perpetrators of the Rwandan genocide", vol. 6, iss. 1, January 1994.

230 Malone, interview in Oxford, 20 November 1996.

231 Statement by Ambassador Bizimana, Permanent Representative of Rwanda ("interim government") to the Security Council on 22 June, *3392nd Meeting of the Security Council*, 22 June, S/PV.3392, p. 4-5.

232 Quoted in "Gendarm in Africa," *Der Spiegel*, 27 June 1994.

233 François Misser, "Ruanda: Krieg zum Ruhm Frankreichs?", *die tageszeitung*, 9 June 1994.

234 Thankmar von Münchhausen, "Glauben Sie, daß Hilfeleisung ein Verstoß gegen die Menschenrechte ist?", *Frankfurter Allgemeine Zeitung*, 25 June 1994.

From early April, when Belgium and France had briefly contemplated intervening in Rwanda, the RPF had expressed strong objections to any French intervention. On that ground alone, the French claim that Opération Turquoise would maintain strict impartiality appeared doubtful. But there were also indications that France had supported the "interim government" more directly. From the beginning of the crisis on 6 April, France had sought to prevent the RPF from taking power by exercising pressure on Uganda which was backing the RPF campaign.[235] Three weeks into the genocide, on 27 April, the French President Mitterand, Prime Minister Balladur and Foreign Minister Juppé officially received two of the men that were most compromised in the genocide.[236] There is also considerable circumstantial evidence that France was among the countries which delivered arms to the "interim government" from the beginning of the crisis throughout the genocide until as late as May or even June 1994. According to an unnamed senior UNAMIR source, French forces of the evacuation force Opération Amaryllis brought in with them arms and ammunition for the FAR shortly after the beginning of genocide.[237] On 19 May an official in the Ministry of Cooperation in Paris told Gérard Prunier privately that "we are busy delivering ammunition to the FAR through Goma. But of course I will deny it if you quote me to the press."[238]

The timing of the French offer to lead an intervention force further raised suspicions about France's true intentions. During the first week of the resumption of hostilities with the RPF the new self-appointed "interim government" had been forced to leave Kigali and set up its

---

235 *Africa Confidential*, vol. 35, no. 18, 9 September 1994, p. 8.

236 The two men were Jérôme Bicamumpaka, Foreign Minister of the "interim government", and Jean-Bosco Barayagwiza, leader of the CDR; Prunier, *The Rwanda Crisis*, p. 277; At the time, both were travelling to Europe and the UN where, according to Human Rights Watch, "they sought to convince officials and the press that the Hutu had risen up in justifiable rage after the death of their president"; Human Rights Watch, *Leave None to Tell the Story*, p. 285-286; see also Bicamumpaka's truth-distorting statements at the meeting of the UN Security Council on 16 May 1994, S/PV.337.

237 Connaughton, "Military Support and Protection for Humanitarian Assistance," p. 25.

238 Prunier, *The Rwanda Crisis*, p. 278.

headquarters in Gitarama, some 45 km west of the capital. Between April and June the RPF had advanced from the North-East to the South and was in control of more than 50 percent of the country when it turned its offensive westwards: On 13 June RPF forces occupied Gitarama and forced the "interim government" to flee to Gisenyi, a town only a few kilometers from the border to Zaire. In that situation, with its back against the border and its forces in the North-West and South-West about to be split in two, the defeat of the "interim government" seemed certain. Only two days later, on 15 June, France ordered its army to prepare a "humanitarian operation" in Rwanda. Whereas the President of the "interim government" announced his full support to the operation, the RPF declared it would oppose any French intervention by all means. At the United Nations in New York, one diplomat recalled that in private "even the French Ambassadors did not pretend they went to Rwanda to put an end to genocide."[239]

Despite France's record of partiality against the RPF and despite suspicions about its true intentions the Security Council authorised *Opération Turquoise* on 22 June. The mandate for the force did little to dispel fears that the operation would save the "interim government" from military defeat. The force was authorised to establish "secure humanitarian zones", presumably in the "interim government" controlled south-west of the country where the killings were still continuing. At that time, such a measure was likely to prevent the RPF from completing its impending military conquest of the country. In view of the small size of the proposed force, the large area of operations, and the decentralised pattern of the killings at that time it was furthermore doubtful whether *Opération Turquoise* would be able to provide effective protection for civilians at risk.

---

239 Malone, interview in Oxford, 20 November 1996.

The actual intervention of the French-led force confirmed many, though not all, of these suspicions. There was some initial admiration for the speed with which *Opération Turquoise* deployed in Rwanda and set up a "humanitarian zone" — particularly in contrast with the slow reinforcement of UNAMIR. The operation also succeeded in saving numerous lives although the 80,000 to 100,000 that were claimed by the French force-commander seem exaggerated.[240] According to the French government, *Opération Turquoise* saved a total of 2,817 people during the first month of its deployment.[241] It later estimated that the whole operation prevented the deaths of tens of thousands of Tutsi and Hutu civilians.[242] Others put the number to between 13,000 and 14,000.[243] That would amount to less than 3% of the number of people killed during the genocide. Another achievement of *Opération Turquoise* was the relative safety it provided for the activities for non-governmental humanitarian organisations.[244] Although impressive, these achievements pale against the scale of the genocide which had claimed at least half a million lives before the troops arrived and amount to only half the number of people saved by UNAMIR's approximately 400 troops in Kigali.

As careful analysis of the discrepancies between the design of the operation and the situation on the ground might have revealed at the outset, *Opération Turquoise* was hampered by a number of facts. The changed nature of the killings made it difficult to find large concentrations of people who could have been protected effectively; smaller concentrations of

---

240 General Lafourcade in an interview with Connaughton, 28 March 1995; Connaughton, *Military Support and Protection for Humanitarian Assistance*, p. 49

241 It also provided health care to local people, including 3,364 consultations, 556 hospital admissions, and 352 surgical procedures; UN Doc. S/1994/933, 4 August 1994, pp. 8-10.

242 Quoted in Joint Evaluation of Emergency Assistance to Rwanda, *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, 4 volumes (Copenhagen: Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda, 1996), vol. 2, p. 54.

243 Prunier in a study for *The International Response to Conflict and Genocide*, vol. 3, p. 55.

244 Larry Minear and Philippe Guillot, *Soldiers to the Rescue. Humanitarian Lessons from Rwanda* (Paris: Organisation for Economic Co-Operation and Development, 1996); see also African Rights, *Death, Despair and Defiance*, p. 1152.

civilians were difficult to locate and impossible to protect.[245] The equipment of *Opération Turquoise* also proved an impediment to the humanitarian effectiveness of the intervention. The force had numerous armoured cars for its own protection but only few light trucks. It therefore lacked sufficient transport capacity to evacuate scattered groups of Tutsis.[246]

The overall purposes of *Opération Turquoise* have been the subject of much controversy. Contrary to the statements by its representatives at the UN Security Council, France's intervention had more than simply a humanitarian objective as *Opération Turquoise*'s orders of operations of 22 June demonstrate. According to these orders, the objectives were:

> d'être prêt ulterieurement à *controller progressivement l'étendue du pays hutu* en direction de Kigali et au Sud vers Nianzi et Butare et intervenir sur les sites de regroupement pour *protéger les populations*.[247]

Whereas the second objective, to "protect the [civilian] population", was publicly used as the principal justification for intervention, the French government was aware that it could not publicly advocate its first objective, to "progressively control the expanse of Hutu territory".[248] According to a French parliamentary inquiry, this objective was not aimed at assisting the "interim government" in reconquering the country. Rather it was based on the idea that "only a political solution accepted by the parties and based on power-sharing would put a definite end to violence and ethnic conflict".[249] Opération Turquoise was to preserve a situation in which the conditions still existed for negotiations about a cease-fire and political negotiations between the parties. In other words it was to guarantee, as the parliamentary inquiry later put it, the "territory and legitimacy" of the so-called interim government.[250]

---

245 Rakiya Omaar, African Rights, interview with the author, London, 18 October 1996; see *The International Response to Conflict and Genocide*, vol. 2, p. 55.
246 Prunier, *The Rwanda Crisis*, p. 293.
247 "Rapport", *Enquête sure la tragédie rwandaise*, volume 1, p. 306. Emphasis added.
248 *Ibid.*, p. 307.
249 *Ibid.*
250 *Ibid.*

In accordance with these aims, *Opération Turquoise's* deployment in the south-west of Rwanda put a halt to the advancing forces of the RPA. Despite initial claims to the contrary, French troops exchanged fire with advancing RPA forces and prevented them from taking control of the area.[251] When on 18 July the RPA had conquered the entire territory of Rwanda except the French-held "humanitarian zone", France announced that it would "continue to oppose the entry of all armed persons, no matter what their origin, into the humanitarian safe area, where all military activity is by nature prohibited."[252] That same day, the RPF announced a unilateral cease-fire.[253] Contrary to declarations by the French Minister of Defense, *Opération Turquoise* failed to disarm *Interahamwe* and FAR troops inside that "humanitarian zone".[254] Neither did the force interfere with the continuing transmissions from French controlled territory of *Radio Télévision Libre des Milles Collines,* a radio station that had incited the population to ethnic hatred since September 1993 and encouraged the Hutus to slaughter their Tutsi neighbours during the genocide.[255]

The political effect of the "secure humanitarian area" was that by denying RPF forces entry into that zone *Opération Turquoise* provided a shield behind which the defeated FAR forces and *Interahamwe* could retreat. The establishment of the zone gave their forces an opportunity to regroup and organise a relatively orderly retreat across the border into Zaire.

---

251 In early July, the French Commander in Gikongoro announced that the RPF's advance would be prevented with "all means"; "Heikle französische Mission in Rwanda. Abwehrdispositiv gegen den FPR in Gikongoro", *Neue Züricher Zeitung*, 7 July 1994.

252 S/1994/834, 18 July 1994; *UNaR Doc.* 75, p. 312..

253 "Chronology of Events", *Report of the Independent Inquiry.*

254 Officially, France claimed that its forces were disarming Hutu militias; William Pfaff, "Rwanda: The French Intervention Is Useful but Is Not Enough", *International Herald Tribune*, 15 July 1994; Eye-witness accounts indicated that disarmament was at best selective; Raymond Bonner, "Where the Rich Played, Poor Huddle", *International Herald Tribune*, 18 July 1994; see also statements by General Lafourcade quoted in Connaughton, "Military Support and Protection for Humanitarian Assistance", p. 49.

255 For examples of radio broadcasts of *Radio Télevision des Milles Collines*, see African Rights, *Death, Despair and Defiance*, p. 78 - 85. The commander of *Opération Turquoise* later admitted that "this was a

These forces not only took with them arms, almost all vehicles and the treasury of Rwanda but they also led some 1.2 million Hutu refugees into Zaire.[256] The repercussions of the flight from Rwanda of the "interim government" and its army together with these refugees were formidable. In the short term, the flight of the refugees created a huge humanitarian crisis in Eastern Zaire which claimed the lives of tens of thousands of Hutus. In the long term, the fact that the army and militia of the "interim government" were able to remain organisationally intact and to establish camps on the Zaire/Rwanda border created lasting instability in the region. As the actual record of *Operation Turquoise* thus confirmed many of the fears of its early critics it is worth inquiring why the UN Security Council authorised it in the first place.

The Debate in the Security Council

The Security Council authorised *Opération Turquoise* on 22 June 1994.[257] Statements by Member States during the meeting of the Council give a vivid impression of the informal debate that had preceded the passing of that resolution. During the meeting of the Security Council which lasted more than an hour, most Member States expressed in some way or another that they agreed to the French operation reluctantly and only because of the urgent humanitarian imperative to alleviate the humanitarian crisis in Rwanda.[258]

The Representative of the Russian Federation said that "in our view, we have been forced to take this decision; it is imperative in the present conditions." He stressed the need that the operation would have "the purely humanitarian goal of contributing to the security and

---

real failure of the French"; General Lafourcade in an interview with Connaughton, "Military Support and Protection for Humanitarian Assistance," p. 51.

256 Interview with Faustin Twagiramungu, Kigali, September 1994.

257 S/RES/929, 22 June 1994; *UNaR Doc.* 71, p. 308.

258 Argentina, the Czech Republic, Djibouti, France, Oman, the Russian Federation, Rwanda, Spain, United Kingdom, and the United States voted in favour of the operation. Brazil, China, New Zealand, Nigeria and

protection of the civilian population" and that it would "be carried out impartially and neutrally." Still, "the continuing massacres of the innocent civilian population of that long-suffering country dictate the need for the adoption of urgent measures that can stop further bloodshed in Rwanda."[259] Brazil, which abstained, argued that "the proposed mission, in the present set of circumstances, may cloud the much-needed environment of support and cooperation that would enable UNAMIR to discharge its mandate in a successful manner." It also noted "with preoccupation that some countries that had previously announced their intention of making troops available to UNAMIR are, in the light of present events, having second thoughts and reviewing their offers."[260] Even the United States, which in the words of Ambassador Albright wished "to emphasise our strong support for the French initiative", stated that it "encourage(d) the force upon its arrival, and through its actions, to demonstrate its impartiality and evenhandedness in dealing with the parties in Rwanda. This will clarify for all that the force has a humanitarian mandate designed to protect innocent civilians and not to intervene in the conflict between the parties."[261] Spain emphasised that the operation "should dispel any doubt concerning its status as a strictly humanitarian operation that will be carried out in an impartial and neutral manner." Spain nevertheless supported the resolution in view of the "atrocities being carried out against the civilian population of Rwanda" about which the Representative had "repeatedly expressed the horror felt by the Government and people of Spain."[262]

Pakistan abstained. There were no votes against the resolution; 3392nd Meeting of the Security Council, *S/PV.3392*, 22 June 1994.

259 *Ibid.*, p. 2.

260 *Ibid.*, p. 3.

261 *Ibid.*, p. 6.

262 S/PV.3392/Corr.1, p. 2

The strongest worded opposition to the French led force was expressed by the Representative of New Zealand, which was one of the five countries that abstained from the resolution:

> We are not convinced that this operation will be able to protect civilians from massacres.
> This concern is based not only on our own judgment of the situation, but also on the representations we have received from private humanitarian organizations and non-governmental organizations with practical experience of the situation in Rwanda. They too are very concerned that this operation will not achieve the noble humanitarian objective on which it is based, and will in fact make the situation worse.
> We have strongly urged that France redirect the energy, enthusiasm and resources which it is employing in this initiative to support the one operation that we believe would be effectively able to curtail the genocide - and that is UNAMIR. If that energy, enthusiasm and money were put at the disposal of the United Nations, we have no doubt that the delays that UNAMIR is currently facing would disappear overnight.[263]

The Representative of the United Kingdom argued that "in considering this resolution, the Council faced a uniquely difficult choice of how best to respond to the very real humanitarian imperative facing us."[264] He stressed that it would "be vital that those forces deploying in Rwanda act and are seen to act with clearly demonstrable impartiality and in no sense become involved in the fighting between the military forces of the parties." The Representative of the Czech Republic said: "We take careful note of the misgivings voiced both within and outside the Council about the proposed operation." But on the other hand, he affirmed that "it is my delegation's view that the immediate overriding concern of the international community in respect to Rwanda must be to move fast to save innocent lives. This is why my delegation has supported today's resolution." The Representative of Oman similarly emphasised that "it is unacceptable that the international community remain indifferent towards the suffering of the innocent civilians in Rwanda" and for that reason supported the French initiative. As all other delegations, he nevertheless stressed that "it should be perfectly

---

263 S/PC3392, p. 7.
264 *Ibid.*, p. 8.

understood that the purpose of this operation is purely humanitarian in nature."[265] All delegations had strong reservations about the French military intervention but felt compelled to authorise it because of the humanitarian imperative for intervention. The disconnect, however, between this strongly felt imperative and the situation on the ground was striking. In late June, as has been stated before, there were in fact few Tutsis left which could have been saved by the French.[266]

After the fact, a representative to the UN who had followed the debates closely still did not know how the French had gained the approval of the Council. "It was a very difficult decision in the Security Council, the five abstentions testify to the lack of real backing for that French initiative," he said. "The French really had to struggle to get a positive motion. To the very end there was a possibility that France would not succeed... I don't know how they got those last votes that they needed." On the other hand, that diplomat did not doubt that the five Permanent Members would "either support the French initiative or abstain" and he speculated that "the other non-permanent members would certainly at one point need France's support."[267]

With France pressing the Council to agree to its operation some observers felt that the details of the situation in Rwanda and of the French plans for intervention were not fully understood by all Members of the Council. "I think that people did not have a terrible clear understanding of what was going on," said then Under-Secretary-General Goulding later. "They did not realise that creating a safe haven for civilians in southwestern Rwanda was actually an attempt to save the genocidaire."[268]

---

265 *Ibid.*, p. 11.
266 See Graph 1.
267 Malone, interview in Oxford, November 1996.
268 Marack Goulding, interview in Oxford, December 1997.

The Role of Humanitarian Considerations

If France had asked the Council to authorise an intervention to come to the assistance of the "interim government" and prevent its defeat by the RPF, the Council might have resisted French pressure. But France did not ask for that. Members of the Council were in a position in which they had to approve or oppose an operation that claimed to be "temporary" and "strictly humanitarian," that was to be "conducted in an impartial and neutral fashion," and that explicitly would "not constitute an interposition force between the parties."[269]

The humanitarian intervention was offered at a time when the fact that killings in Rwanda amounted to genocide had been widely recognised. On 8 June, the Security Council had acknowledged that "acts of genocide" had occurred.[270] On 19 June, the Secretary-General described the events in Rwanda in a letter to the Council unambiguously as "genocide."[271] A few days later, the Special Rapporteur for Rwanda appointed by the Commission on Human Rights would use the same term in a report on 28 June.[272] During the same period, television coverage of Rwanda reached a new peak[273] and according to the Secretary-General UNAMIR would not be in a position to carry out its mandate for about three months.[274]

In the view of diplomats at the Council the pressure of these humanitarian arguments was too strong for Member States to oppose the French intervention. "Some countries like New Zealand abstained because they thought this French initiative was bad. But they were not

---

269 S/RES/929, 22 June 1994.

270 In resolution 925 the Security Council noted "with the gravest concern the reports indicating that acts of genocide have occurred in Rwanda, and ... [recalled] in this context that genocide constitutes a crime punishable under international law..."; S/RES/925, 8 June 1994.

271 Letter dated 19 June 1994 by the Secretary General to the President of the Security Council, S/1994/728, 20 June 1994, para 14.

272 E/CN.4/1995; quoted from *The International Response to Conflict and Genocide*, vol. 2, p. 92.

273 "Network Coverage by Topic. Aggregate coverage of ABC, CBS, and NBC Nightly Newscasts in minutes," Livingston and Eachus, 1995; quoted in *The International Response to Conflict and Genocide*, vol. 2, p. 48.

prepared to vote against it because it had covered itself under a humanitarian guise. In fact, it claimed to pursue humanitarian aims, one must not forget that."[275] The British Mission to the United Nations shared the suspicions about the French *Opération Turquoise* but equally found it difficult to resist public pressure to end the genocide in Rwanda, as a member of the mission remembered:

> The French were very clever about this. They said they were going in for humanitarian purposes. At the time, we were under tremendous public pressure. Who could have objected to a humanitarian operation which said it would stop the killing? It was impossible.[276]

Why did the Security Council authorise *Opération Turquoise* despite severe suspicions about the motives for and character of that intervention? From the discussion of the decision-making process in the Security Council three main factors appear to have been decisive. Firstly, Member States who knew that they might require French support in the Council some time in the future were reluctant to oppose a French request to which it attached such high stakes. Secondly, there was also a certain lack of understanding of the situation on the ground. None of the Member States present in the debate at the Security Council raised the concern that a humanitarian intervention might not be needed any more at that stage of the conflict. Thirdly, Member States and their representatives at the Security Council felt under public pressure to do something about what by then had widely been recognised to be a genocide. Moreover, UN efforts evidently would not be effective in near future. In that situation the perceived humanitarian imperative for military intervention made it difficult to object to an operation that was publicly justified as a humanitarian intervention.

* * *

---

274 Letter by the Secretary-General to the Security Council, S/1994/728, 20 June 1994, para 11.
275 Malone, interview in Oxford, November 1996.
276 Confidential communication to the author, New York, 2 March 1998.

Since 1994, numerous political leaders have deplored the failure of the international community to stop the genocide in Rwanda and have expressed their commitment to prevent or stop genocide in the future. On a trip to Rwanda in March 1998 US President Clinton acknowledged that "the international community, together with nations in Africa, must bear its share of responsibility for this tragedy, as well". He also said: "Let us work together as a community of civilized nations to strengthen our ability to prevent and, if necessary, to stop genocide."[277] In December 1999, upon receiving a report of an independent investigation into the actions of the United Nations during the genocide in Rwanda in 1994, Secretary-General Annan even stated: "of all my aims as Secretary-General, there is none to which I feel more deeply committed than that of enabling the United Nations never again to fail in protecting a civilian population from genocide or mass slaughter".[278] The strength of rhetoric of such remarks has not always been matched by real commitment, however. During his speech in Kigali, President Clinton mentioned various measures the United States would take to help prevent or, if necessary, to stop genocide. US participation in international military intervention was not one of them.[279]

---

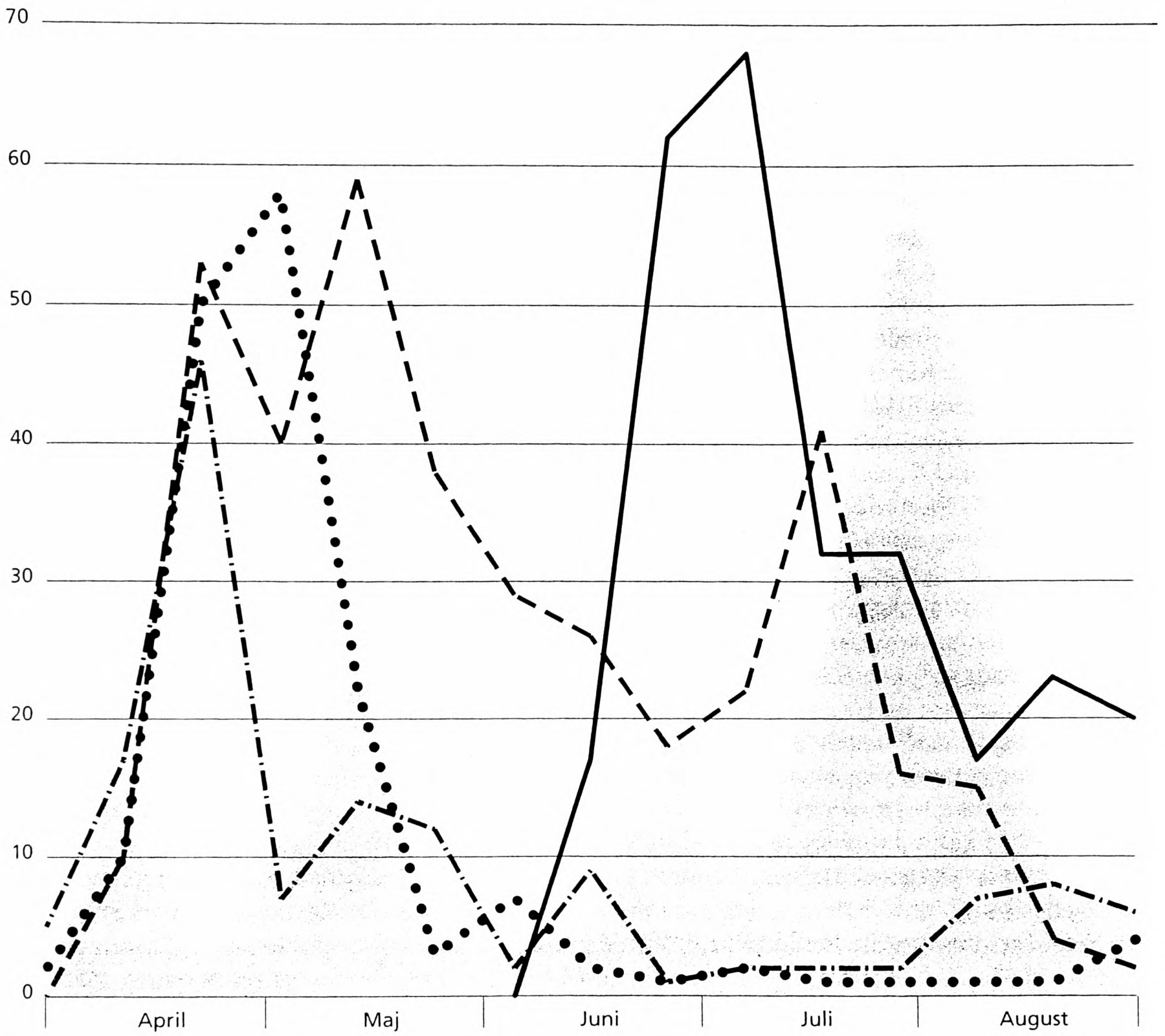
277 *Remarks by the President to genocide survivors, assistance workers, and U.S. and Rwanda government officials,* Kigali, Rwanda (Kampala, Uganda: The White House, Office of the Press Secretary, 25 March 1998).

278 UN Secretary-General Kofi Annan, *Statement on Receiving the Report of the Independent Inquiry Into the Actions of the United Naitions during the Genocide in Rwanda*, 16 December 1999.

279 *Remarks by the President to genocide survivors, assistance workers, and U.S. and Rwanda government officials.*

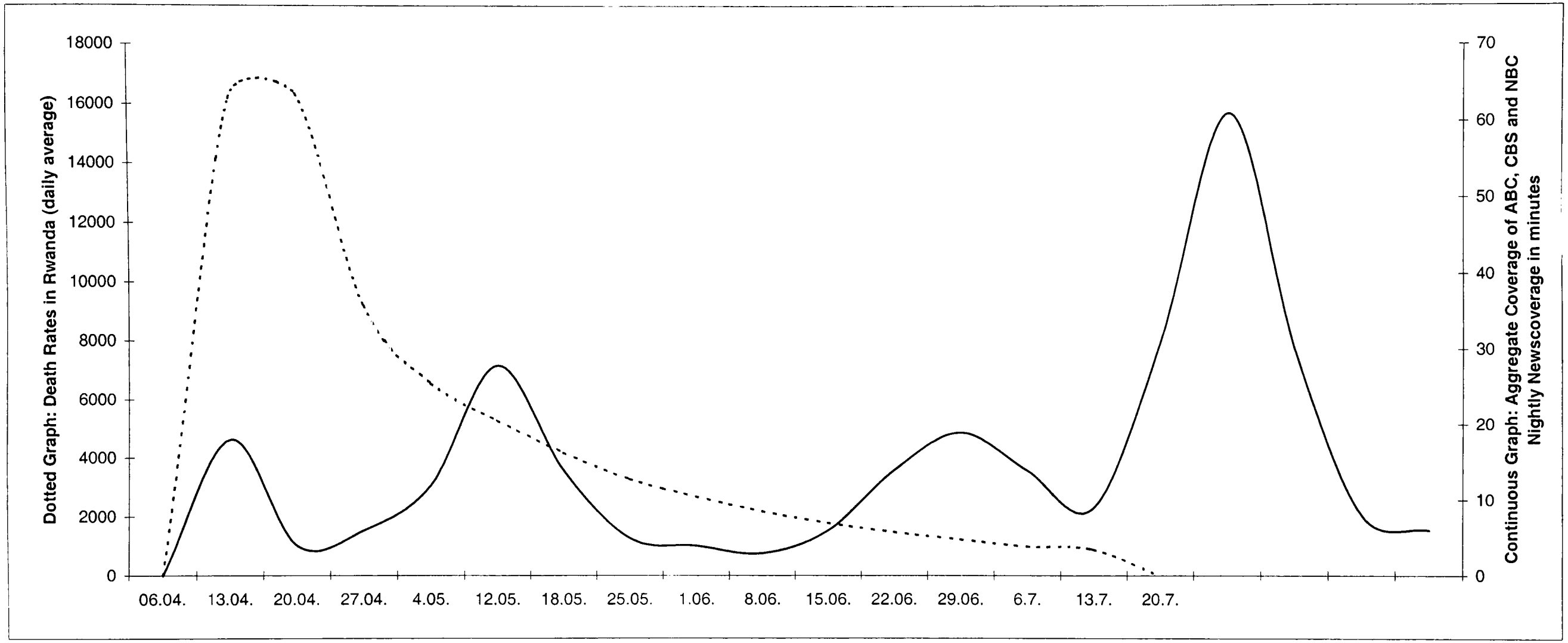
Network Coverage by Topic

Aggregate coverage of ABC, CBS and NBC Nightly Newscasts
in minutes



Source: Livingston and Eachus, 1995.

Estimated Genocide-Related Daily Death Rates in Rwanda, US Television Coverage, and International Responses, April - September 1994



7 April
Genocide begins

21 April
Security Council authorises the withdrawal of UNAMIR

29 April
Secretary-General starts advocating humanitarian intervention

15 May
Security Council authorises the reinforcement of UNAMIR

22 June
Security Council authorises "Operation Turquoise"

9 July
"Operation Turquoise" begins deploying troops in humanitarian zone in south-west Rwanda

Mid-July - August
Flight of Hutu civilians and remnants of FAR army into Zaire causes humanitarian crisis which triggers international attention and large scale relief effort

Sources: Media Coverage: Stephen Livingston and Todd Eachus, *U.S. Television Coverage of Rwanda*, Washington, 1995, reprinted in: *Joint Evaluation of Emergency Assistance to Rwanda*, vol. 2, p. 48. Death rates: Modelled on the basis of approximately 507,000 victims of genocide, two-thirds of whom were killed before 29 April 1994; sources: UN reports, research by *African Rights* and *Human Rights Watch,* and interviews.

Conclusion

Does the international community have an obligation to intervene militarily when suffering and death are being inflicted on large numbers of people in a country where the authorities are unable or unwilling to put an end to it? Is there, as some seem to suggest when such situations arise, a duty of humanitarian intervention? On the basis of an examination of the ethical literature on the subject, of the changing political context of humanitarian intervention in the 1990s, and of two in-depth case studies, this thesis has argued that the question is not one of moral principle but of careful moral and political judgement on a case-by-case basis. Such judgement needs to be informed by knowledge of ethical principles, of the general political context of military responses to humanitarian crises, and of the practical problems of historical cases. By drawing together the conclusions from previous chapters, this final chapter seeks to identify the main elements that need to be considered when the decision is made whether military intervention is the morally required response to large-scale human suffering.

Conclusions from the Ethical Debate

To what extent does the literature on the ethics of humanitarian intervention support the notion of a duty of military intervention in humanitarian crises? On the basis of debates in international law, international relations theory, and humanitarian assistance since the 1970s, there seems to be strong support for the view that the international community has a general responsibility to prevent and mitigate humanitarian crises. Few if any authors have argued that

large-scale human suffering within sovereign states has no moral implications for the rest of the world. Beyond this broad agreement, however, there is considerable ambiguity.

Only one tradition of thought explicitly endorses the idea of a duty of humanitarian intervention. The notion of *devoir d'ingérence,* however, has its roots in the practice of humanitarian assistance. Its endorsement of a duty of military coercion comes only at the end of a long slippery slope of moral argument and is deeply problematic from a perspective of ethical theory: the concept of duty in the idea of *devoir d'ingérence* is based on notions of individual moral duties akin to those faced by medical doctors. What it prescribes when applied to military intervention, however, is a complex set of activities by a multitude of individuals with far-reaching political effects. For this reason alone it would be exceedingly simplistic to apply the notion of *devoir d'ingérence* to military intervention. Most authors recognise that the morality of military interventions involves considering a variety of moral principles - most of which are derived from traditional Just War theory.

There is also a tension between the endorsement of a moral duty of humanitarian intervention in some of the debate and the ambiguity with which this issue is treated by most authors. That tension points to a need to be more specific about the meaning of the term 'duty' and about the ethical frame of reference. Two distinctions introduced in chapter 2 may help to structure an often equivocal and misleading debate. The first distinction is between general moral standards and strict moral imperatives. The former provide a compass for political goals and objectives, the latter prescribe concrete actions. Whereas preventing genocide is a morally essential objective of all politics, a specific duty of humanitarian intervention, in the sense as it is sometimes proclaimed, would prescribe military action in the face of large-scale human suffering as a strict moral imperative. The second distinction introduced into the debate on

humanitarian intervention was the Weberian distinction between an ethics of conscience and ethics of responsibility. From the former point of view, large-scale human suffering may be thought to give rise to a strict moral imperative for military intervention, irrespective of the likely or actual consequences of such intervention. An ethics of responsibility, on the other hand, requires taking into considerations a host of other factors which may — depending on the case at hand — lead to the conclusion that despite the existence of large-scale human suffering there is no strict moral imperative to intervene militarily. This thesis has argued that with regard to the issue of humanitarian intervention an ethics of responsibility is the only defensible ethical frame of reference.

Another conclusion of this survey is that the much discussed antagonism of the concepts of state sovereignty and humanitarian intervention relates more to their legal than to their moral dimensions. Authors who oppose humanitarian intervention by defending sovereignty do not typically view sovereignty as a sacred moral principle. They argue instead that sovereignty is morally valuable as a legal norm in international relations which contributes to world order, guards against hegemonic military interventions by powerful states, and acts as a safeguard against moral imperialism. Generally, humanitarian intervention and sovereignty are not viewed as incompatible provided that the risk humanitarian intervention poses to these moral goods are taken into consideration in a judgement on the morality of military intervention in a particular humanitarian crisis.

A fourth finding is that moral advocacy of humanitarian intervention on the basis of human suffering alone contradicts the position of most academic proponents of that concept. Although some advocates of the concept of humanitarian intervention during the 1970s and 1980s focused predominantly on the principle of just cause as a sole condition for legitimate

intervention, many authors recognised that the legitimacy of humanitarian intervention depends on additional moral principles. Such principles include legitimate authority, impartiality, last resort, proportionality, and prospect of success. These principles were thought to be crucial conditions for legitimate intervention partly because they were rooted in traditional Just War theory which applies to the use of military force in general.[1] Additionally, they provided safeguards against some of the specific dangers of humanitarian intervention: If intervention had to be conducted with legitimate authority (e.g. authorised by the United Nations) and in an impartial and proportionate way, the humanitarian intervention justification was less likely be abused for hegemonic intervention by powerful individual states. Neither would it constitute an imposition of particular cultural values over other societies. Collective authorisation and adherence to the principle of last resort were thought to limit the threat humanitarian intervention would pose to world order.

Sound moral principles do not guarantee sound or simple moral judgement. In practice, forming a judgement about whether or not a particular humanitarian intervention fulfils the criteria for legitimate intervention is fraught with difficulties. Part of these difficulties stems from the dependency of moral judgement on empirical facts. Not all the facts that are necessary for a well-considered judgement may be available, even in the aftermath of an intervention. Before an intervention, at the time when the question of whether there is a duty of humanitarian intervention arises most urgently, moral judgement has to rely on political estimates of future events, which necessarily contain elements of uncertainty. Given this uncertainty, moral judgement is also psychologically difficult: future potential human suffering is a less convincing just cause for intervention than current large-scale suffering even if preventive intervention may,

---

[1] Notably absent is the principle of impartiality which has historically been associated with humanitarian

as is often claimed, be more effective than intervention after the peak of crisis. The requirement of proportionality poses few constraints on an intervention when the goal is to prevent genocide and when potential side-effects of intervention are not yet visible. A second set of problems with moral principles of intervention involves their practical implementation. Criteria such as collective authorisation, last resort, or impartiality seem sound in theory. In practice, however, they may undermine the effectiveness of intervention.

Several other conclusions from this survey of the ethical debate on humanitarian intervention are particularly relevant to contemporary discussion of the topic. First, there has been a striking lack of serious debate on what exactly intervening forces were supposed to do other than 'to alleviate suffering'. During the 1990s, there has been a shift from a preference for short-term measures which avoid hegemonic intervention to long-term intervention with the purpose of achieving sustainable results. There was little debate, however, about the special ethical problems of militarily enforced nation building, or about whether such an activity is governed by the same ethical principles as humanitarian intervention. A second notable observation is that the principle of impartiality, although prominent in contemporary debate, has (with few exceptions) not been considered a first order moral principle. This was partly because impartiality understood as political neutrality contradicts the humanitarian purpose of the notion of humanitarian intervention: if one side in a conflict causes more suffering, then there are good moral reasons for interveners to take sides. Impartiality understood as disinterestedness of the interveners was not considered an essential requirement either. Few authors insisted on absolute purity of motives of intervening states. Many advocates of humanitarian intervention argued — or, for lack of detailed empirical examination, suspected — that an admixture of national self-

---

assistance and peacekeeping, not with humanitarian intervention; see Chapter 3.

interest among the motives for intervention was beneficial for the effectiveness and sustainability of humanitarian intervention as long as such interests did not interfere with the humanitarian purpose of intervention.

Perhaps the most striking general observation of the ethical debate on humanitarian intervention is the extent to which moral judgement depends on empirical fact and political analysis. What would be the consequences of non-intervention? Is outside intervention likely to provide effective alleviation of suffering? To what extent may a morally desirable adherence to principles of intervention such as collective authorisation or last resort undermine the effectiveness of intervention? These are empirical questions which need to be answered before a well-considered judgement can be made as to whether or not there is in a particular crisis a strict moral imperative of humanitarian intervention.

Changes in the Emerging Doctrine of Humanitarian Intervention

The context of military interventions in humanitarian crises has changed dramatically in the course of the 1990s. A changing perception of legal issues has reduced the danger of humanitarian intervention undermining international law and threatening international order. Just as in the early 1990s, there is still no formal legal right of humanitarian intervention in international law. But there is widespread agreement that humanitarian intervention can be legal if in a particular case the United Nations Security Council decides that it is. Moreover, the growing authority of international human rights and humanitarian norms and practices indicate growing agreement on the purposes of intervention. Due to these developments humanitarian intervention is today more compatible with international law than at any point since 1945. The danger that a practice of intervention could undermine international law on the use of force and

threaten international order has thus diminished. In some instances, however, some governments have taken the view that the growing universality of these norms is a sufficient legal basis for military intervention in humanitarian crises even without Security Council authorisation. There have even been calls for an exclusive right of humanitarian intervention for western democratic states.[2] It seems unlikely that such innovative interpretations of international law will gain the approval of the veto-powers Russia and China and of many developing countries; indeed, they may even alienate these countries. They also weaken the role of the Security Council in controlling the use of force in international relations and may thus damage an important foundation of international peace and security.

Changes in the practice of military intervention in humanitarian crises over the 1990s have been no less radical. Moving away from the doctrinal traditions of peacekeeping and humanitarian assistance, military interventions in humanitarian crises have been increasingly robust, more willing to use force both on a local level and for strategic purposes, and more prepared to attempt long-term political solutions for the root causes of violent conflicts. These changes have substantially increased the prospects of success of intervention. The development towards early strategic uses of force may however have decreased the immediate humanitarian effects of intervention. At the same time, an increasingly hands-on commitment to long-term political goals poses large demands on national military and financial resources and may not be sustainable. Over time it may thus undermine rather than help long-term prospects of success. Elements of military interventions in humanitarian crises in the late 1990s drew heavily from war-fighting principles and have in some instances raised the question whether the benefits of intervention were proportionate to its negative effects.

---

[2] See Chapter 3.

There are no easy alternatives to humanitarian intervention in large-scale humanitarian crises. Preventive diplomacy, humanitarian aid, peacekeeping operations, sanctions, and direct military support are alternative responses to humanitarian crises that can contribute to the prevention or alleviation of suffering. But they are no panaceas for success. Nevertheless, they should not be disregarded lightly as possible alternatives to military intervention either. Preventive diplomacy, preventive deployment, the threat of sanctions, and direct military support —when implemented sensibly and with sufficient commitment — may reduce the need for military intervention. Humanitarian assistance can contribute substantially to improving the consequences of violent conflict for civilians. Occasionally, sanctions may be an important diplomatic signal indicating the international isolation of parties to a conflict that commit or acquiesce in serious human rights violations. Direct military support can even out the strategic balance of power between belligerents and thus contribute to stability and open the way for long-term peace agreements. Naturally, the effectiveness of these alternative responses to humanitarian crises is often limited. The shortcomings of alternative responses may even contribute to calls for tougher action and even military intervention. In some cases, efforts at conflict prevention or conflict resolution may even trigger the outbreak of violence and subsequently contribute to a perceived need for military intervention.

Lessons from International Responses to Crises in Somalia and Rwanda

In determining whether humanitarian intervention is the best option to respond to a humanitarian crisis, more needs to be done than merely assessing the perceived needs on the ground and examining whether, technically, military intervention would be able to stop the suffering. Over and above such an assessment, one has to judge whether the way in which the

actor of intervention operates would allow humanitarian intervention to be effective. As mentioned before, the answer to that question will differ from case to case. It is likely, however, that the lessons drawn from the Somalia and Rwanda cases examined in chapters 4 and 5 can help identify potential problems of which policymakers should be aware.

The two case studies examined to what extent the international community was able to intervene effectively in crises in Somalia and Rwanda in 1992 and 1994. In particular, they examined to what extent state interests, domestic politics, and — contrary to expectations — humanitarian considerations may have contributed to undermining the efficacy of international responses to these crises. Obviously, not all the factors that influenced the international response to the famine in Somalia are captured in these hypotheses. Bureaucratic politics, the "noise" of misinformation, organisational culture within governments, the UN Secretariat, NGOs, and the Media, coincidences, bad-luck and other factors greatly influenced these responses. The conclusions identified here are thus no substitute for careful historical examination of the cases. However, the three hypotheses this examination has focused on can provide a useful shortcut. They are aimed at identifying some of the broader and possibly more persistent factors that may influence international responses to humanitarian crises more generally.

Hypothesis I: State Interests Hamper International Agreement On, And Implementation Of, Effective Humanitarian Intervention.

UNITAF, the US-led military intervention in Somalia in December 1992, has sometimes been presented as a model for effective humanitarian intervention: Not only because it is thought to have ended the Somali famine but also because it is said to have been able to avoid problems of command and control and of coordination between military contingents from a variety of countries. In the case of Rwanda, state interests did not prevent the Security Council from

deploying peacekeepers to Rwanda in 1993, nor did they stop the Security Council from authorising *Opération Turquoise* in June 1994. However, there is overwhelming evidence that state interests hampered more than helped the efficacy of international responses to crises in Somalia and Rwanda.

1. Delays of International Intervention During the Early Phase of Humanitarian Crises

In the case of Somalia, the likelihood that UN Member States would oppose intervention hampered the international response to the crisis even before the question had become an issue at the Security Council. During the early phase of the humanitarian crisis, crucial time was lost when the Secretariat deliberated over whether it should take an initiative. Anticipating a reluctance of the Council to agree to an involvement of the UN in a country's internal affairs, Secretary-General Perez de Cuellar was initially opposed to the idea of even raising the issue at the Council. In February and March, when the question of whether to send a UN peacekeeping force to Somalia stood on the Council's agenda, Member States, including the United States, were reluctant to agree to what they saw as a costly additional burden on the United Nations.

In the case of Rwanda, the initial response of the United Nations to the early phase of genocide in Rwanda confirms the findings of the Somalia case study. The United States were firmly opposed to a widening of UNAMIR's mandate or to its reinforcement. Belgium lobbied actively for a withdrawal of the force. And diplomats at the Security Council felt that France would have vetoed international military intervention against the "interim-government." Against that opposition, developing countries, which at least considered the option of reinforcing UNAMIR or maintaining it in Kigali even without the Belgian contingent, were unable to secure agreement in the Council and international support for such a policy option.

2. *Force Mandates Were Ill-Suited to Address Problems on the Ground*

When the Council agreed to the deployment of UN peacekeepers to Somalia in April 1992, the deployment was limited to 500 lightly armed UN peacekeepers because of a lack of willingness among Member States to do more. Independent of the question whether a more forcible approach would have been wise or feasible at that time, the principle that peacekeepers could operate only with the consent of the parties seriously limited their ability to alleviate the humanitarian crisis in Somalia at the time. The deployment of military forces did little to stop the suffering of Somalis in 1992. With the focus of debate on military responses to Somalia, alternative options such as a rapid increase of humanitarian assistance during the first half of 1992 were not pursued with sufficient energy.

Later, when in December 1992 the Security Council authorised the United States to lead a military intervention in Somalia, it failed to acknowledge sufficiently that policy preferences of Member States differed considerably. As a result, UNITAF lacked a clear definition of purpose and clear definition of who would be in control politically. The inability of Member States to agree on a political strategy for international involvement contributed to the fact that UNITAF remained an awkward hybrid between short-term humanitarian intervention and nation building.

In the case of Rwanda, the decision of the Security Council on 21 April to partially withdraw UNAMIR as well as its decision to reinforce UNAMIR in mid-May illustrate a similar problem. Reducing UNAMIR in mid-April represented the lowest common denominator between Members of the Council. Some had advocated complete withdrawal of the force, others argued that "in time of need" Rwanda could not be entirely abandoned. The mandate that resulted from this lack of agreement focused on establishing a cease-fire and maintaining a position of the UN as impartial mediator between the parties. It was wholly inadequate to

effectively address the genocide. The fact that the small remaining force did provide some protection to civilians in Kigali is commendable but is dwarfed by the scale of the massacres in the country. The Council's decision in May to reinforce UNAMIR illustrates even more starkly the effects that political compromise can have on force mandates. UNAMIR's new mandate combined the task of establishing secure areas with the principle of impartiality and a force level that was inadequate to effectively address the nature of the killings in Rwanda at that time. Provisions which effectively made the deployment of reinforcements conditional upon the establishment of a cease-fire further undermined any prospect that this mandate might address the genocide. Finally, authorising a reinforcement of UNAMIR created the illusion that the international community was finally addressing the killings in Rwanda and may have contributed to a drop in media attention.

3. *The Fragility of International Commitment Hampered the Operational Effectiveness of Interventions on the Ground*

Despite the formal support of the Security Council to UNOSOM II's nation building mandate and despite the Council's unanimous decision in June 1993 to call for the arrest, trial and punishment of General Aideed, support for these measures remained fragmentary. The majority of Member States never supported these policies fully. As a practical consequence of this lack of commitment, the UN Force Commander in Mogadishu could not rely on all national contingents to implement UNOSOM II's official policy. He was also constrained by considerations of the potential impact of casualties on the commitment of troop contributing countries. In the case of Somalia state interests thus undermined in operational practice the same policy that was in theory supported by the Security Council.

The case of Rwanda exhibits similar problems. Peace-keeping troops that were deployed prior to the coup d'état and the genocide were unable to prevent the resumption of violence: they were not given permission by the UN Secretariat to take a more assertive stance to suppress increasing violence in Kigali prior to April 1994. Key Members of the Security Council were at that time concerned about the costs of the operation and reluctant to get deeply involved. That same factor also affected policy planning within the UN Department of Peacekeeping Operations which did not provide contingency planning for an enlarged operation in case of renewed conflict or a possible coup d'état. For that reason, there was no readily available plan to stop the massacres which could have been implemented in the early days of the genocide.

4. *The Effective Implementation of Humanitarian Intervention was Excessively Dependent Upon the Military Capabilities of Some Key Western States, in Particular of the USA*

In Somalia, the lack of a full commitment by all troop contributing countries to the ambitious objectives of UNOSOM II prompted the force to rely increasingly on the United States. This dependency concealed only inadequately a widening gap between the official aspirations of UNOSOM II and its ability to implement them effectively. The announcement of the withdrawal of the United States in the wake of the events of 3 October 1993 consequently undermined the entire operation.

The case of Rwanda exhibited a similar dependence on key Western countries. The withdrawal of the Belgian contingent in the early phase of the crisis seriously undermined the viability of the entire UNAMIR operation. The remaining force was inadequately equipped and trained to effectively interfere with the genocide campaign in and around Kigali. When the Secretary-General attempted to assemble reinforcements for UNAMIR in early May, the lack of heavy equipment and lack of air transport capability of troops from developing countries

undermined any chances that deployment of the reinforced UNAMIR operation would arrive in time to significantly hamper the killings that were still continuing.

Hypothesis II: The Way in Which Domestic Politics Influence State Behaviour Undermines the Ability of Humanitarian Interventions to Effectively Alleviate Human Suffering.

Domestic politics hampered interventions in Somalia and Rwanda in many subtle ways even if they did not stop Member States from authorising military interventions or reinforcements of operations and even if they may even have contributed to the decision to intervene in these crises in the first place.

1. The Effectiveness of Humanitarian Interventions was Limited by the Tendency of Governments to Balance Operational and Strategic Requirements with Considerations of Domestic Politics

In early 1992, several governments objected to early initiatives for the deployment of UN peacekeepers because they felt under domestic pressure not to increase their financial and military involvement in humanitarian operations. At a time when prevention or early emergency assistance might have been able to prevent many of the ensuing deaths in Somalia at relatively low cost, domestic concern about the still comparatively low financial and military burden such involvement would entail took priority over appeals for early and effective intervention.

Moreover, the priority of domestic considerations prevented UNITAF from establishing key conditions for a sustainable secure environment for humanitarian relief in Somalia: The decision by the Bush administration to intervene in Somalia was taken at a time when the imminent transfer of power to the Clinton administration imposed severe constraints on the intervention. The Bush administration felt compelled to deploy US forces to Somalia only for a very short period. Consequently, UNITAF was reluctant to fully commit to measures which

would have contributed to long-term stability and which could have contributed to a considerably longer duration of the operation. Since the force arrived too late to make a great contribution to end the famine, its short-term effectiveness was already limited. The fact that US forces could not fully commit to disarmament and to the creation of police forces meant that the long-term effectiveness of UNITAF was also limited.

In the case of Rwanda several key instances underline the validity of the lessons from the Somalia case. In 1993, members of the UN Security Council had agreed to deploy UN peacekeepers to Kigali to assist in a peaceful transfer of power to a transitional government. However, domestic politics in key Member States put a limit on the political commitment of the international community. Concern about the costs of the operation made Member States urge the Secretary-General to reduce the force size of UNAMIR even before the task of the operation, the establishment of a broad-based government in Rwanda, had been achieved.

During the early phase of the genocide, the governments of Belgium and the United States both had reasons to opt against military intervention that were based on considerations of domestic politics. In the case of Belgium, the death of Belgian peacekeepers was perceived to have triggered demands by the general population and all political parties for the withdrawal of the Belgian contingent to UNAMIR. In the United States, the Clinton administration's new policy on peace-keeping operations required careful consideration before the administration could commit to a potentially costly intervention. Such an intervention would have cast doubt on the political credibility of the government and the principles which it had developed since the Somalia intervention had gone wrong during the summer and autumn of 1993. These same principles also hampered the implementation of the Security Council's decision to reinforce

UNAMIR in May by making a rapid deployment conditional upon the provisions of PDD-25 and thus effectively preventing its rapid deployment.

2. *Domestic Pressure to "Do Something" to Alleviate Large-scale Human Suffering was a Poor Guide for Decision Making on Intervention*

To the extent that the quantity of media coverage reflected the scale of domestic pressure on the US government to increase its involvement in Somalia, there appears to have been a yawning disconnect between events on the ground and their perception in the world. In late 1991 and early 1992, while the famine in Somalia was rising sharply there was little domestic pressure to act early. In November 1992, the disconnect between events and perception was inverted. While the humanitarian crisis was in decline, domestic pressure to act decisively rose sharply. Domestic pressure for intervention was one of the factors which contributed to the decision of the US government to commit American troops to military intervention in Somalia in December 1992. Since the humanitarian crisis was already in decline at that time and considering the high financial and human costs and the negative side effects such military intervention was bound to have, it appears that domestic pressure contributed to a questionable international response. One particularly significant effect of domestic politics on the general perception of the Somalia crisis was the interruption of the policy momentum towards intervention in late October and November 1992. Increased attention of the media, the public and the Bush administration in the United States on the presidential election in November distorted both the perception of and the response to the Somalia crisis. As America was focusing on domestic events, the situation in Somalia showed signs of amelioration. When after the election the attention of the public and the Bush administration turned again to Somalia, the decision to intervene was taken so rapidly that doubts were ignored about whether military intervention was still appropriate.

In the case of Rwanda, there was a similarly striking disconnect between public awareness of the crisis and developments on the ground. During the first three months of 1994, when a more assertive role of the UN peace-keeping force in Rwanda might have helped to prevent the crisis, international media attention was virtually non-existent. Through April and early May, when international military intervention theoretically might have been able to stop the genocide, media attention remained comparatively low. By the time public attention was sufficiently strong to make the Representatives of Member States at the Security Council feel pressure to authorise the reinforcement of UNAMIR, the likely effects of military intervention were only marginal: the crisis had changed and the majority of the massacres had already been committed. Judged on the basis of the timing intervention, public pressure and developments on the ground were thus far too disconnected to make public opinion a valuable guide for effective humanitarian intervention.

3. A Low Acceptance of Casualties Among Troop Contributors to Humanitarian Interventions Undermined Operations Both on a Tactical and Strategic level

In the case of Somalia, domestic concern about casualties among international military personnel in Somalia had two opposite effects. It contributed to an increase of governmental commitment to short-term punitive measures. In the long term, however, it undermined a broader domestic consensus about military involvement in Somalia. Casualties sustained during the Somalia intervention thus contributed to a widening of the gap between aspirations and sustainable commitment. After the 5 June 1993 incident outrage about international casualties contributed to the authorisation of punitive air and ground attacks against the USC/SNA militia. Similar outrage contributed to the decision of the US government to deploy Task Force Ranger in August. In both instances, casualties thus affected a short term increase in the assertiveness of

the international community in the face of local opposition. Simultaneously, however, those same casualties began to erode the domestic consensus in the United States that it was worthwhile to risk American lives in Somalia. After 3 October 1993, this contradictory double-effect increased even further and was evident in the Clinton administration's widely supported decision to increase the US troop commitment in the short term and simultaneously to announce the withdrawal of US forces from Somalia by March 1994.

In the case of Rwanda, governments were similarly reluctant to accept casualties in humanitarian interventions for fear of domestic opposition. Media reports about the brutal murder of Belgian peacekeepers contributed to the a sudden withdrawal of the Belgian UNAMIR contingent, which constituted the backbone of the force. Strikingly, local actors had even clearly operated on the premise that UNAMIR would not be able to sustain such casualties: The assassination was premeditated and specifically aimed at causing the withdrawal of international forces from Rwanda. The decision of the Belgian government to withdraw after the death of 10 of its soldiers raises awkward questions with regard to what constitutes Western perceptions of "proportionate casualties" even in military interventions that are aimed at ending genocide.

Hypothesis III: Contrary to expectations, the way in which humanitarian considerations influence the initiation and implementation of military interventions hinders rather than helps effective military responses to large-scale human suffering.

There are three widely shared positions which question the validity of this hypothesis. Traditionally, it has been questioned whether humanitarian considerations affect foreign policy decisions. Instead, it was often assumed that foreign policy is conducted on the basis of state interests. Secondly, it has been argued that even if humanitarian considerations affected foreign

policy decisions it would be difficult or impossible to prove their effect: The motivations of decision takers are never fully accessible to researchers and for that reason the study of humanitarian motivations must remain speculative. Finally, one might assume that humanitarian considerations — to the extent that they can influence policy — would have a positive effect on humanitarian intervention. They may increase the inclination of governments to intervene in a humanitarian crisis even in the absence of traditionally defined national interests. The findings of this thesis suggest that the first position does not fully grasp the complexity of foreign policy decision making. The second position accurately points out some of the difficulties that stand in the way of examining the effects of humanitarian considerations on foreign policy decision making. However, findings from the case studies of Somalia and Rwanda suggest that it is nevertheless possible to make a plausible case for the contributing effects of humanitarian considerations on particular decisions. Finally, in contradiction to the third position, various instances have been identified in which humanitarian considerations did not help — and on occasion even hampered — effective international responses to the crises.

1. Humanitarian Considerations Were Conducive to Simplistic Perception of and Response to Crises in Somalia and Rwanda

In the case of Somalia, humanitarian considerations significantly affected the perception of the situation in the country. International media and statements by politicians were dominated by accounts of the famine in Somalia and of the suffering of women, children, and elderly. There was little space for thorough political analysis. The humanitarian focus changed only in the summer of 1993 when increasingly violent clashes between international forces and local militia became the focal point of public debate. Even then, humanitarian considerations played a dominant role as a basis for justifying the enforcement strategy that followed a confrontation

between UN peace-keepers and SNA militias in early June 1993. Debates in the UN Security Council and in public expressed outrage about how a warlord could attack peacekeepers who had come to save lives but failed to analyse the political origins of this confrontation.

In the case of Rwanda, humanitarian considerations did play a role in all aspects that were initially identified in the methodological discussion of the role of beliefs in international relations. Diplomats at the UN and the media perceived, or at least presented, the crisis in Rwanda as a humanitarian problem. That perception under-emphasised the political dimension of the crisis. Humanitarian considerations also worked as a road map for decision making. Initiatives of the Secretary-General and NGOs which identified the massacres in Rwanda as "genocide" were closely linked to their advocacy of outside military intervention. Moreover, humanitarian intervention in the form of a UN operation or under national command was perceived by Members at the Security Council and in public debate as the dominant policy alternative to calls for a cease-fire. Humanitarian arguments for intervention also provided a clear focal point in negotiations at the Council as well as in public. The debate about the applicability of the term "genocide" was used by both advocates and opponents of intervention to invoke or refute obligations for humanitarian intervention. The focus of debate on external military intervention at the same time diverted attention from alternative policy options. Finally, humanitarian arguments for military intervention were used as a justification of policies. They were used by critics of the UN's withdrawal to justify their advocacy of international military intervention. The reasoning for the reinforcement of UNAMIR was based in an important way on the humanitarian need for such an operation. Most importantly, *Opération Turquoise* was described by the French government as a "strictly humanitarian" operation despite the fact that it was also aimed at saving the "interim-government" from military defeat. Without the

humanitarian justification, it would almost certainly have failed to gain Security Council approval.

2. *Humanitarian Advocacy by People with a Special Interest in the Crisis Areas, Including Individual Humanitarian Relief Workers, Politicians, and UN Officials, was Insufficient to Generate Sufficient Policy Momentum for Early Intervention.*

In Somalia, during the early phase of conflict and humanitarian crisis in 1991, a number of individuals and small organisations were aware of the deteriorating situation in Somalia. Humanitarian concern appears to have been one of the motivating factors that prompted them to lobby for greater international involvement. However, in the absence of wider public awareness of the situation in Somalia their efforts had only limited effects.

The same applied to Rwanda where various experts, including aid workers, journalists and UN officials, had been concerned about the possibility of large-scale massacres months before the genocide began. Despite their efforts at early warning, the international community did not act in time to prevent the genocide. During the early phase of the killings, humanitarian concern of those directly involved in the events did not translate into policy decisions quickly enough to ensure timely and effective intervention.

3. *The Extent of Public Humanitarian Concern About Human Suffering in Somalia and Rwanda did Not Accurately Reflect the Scale of the Crisis or the Objective Need for External Military Intervention.*

This finding undermines the traditionally held view that humanitarian intervention is justified when it is a response to acts "that shock the conscience of mankind". Public humanitarian concern about the crisis in Somalia was not a direct function of the scale of human suffering but a function of its perception via the media. A comparison between the development of the situation in Somalia and its coverage in the US media suggests a sharp disconnect. During

the early phase of the crisis, information from the centre of the famine in the main farming area of Somalia was scarce. Fighting and insecurity which had caused the famine simultaneously hampered the flow of information to the outside world. Consequently, public humanitarian concern remained limited during the height of the crisis. Once public humanitarian concern was sparked during the summer of 1992, interest in the situation in Somalia began to snowball. Public interest in the Somali famine contributed to new media reports about the suffering which in turn reinforced public humanitarian concern. A focus of coverage on worst case examples at the expense of coverage of signs of improvement further emphasised the disconnect between the development of the situation in Somalia and public humanitarian concern. While the crisis was declining in late 1992 public humanitarian concern was on the rise.

In the case of Rwanda a similar disconnect is evident. Public humanitarian concern was minimal when experts warned of an impending catastrophe in the country. As such it did little to contribute to preventative action in early 1994. Once the crisis erupted, the potential of humanitarian considerations to affect decision-making on intervention was severely hampered by several factors. During the early phase of the crisis a lack of extensive media coverage prevented an emergence of widespread humanitarian concern which might have affected international and domestic debates on intervention. An early media focus on Rwanda was hampered by a general preoccupation with other simultaneous media events, including Bosnia, Haiti, the South-African elections and the O.J. Simpson trial, and due to the difficulties of reporting in the midst of a genocide. Moreover, humanitarian considerations remained unfocused as long as understanding of the nature of the massacres was still obscured by descriptions of the genocide campaign as "outbreaks" of "mindless violence". By the time widespread humanitarian concern began to affect policy decisions at the UN Security Council, the majority of the victims had already been

killed. Significantly, the height of media attention to Rwanda occurred after the genocide: during the refugee crisis in Eastern Zaire in July 1994. While this was in itself tragic in terms of human lives lost, it was on a significantly lower scale. In sum, whether or not the conscience of mankind is shocked in practice depends on a variety of factors other than the gravity of the humanitarian crisis. Indeed, one might say that when the conscience of mankind is shocked sufficiently to call for humanitarian intervention, it may well be the wrong moment to intervene.

4. *As a Road-Map for Decision Making and Focal Point for Public Debate and International Negotiations, a Pre-Occupation with Humanitarian Intervention Diverted Attention From Policy Alternatives*

In early 1992, the UN Security Council focused on a peacekeeping approach to the humanitarian crisis in Somalia despite the fact that the political and military situation was still volatile and despite the problem that one of the parties was evidently obstructing the deployment of UN peacekeepers. At the same time, UN agencies and foreign governments were slow to increase humanitarian aid and expand the relief airlift when such measures were urgently needed. Later, during the summer of 1992, the increase in international aid to Somalia was accompanied by an increase in the extent and visibility of relief diversion by Somali militias. Consequently, members of the UN Secretariat and the Security Council, including the US government, argued increasingly that the imperative of protecting the delivery of humanitarian aid required a more forcible approach. Frustration about relief diversion was most evident in the decision by the Security Council to authorise UNITAF in December 1992. The question whether a continuation and improvement of humanitarian assistance might have been able to achieve better results than military intervention, despite the ongoing relief diversion, received inadequate attention.

In the case of Rwanda the fact that humanitarian considerations began to shape the international response to the crisis was problematic in two ways. Firstly, advocacy for humanitarian intervention surged at a time when it was doubtful whether such an intervention would be able to be deployed in time to make a difference. Secondly, moral outrage about the killings focused on advocating humanitarian intervention and thus diverted attention from alternative policy options as for example public condemnation of the "interim-government", threats of economic sanctions and legal prosecution and ultimately even military support for the RPF. For a variety of reasons that have been discussed above such alternatives seemed less desirable than international humanitarian intervention. It is unclear whether such initiatives would have been likely to stop the genocide effectively. But they would have been more supportive of the only force that was actively fighting the perpetrators of the massacres. In the end, humanitarian considerations in Rwanda did not so much mobilise support for an effective international response to the genocide but rather prompted belated initiatives and half-hearted responses.

5. *As a Focal Point for Decision Making at the Security Council, HumanitarianConsiderations Diverted Attention From the Inadequacy of Force Mandates.*

In the case of Somalia, UNITAF's mandate contained several crucial omissions, including a clear definition of the purposes of intervention and precise arrangements as to who would be in charge of determining the overall policy of intervention. Despite serious disagreement about these issues among Members of the Security Council, UNITAF was authorised because the humanitarian crisis in Somalia was thought to require such a response. The failure of the Security Council to define the purpose of intervention contributed to UNITAF

becoming a hybrid between a humanitarian intervention that came too late and a nation-building effort that did not create the conditions for long term reconciliation.

In the case of Rwanda, the authorisation by the Security Council to reinforce UNAMIR in May 1994 was a case in point. Humanitarian justifications for the force clouded the fact that the operation was unlikely to arrive in time to have a significant effect on the genocide. The reinforcement was authorised despite the fact that its mandate was inconsistent and that the force level was insufficient to effectively implement the tasks the operation had been assigned to. The authorisation of *Opération Turquoise* by the Security Council exhibited similar characteristics: When in June 1994 the government of France indicated its determination to intervene in Rwanda, Members of the Council were suspicious about its intentions, not least because of the possibility that such intervention may have been intended to protect the perpetrators of genocide from military defeat. Yet, they found it difficult not to authorise the French intervention. This may have been in part because of French political pressure on Members of the Council and potentially even certain *quid pro quo* arrangements. However, all Members of the Council expressed their concern about the humanitarian dimension of the crisis which, as they themselves said, created an imperative for humanitarian intervention; Even those Member States who were sceptical of the French proposal felt unable to oppose the authorisation of the operation. As the authorising resolution for *Opération Turquoise* was passed with a very small majority of votes, it is possible that humanitarian considerations were the deciding factor in the absence of which the Council would not have backed the French initiative.

6. *The Humanitarian Purpose of International Intervention in Somalia and Rwanda Contributed to a Sense of Moral Certainty and to a Rigidity of Policy Which Stood in the Way of a Cool-Headed, Pragmatic Appreciation of the Limitations of Intervention.*

From May 1993 onwards, the UN Security Council and UNOSOM II Force Command justified their increasingly assertive policy in Somalia on the basis that the force was acting in the interest of preventing a renewed outbreak of massive starvation. This was particularly evident during the debate of the Security Council in the wake of the events of 5 June. A misplaced confidence in the ability of international troops to enforce UNOSOM II's policies against the resistance of the USC/SNA coupled with an emphasis on the humanitarian goals of intervention contributed to the Security Council's hasty decision to escalate the confrontation with General Aideed. The option to seek a solution to the crisis in Somalia which would involve Aideed — and which would have been more in tune with the military capabilities of the force and with the commitment of Member States — was incompatible with what was seen as a humanitarian imperative to pursue the United Nations conception of long term stability in Somalia.

In the case of Rwanda, the withdrawal of international forces in the face of genocide was awkwardly coupled with a widespread sense that only the international community had the right to intervene to stop the killings. The fact that the RPF was the only force actively fighting the perpetrators of genocide did not generate a debate as to whether they should be supported. To the majority of Members of the Security Council, the alternative to an "ideal" international humanitarian intervention was not to support a "gray" and potentially politically embarrassing local military operation but to treat both, the perpetrators of genocide and their opponents, in an impartial manner and do nothing effective to stop the killings.

In conclusion, international responses to the famine in Somalia in 1991 - 1992 and genocide in Rwanda in 1994 appear to confirm all three hypotheses that had been proposed as factors which limit the ability of the international community to carry out effective humanitarian

intervention. State interests, domestic politics, and humanitarian considerations reduced the effectiveness of interventions to an extent that raises doubts as to whether military intervention was the appropriate response to either crisis. One might object that such a conclusion is easier reached after the fact than in the heat of the moment when decisions on whether to intervene had to be made. In both cases, however, delays in the decision to intervene, ambiguities of mission mandates, inadequate means, and likely delays in the deployment of intervention forces made it questionable even in advance whether military humanitarian intervention had sufficient prospect of success. Morally, it thus seems doubtful whether in December 1992 there was a duty of humanitarian intervention in Somalia and whether in April or in mid-May 1994 there was a duty to intervene militarily in Rwanda.

Beyond this general verdict, the conclusions from both case-studies can be summarised in twelve factors that explain more specifically how interests, domestic politics and humanitarian considerations undermined the effectiveness of interventions:

1. Lack of agreement among members of the Security Council contributed to delays of interventions.
2. The need to find compromises between diverging state interests contributed to ill-suited and ambiguous mandates.
3. Fragile commitment to intervention forces had a negative impact on their operational effectiveness.
4. Dependency of intervention forces on military capabilities of a few Western states made operations exceedingly vulnerable to changes of commitment among only a minority of troop contributors.
5. A tendency of governments to balance operational and strategic requirements with considerations of domestic politics contributed to ambiguous force mandates and half-hearted implementation of these mandates.
6. The timing and level of domestic pressure to "do something" about large-scale humanitarian crises bore little relation to requirements on the ground and was thus a poor guide for decision-making.
7. Insufficient commitment among troop contributing countries undermined the effectiveness of operations both on a tactical and strategic level.
8. Humanitarian concern among expert observers of crises was insufficient to generate sufficient policy momentum for early intervention.
9. The extent of public humanitarian concern did not accurately reflect the scale of crises in Somalia and Rwanda.
10. Pre-occupation with seemingly morally required humanitarian interventions diverted attention from policy alternatives.

11. Humanitarian considerations provided a focal point for decision making processes on intervention and diverted attention from inadequacies of force mandates and from deficiencies of political strategies.
12. An attitude of moral righteousness contributed to inflexible policies that stood in the way of a pragmatic appreciation of the limitations of interventions.

Moral Implications

Extrapolating from the examination of the cases of Somalia and Rwanda is a difficult task. Do the factors that undermined effective military intervention in these two cases imply that there is no prospect that humanitarian intervention can ever be effective? Combined with one of the conclusions from the analysis of the ethical debate — that there can be no obligation to intervene militarily without prospect of success — do these findings suggest that there is no duty of humanitarian intervention? For obvious reasons, the observations made here only apply to the cases under examination. As hypotheses about the prospects for success of humanitarian intervention more generally they can only be preliminary. In practice, every case is different, and the Somalia and Rwanda cases alone are no sufficient basis to rule out that international and domestic support and humanitarian considerations may facilitate rather than impede effective humanitarian intervention in other cases. There is a need for further case studies to confirm or refute the conclusions from the cases examined in this thesis. There is a need for better analysis of and for more conceptual clarity. There is also considerable scope for improvement in the mechanisms governments and international organisations use to analyse and respond to humanitarian crises. Increases in the financial and operational capabilities of international and regional organisations may also increase the ability of the international community to intervene effectively in humanitarian crises. Developments in the late 1990s, exemplified by international responses to crises in Kosovo and East Timor, suggest that some impediments to effective intervention have already been overcome.

However, as it should have become evident in the discussion of the causes of international responses to the crisis in Somalia and Rwanda, the factors that undermined an effective response seem deeply imbedded in the way the international community works. Better early warning and UN standby-forces may increase the ability of the international community to pre-empt and respond promptly to sudden humanitarian crises. But such improvements are no panacea for success. In some cases, efforts at conflict resolution may even contribute to the deterioration of the situation. Diverging interests in the Security Council or a lack of sustainable commitment among Member States can still undermine effective intervention; negotiations in the Council can still delay the response; force mandates can still reflect compromises between diverging state interests which might undermine the chances for an effective response. Better political analysis and distribution of that analysis both by the UN Secretariat and by international news media could help focus public debate on achievable options of international response. However, public understanding of the political dimension of crises in countries such as Somalia or Rwanda and about the nature and extent of humanitarian crises is likely to increase only slowly if at all. By the time domestic support begins to focus on an effective response strategy the situation on the ground may have changed to an extent that makes that strategy ineffective. Spreading the conviction that the international community has some responsibility to prevent and stop humanitarian crises in foreign countries will probably increase the likelihood that governments agree to and contribute to effective international responses. But the belief that military intervention is the morally mandatory response when humanitarian crises suddenly appear in front of the eyes of the world may well cause more harm than good.

An integrated political and moral evaluation of various response options has to consider to what extent the factors mentioned above apply to a particular crisis. Such an evaluation may

reveal that military intervention would, despite all the best efforts, not be likely to achieve the desired results. If that were to be the case, then — in accordance with the ethical principles of humanitarian intervention — there would be no moral duty of military intervention. In such cases, it would thus seem appropriate to conclude with Johansen that "international measures that aim at 'less' than deploying military forces may, in the end, yield better results in deterring human rights violations."[3] A move away from resource intensive and publicity grabbing military intervention may also leave more resources and attention to respond to crises that go on below the horizon of international awareness. UN Secretary-General Kofi Annan raised similar concerns when he observed in the summer of 1999: "A tragic irony of many of the crises that go unnoticed or unchallenged in the world is that they could be dealt with by far less perilous acts of intervention than [NATO's military campaign against Serbia in 1999]."[4] Alternative and non-military responses to humanitarian crises may be less satisfying to international public opinion which would like to see clean-cut solutions. In all likelihood, they will also be unable to put a rapid end to sudden outbreaks of large-scale violence They may however be preferable to ill-conceived military interventions that end up causing more harm than good.

The idea that there may be cases of large-scale human suffering in which the international community is not under a moral obligation to intervene militarily invites one basic intuitive doubt. How could it be, one might ask, that when a genocide is being committed nobody needs to do something about it? Is there really nothing wrong with genocide? These are valid objections, but there are two considerations which may make it easier to accept the argument presented here. First, it is important to understand the origin of the intuitive doubt.

---

3 Robert C. Johansen, "Limits and Opportunities in Humanitarian Intervention," in Reed and Kaysen (eds.), *Emerging Norms of Justified Intervention*, p. 61.

4 Kofi Annan, "Two Concepts of Sovereignty," *The Economist*, 18 September 1999, p. 81.

Taking away the idea of a duty of humanitarian intervention leaves a gap. It may thus be that intuitive objections are more a psychological reaction to that gap then dissatisfaction with the analytical or empirical basis of this thesis. One way to begin to think about this problem is to go back to a methodological issue that was raised in chapter 1: the function of ideas for those who believe in them. In psychological literature on the role of ideas, ideas are understood to perform several attractive roles: They can have a cathartic function, create morale, engender solidarity, and perform an advocacy function.[5] The idea of a duty of humanitarian intervention performs all of these functions.

Ideas have a *cathartic* component: they can apportion blame for events that are considered unsatisfactory or even immoral. They allow an individual or a society, as Woods puts it, "to 'let of steam' by creating symbolic enemies". Laying blame on other actors, she argues, reduces one's own responsibility for negative events.[6] The idea that the international community has a duty of humanitarian intervention is not different from other ideas: large-scale human suffering, as it is said, can "shock the conscience of mankind". The idea of a duty of humanitarian intervention offers a way to deal with this shock: somebody or the international community has to stop the suffering immediately. To some extent that idea may divert attention from questioning what the causes for that suffering were and to what extent those who insist on the duty of humanitarian intervention may have contributed to those causes. Ideas also create morale by offering a vision for how to address a difficult situation. The idea of a duty of humanitarian intervention presupposes and promises that military intervention can in fact stop the suffering. A third function of ideas can be to create solidarity or group identities. They can be

---

5 Geertz, C., "Ideology as a Cultural System," in D.E. Apter, *Ideology and Discontent* (London: Macmillan, 1964), p. 55; quoted in Woods, "Economic Ideas and International Relations," p. 173.

6 Woods, "Economic Ideas and International Relations," p. 173.

the banner behind which different groups of domestic or international players can rally to fight for a commonly recognised cause. As international reactions to crises have shown, the idea of a duty of humanitarian intervention can perform that function.[7] Finally, ideas can have an advocatory function. They advocate a particular course of action and call attention to the issues that they are concerned with. The idea of a duty of humanitarian intervention performs that function by calling to the attention of policy makers and the general public the urgency of forceful international responses to humanitarian crises. Despite its psychological attractiveness, the idea of a moral duty of humanitarian intervention is still simplistic and ultimately erroneous.

Questioning the existence of a general moral duty of humanitarian intervention is not the same as questioning whether genocide or large-scale human suffering are wrong. Nor does this thesis suggest that nobody is to blame for the suffering or that nobody has to do anything about it. Genocide and other forms of causing large-scale human suffering are heinous crimes and the United Nations and individual states are under a general moral obligation to try and do something about it. The question whether that "something" has to include military measures is a different one and needs to be answered individually in every case. Some cases will undoubtedly raise the same question about humanitarian intervention that Secretary-General Kofi Annan asked about United Nations peacekeeping operations: "If we don't want to do it properly, should we do it at all?"[8] If, in answering this question, one had to summarise the essence of this thesis in a single sentence, it would be this: whether or not to intervene militarily in humanitarian crises is a question that should be answered not on the basis of moral conviction but on the basis of political and moral common sense.

---

7 Evidence for this function of the idea of a duty of humanitarian intervention is presented in the case studies.

8 UN Secretary-General Kofi Annan in an interview with Jim Hoagland; "Who Wants Peacekeeping? Put Up or Shut Up", *International Herald Tribune*, 3 August 2000, p.8.

Interviews

Bizimungu, Pasteur, President of Rwanda. Interviewed in New York, October 1995.

Cairns, Ed, Senior Policy Adviser to Oxfam, Chief of Policy for Rwanda (April - July 1994). Interviewed in Oxford, 21 October 1996.

Eckhart, Fred, Spokesman of the UN Secretary-General 1997-'98. Interviewed in New York, 30 January 1998.

Goulding, Sir Marrack, UN Under-Secretary General for Peacekeeping Operations, 1992 - March 1993, Under-Secretary-General for Political Affairs, March 1993 - October 1997. Interviewed in Oxford, 10 December 1997, and New York, 6 January 1998.

Jonah, James, Permanent Representative of Sierra Leone to the UN, former Under-Secretary General for Political Affairs, 1992 - March 1994. Interviewed in New York 1998.

Malone, Dr. David, Canadian Deputy Permanent Representative to the United Nations. Interviewed in Oxford, 20 November 1996

Omaar, Rakiya, Co-Director of *African Rights*, Interviewed in London, 18 October 1996

Richburg, Keith, Africa Correspondent for the *Washington Post*, Interviewed in Nairobi, August 1994

Riza, Iqbal, Assistant Secretary-General for Peacekeeping Operations. Interviewed in New York, October 1995

Shearer, David, *Save the Children Fund (UK),* Field Director in Somalia, 1991-1992, and in Rwanda, 1994. Interviewed in London, October 1997.

Terry, Fiona, Director of Research, *Médecins sans Frontières*. Telephone interview, 4 August 2000.

Tharoor, Shashi, Special Advisor to the UN Under-Secretary General for Peacekeeping Operations. Interviewed in New York, October 1995.

Twagiramungu, Faustin, Prime Minister of Rwanda. Interviewed in Kigali, September 1994

Walsh, Mark, Associate Professor, US Army War College. Interviewed in Carlyle, PA, July 1995.

Zarembo, Alan, Rwanda correspondent for *The Economist.* Interviewed in New York, 24 March 1998

Selected Bibliography

Works listed include all quoted books and articles as well as a selection of other material that was consulted in preparation of this thesis. The bibliography is divided into the following sub-sections:

1. Newspapers, Magazines, and Newsletters
2. Books & Articles
   a International Relations
   b Law and Ethics of Humanitarian Intervention
   c Somalia
   d Rwanda

Collections of documents are listed separately at the beginning of each sub-section.

1. Newspapers, Magazines, and Newsletters

Africa Confidential

Berliner Zeitung

Der Spiegel

Die Zeit

Horn of Africa Bulletin

International Herald Tribune

Le Monde

Le Monde diplomatique

die tageszeitung

The Independent

The New York Times

The Washington Post

2. Books & Articles

a) International Relations

Adelman, Howard, "Humanitarian Intervention: The Case of the Kurds", *International Journal of Refugee Law*, vol. 4, no. 1, 1992, pp. 4–38.

African Rights, *Humanitarianism Unbound?*, discussion paper no. 5, London, November 1994.

Akehurst, Michael, "Humanitarian Intervention", H. Bull, ed., *Intervention in World Politics*, pp. 95-118.

Annan, Kofi, "The Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa", *Report of the Secretary-General on the work of the Organization*, UN Doc. A/52/871 - S/1998/318.

Arend, Anthony Clark & Beck, Robert J., "Historical Overview: the Development of the Legal Norms Relating to the Recourse to Force", A.C. Arendt & R.J. Beck, eds., *International Law and the Use of Force*, Routledge, London, pp. 11-25.

Atwood, J. Brian, "Letter to the Editor", *Foreign Affairs*, September-October 1995, p. 190.

Bailey, Sydney & Daws, Sam, eds., *The Procedure of the UN Security Council*, 3rd edition, Clarendon Press, Oxford, 1997.

Berdal, Mats, *Disarmament and Demobilisation after Civil Wars*, Adephi Paper 303, Oxford University Press / IISS, London, 1996.

_____, *The United Nations at fifty: its role in global security*, Ditchley Conference Report, no. D94/15.

_____, "Fateful Encounter: The United States and UN Peacekeeping", *Survival*, vol. 36, no. 1, Spring 1994, pp. 30-50.

_____, "Wither UN Peacekeeping? An Analysis of the Changing Military Requirements of UN Peacekeeping with Proposals for its Enhancement", *Adelphi Paper,* no. 281, International Institute for Strategic Studies / Oxford University Press, London, October 1993.

Boutros-Ghali, Boutros, *Unvanquished: A U.S - U.N. Saga*, Random House, New York, 1999.

Bull, Hedley, *The Anarchical Society: A Study of Order in World Politics*, Basingstoke, Macmillan, 1995.

_____, ed., *Intervention in World Politics*, Clarendon Press, Oxford, 1984.

_____, "Martin Wight and the Theory of International Relations", *British Journal of International Studies,* no. 2, 1976, pp. 101-116.

Butler, Geoffrey & Maccoby, Simon, *The Development of International Law*, Longmans, London, 1928.

Burchill, Scott, "Realism and Neorealism", in S. Burchill & A. Linklater, eds., *Theories of International Relations,* Macmillan Press Ltd., London, 1996.

Brunhorst, Hauke, ed., *Einmischung erwünscht? Menschenrechte und bewaffnete Intervention*, Fischer Verlag, Frankfurt am Main, 1998.

Crawford, Neta C. & Klotz, Audie, eds., *How Sanctions Work: Lessons from South Africa,*Macmillan Press Ltd., London, 1999.

Debiel, Tobias & Nuscheler, Franz, eds., *Der Neue Interventionismus: Humanitäre Einmischung zwischen Anspruch und Wirklichkeit,* Texte der Stiftung Entwicklung und Frieden, Dietz Verlag, Bonn, 1996.

Dobbie, Charles, "A Concept for Post-Cold War Peacekeeping", *Survival*, vol. 36, no. 3, Autumn 1994, pp. 121-148.

Donini, Antonio, "Surfing on the Crest of the Wave Until it Crashes: Intervention in the South, *Journal of Humanitarian Assistance*, www.gsp.cam.ac.uk/jha.html

Doxey, Margaret P., *International Sanctions in Contemporary Perspective*, 2nd edition, St. Martin's Press, London, 1996.

Durch, William J., ed., *The Evolution of UN Peacekeeping: Case Studies and Comparative Analyses*, St.Martin's Press, New York, 1993.

Eliasson, Jan, "Confronting Reality: The UN Prepares for Expanded Duties", *Harvard International Review*, vol. 16, no. 1, Fall 1993, pp. 20/21, 64/65.

Evans, Gareth, "The Future of the United Nations: An Australian Perspective", *transcript of an address to the Women's International Forum,* New York, 25 October 1995.

Farer, Tom, "Intervention in Unnatural Humanitarian Emergencies: Lessons from the First

Phase", *Human Rights Quarterly*, no. 18, 1996, pp. 1-22.

_____, *Is there a Distinctive American Approach to Humanitarian Intervention?*, manuscript of a lecture at the conference on The Politics of International Law and Humanitarian Intervention, Lyngby, Denmark, 21-22 October 1993.

Ferris, Elizabeth, "NGO Humanitarian Intervention: Ethics and Pragmatics", *Life and Peace Review*, vol. 6, no. 4, 1992.

George, Alexander L., "The Warning-Response Problem in Preventive Diplomacy", paper presented to the United States Institute for Peace Study Group on Preventive Diplomacy, Washington, D.C., January 1994.

_____, "Case Studies and Theory Development: The Method of Structured, Focused Comparison", in Paul Gordon Lauren, ed., *Diplomacy: New Approaches in History, Theory, and Policy*, The Free Press, New York, 1979, p. 43-68.

Girardet, Edward R., ed., *Somalia, Rwanda, and Beyond. The Role of the International Media in Wars and Humanitarian Crises*, Crosslines Global Report and the Italian Academy for Advanced Studies at Columbia University, Dublin, 1995.

Goldstein, Judith & Keohane, Robert O., "Ideas and Foreign Policy: An Analytical Framework", in J. Goldstein & R. Keohane, eds., *Ideas and Foreign Policy: Beliefs, Institutions, and Political Change*, Cornell University Press, Ithaca, 1993, pp. 3-30.

Goulding, Marrack, *Practical Measures To Enhance The United Nations' Effectiveness In The Field Of Peace And Security: A Report Submitted To The Secretary-General Of The United Nations*, internal memorandum, New York, 30 June 1997.

_____, "The Use of Force by the United Nations", Mountbatten-Tata Memorial Lecture at the University of Southampton, *transcript*, 23 November 1995.

_____, "The Evolution of United Nations Peacekeeping", *International Affairs*, vol. 69, no. 3, 1993, pp. 451-464.

Grotius, Hugo, *De Iure Belli Ac Pacis, Libri Tres*, Oceana, New York, 1964.

_____, *De Iure Belli Ac Pacis, Libri Tres*, translated by Francis W. Kelsey, Clarendon Press, Oxford, 1925.

Guicherd, Catherine, "International Law and the War in Kosovo", *Survival*, vol. 41, no. 2,

Summer 1999, p. 19-34.

Haass, Richard N., ed., *Economic Sanctions and American Diplomacy*, Council on Foreign Relations, New York, 1998.

_____, *Intervention: The Use of Military Force in the Post Cold War World,* Carnegie Endowment, Washington, D.C., 1994.

Harris, John, *The Politics of Humanitarian Intervention*, Pinter, London, 1995.

Helman, Gerald B. & Ratner, Steven R., "Saving Failed States", *Foreign Policy*, no. 89, Winter 1992/93, pp. 3-20.

Higgins, Rosalyn, "Intervention and International Law", in Hedley Bull, ed., *Intervention in World Politics*, pp. 29 - 44.

Hoffmann, Stanley, ed., *The Ethics and Politics of Humanitarian Intervention*, University of Notre Dame Press, Notre Dame, Indiana, 1996.

_____, "The Politics and Ethics of Military Intervention", *Survival*, vol. 37, no. 4, Winter 1995 - 96, pp. 29 – 51.

_____, "Out of the Cold: Humanitarian Intervention in the 1990s", *Harvard International Review*, vol. 16, no. 1, pp. 8, 9, 62.

Holebroke, Richard, *To End a War,* Random House, New York, 1998.

Holsti, Kalevi Jacque, *International Politics. A Framework of Analysis*, 5th edition, Prentice Hall, Englewood Cliffs, N.J., 1988.

Honig, Jan, *Srebrenica: Record of a War Crime*, Penguin, London, 1996.

Humanitarian Intervention: A Review of Theory and Practice, Hearing before the Select Committee on Hunger, House of Representatives, One Hundred Second Congress, Second Session, serial no. 102-37, U.S. Government Printing Office, Washington, D.C., 1993.

Huntington, Samuel, "Playing to Win", *National Interest*, no. 3, Spring 1986.

International Institute for Strategic Studies, *The Military Balance 1999-2000,* Oxford University Press/IISS, London, 1999.

_____, *Strategic Survey 1994*, Oxford University Press, Oxford, 1995.

Keohane , Robert O., ed., *Neorealism and its Critics,* Columbia University Press, New York, 1986.

Kittani, Ismat, "Preventive Diplomacy and Peacemaking: the UN Experience", in *Peacemaking and Peacekeeping for the Next Century*, report of the 25th Vienna Seminar, 2 - 4 March 1995, International Peace Academy Report, 1995.

Marti Kokenniemi, "Die Polizei im Tempel: Ordnung, Recht und die Vereinten Nationen: Eine dialektische Betrachtung", in Hauke Brunkhorst, ed., *Einmischung Erwünscht? Menschenrechte und bewaffnete Intervention*, Fischer Verlag, Frankfurt am Main, 1998, pp. 63-87.

Keen, David, *The Economic Functions of Violence in Civil Wars*, Adelphi Paper 320, Oxford University Press/IISS, London, 1998.

_____, *The Kurds in Iraq: How Save is Their Haven Now?*, Save the Children Fund, London, 1993.

Klingworth, Gary, *Vietnam's Intervention in Cambodia in International Law*, Australian Government Publishing Service, Canberra, 1989.

Lauterpacht, Hersch, "The Grotian Tradition in International Relations", *British Year Book of International Law,* 1946, pp. 1-53, p. 46

Licklider, Roy, "The Consequences of Negotiated Settlements in Civil Wars, 1945-1993", *American Political Science Review*, vol. 89, no. 3, September 1995.

Lin, James Chun, *Humanitarianism and Military Force: Humanitarian Intervention and International Society*, D.Phil. thesis, Oxford University, 1995.

Lund, Michael S., *Preventing Violent Conflicts: A Strategy for Preventive Diplomacy*, US Institute for Peace Press, Washington, D.C., 1996.

Lyons, Gene M. & Mastanduno, Michael, eds., *Beyond Westphalia? State Sovereignty and International Intervention,* The Johns Hopkins University Press, Baltimore, 1995.

MacFarlane, Neil, "The Role of the UN", *Accord: An International Review of Peace Initiatives*, issue 7, The Georgia-Abkhazia Peace Process, October 1999, pp. 36-41.

_____, & Minear, Larry, "Humanitarian Action and Politics: The Case of Nagorno-Karabakh", *Occasional Paper No. 25*, The Thomas J. Watson Jr. Institute for International Studies,

Providence, 1997.

_____, Minear, Larry, & Stephen D. Shenfield, "ArmedConflict in Georgia: A Case Study in Humanitarian Action and Peacekeeping", *Occasional Paper No. 21*, The Thomas J. Watson Jr. Institute for International Studies, Providence, 1996.

_____, *Intervention and Regional Security*, Adelphi Paper no. 196, International Institute for Strategic Studies, London 1985.

Mackinlay, John, ed., *A Guide to Peace Support Operations*, Thomas J.Watson Jr. Institute for International Studies, Brown University, 1996.

Malone, David, *Decision-Making in the UN Security Council: the Case of Haiti,* Clarendon Press, Oxford, 1998.

_____, "The Security Council and the Future of UN Peace-keeping", *Oxford International Review*, vol. 7, no. 2, Spring 1996, pp. 23 - 29.

Mansfield, Edward D. & Snyder, Jack, "Democratization and War", *Foreign Affairs,* May/June 1995, pp. 79-97.

Mayall, James, ed., *Africa in the post-Cold War International System*, Pinter, London 1998.

_____, "Intervention in International Society: Theory and Practice in Contemporary Perspective" in B.A. Roberson, ed., *International Society and the Development of International Relations Theory*, London, Pinter, 1998.

_____, *The New Interventionism: United Nations Experience in Cambodia, former Yugoslavia and Somalia*, Cambridge University Press, Cambridge, 1996.

Maynes, Charles William, "Relearning Intervention", *Foreign Policy,* no. 98, Spring 1995, pp. 96-113.

Mearsheimer, John, "The False Promise of International Institutions", in Michael E. Brown, Sean M. Lynn-Jones & St. E. Miller, eds., *The Perils of Anarchy: Contemporary Realism and International Security*, MIT Press, Cambridge, Mass., p. 336ff.

Michael Mandelbaum, "The Reluctance to Intervene", *Foreign Policy*, vol. 95, summer 1994, pp. 3-18.

Minear, Larry & Weiss, Thomas, *Humanitarian Action in Times of War*, Lynne Rienner, Boulder, Colorado, 1993.

Miyawa, Makio, *Do Economic Sanctions Work?,* St. Martin's Press, London, 1992.

Moore, John Norton & Lillich, Richard, "The Control of Foreign Intervention in Internal Conflict", *Virginia Journal of International Law*, vol. 9, 1969.

Moore, John N., ed., *Law and Civil War in the Modern World*, Stevens, London, 1974.

Morgenthau, Hans J., *Politics Among Nations. The Struggle for Power and Peace*, 5th ed., Knopf, New York, 1973.

Morphet, Sally, "UN Peacekeeping an Election-Monitoring", in Roberts and Kingsbury, eds., *United Nations, Divided World*, pp. 193 - 239.

Osgood, Robert E., *Ideal and Self-Interest in America's Foreign Relations. The Great Transformation of the Twentieth Century,* University of Chicago Press, Chicago, 1953.

Parsons, Anthony: *From Cold War to Hot Peace: UN Interventions 1947 - 1994,* Michael Joseph, London, 1995.

Phillips, Robert L. & Cady, Duane L., *Humanitarian Intervention: Just War vs. Pacifiscm,* Rowman & Littlefield, Lanham, Maryland, 1996.

Pieterse, Jan Nederveen, "Soziologie der humanitären Intervention: Bosnien, Somalia und Rwanda, sic im Vergleich", *Das Argument: Zeitschrift für Philosophie und Sozialwissenschaften,* no. 217, 1996, pp. 781 – 800.

Powell, Colin, "US Forces: Challenges Ahead", *Foreign Affairs*, vol. 71, no. 5, Winter 1992/93, pp. 32-45.

Public Papers of the Presidents of the United States: Administration of George Bush, book II, 1 August 1992 to 29 January 1993, United States Government Printing Office, Washington, D.C., 1993.

Public Papers of the Presidents of the United States, Administration of William J. Clinton, 1993, United States Government Printing Office, Washington, D.C., 1994.

Ramsbotham, Oliver & Woodhouse, Tom, *Humanitarian Intervention in Contemporary Conflict,* Polity Press, Cambridge, 1996.

Roberts, Adam, "NATO's 'Humanitarian War' over Kosovo", *Survival*, vol. 41, no. 3, Autumn 1999, pp. 102-123.

_____, *Humanitarian Action in War: Aid, Protection and Impartiality in a Policy Vacuum*,

Adelphi Paper 305, International Institute for Strategic Studies / Oxford University Press, London, 1996.

_____, "From San Francisco to Sarajevo: The UN and the Use of Force", *Survival*, vol. 37, no. 4, Winter 1995-96, pp. 7-28.

_____, "The Road to Hell...: A Critique of Humanitarian Intervention", *Harvard International Review*, vol. 16, no. 1, pp. 10-13, 63.

_____, "The United Nations: Variants of Collective Security", in Ngaire Woods, ed., *Explaining International Relations since 1945*, Oxford University Press, Oxford, 1996, pp. 309-336.

_____, "The Crisis in UN Peacekeeping", *Survival*, vol. 36, no. 3, Autumn 1994, pp. 93-120.

_____, *A More Human World? The Evolution of International Responses to Situations Involving Massive Human Suffering*, Study for the Commonwealth Secretariat for the Intergovernmental Group on the Emergence of a Global Humanitarian Order, manuscript, Oxford, December 1994.

_____ & Benedict Kingsbury, *United Nations, Divided World*, 2nd edition, Clarendon Press, Oxford, 1993.

_____ & Guelff, Richard, eds., *Documents on the Laws of War*, second revised and updated edition, Clarendon Press, Oxford, 1989.

Rosenau, James N., "National Interest," in *International Encyclopedia of the Social Sciences*, vol. 11, Macmillan Company & Free Press, 1968, pp. 34-40, 34.

Scheffer, David, "Toward a Modern Doctrine of Humanitarian Intervention", *University of Toledo Law Review*, vol. 23, p. 288.

Shearer, David, *Private Armies and Military Intervention*, Adelphi Paper 316 (London: Oxford University Press/IISS, 1998)

Stedman, S.J., "Alchemy of a new World Order", *Foreign Affairs,* May/June 1995, 14-19.

_____, "The New Interventionists", *Foreign Affairs,* vol. 72, no. 1, 1992/93, pp. 1-16.

_____, *Peacemaking in Civil Wars: International Mediation in Zimbabwe 1974-1980*, Lynne Rienner, Boulder, Co., 1991.

Strobel, Warren P., *Late-Breaking Foreign Policy: The News Media's Influence on Peace Operations*, United States Institute for Peace, Washington, D.C., 1997.

Van Hoeylandt, Pierre, "Ich bin ein glücklicher Narr. Kofi Annan: Eine Neue Ära beginnt. Interview mit dem UN-Generalsekretär", *Die Zeit*, no. 31, 25 July 1997, p.9.

_____, "Kleine Schritte zur großen Bescheidenheit. 'Stille Revolution': Die Uno soll schrumpfen und sparen — ein kühnes Programm", *Die Zeit*, no. 31, 25 July 1997, p.9.

_____, "The Unsafe Streets", *US News & World Report*, 5 - 11 February 1996.

_____, *Preventive Diplomacy: Conclusions from Recent Debate*, paper prepared for the U.N. Department of Peace-keeping Operations, December 1995.

_____, "Regierungsumbildung in Ruanda: Das Parlament hat den Ministerpräsidenten und vier Minister entlassen. Damit sind im Kabinett keine prominenten Hutu mehr vertreten. Die Armee gewinnt an Einfluß", *die tageszeitung*, 31 August 1995.

_____, "The Peacekeeper's Dilemma", *Oxford International Review,* no. 1, 1995, pp. 25-31.

_____, & Grill, Bartholomäus, "Die Helfer gehen, der Krieg bleibt: Aus Somalia ziehen die Blauhelme ab. Bilanz einer katastrophalen Mission der Vereinten Nationen", *Die Zeit*, 3 March 1995, p.4.

_____, "Von den Deutschen blieb nur die Erinnerung", *Berliner Zeitung*, no. 204, 31 August 1994, p. 7.

Vattel, Emer de, Le droit des gens: ou, Principes de la loi naturelle appliqués á la conduite et aux affaires des nations et des souverains, J.P. Ailland, Paris, 1835-1838.

Vincent, R.J., "Grotius, Human Rights and Intervention", in Hedley Bull, Benedict Kingsbury & Adam Roberts, eds., *Hugo Grotius and International Relations*, Clarendon Press, Oxford, 1990, pp. 242-256.

Vitoria, Francisco de, *Political Writings*, edited by Anthony R. Padgen & Lawrence, Jeremy N., Cambridge University Press, Cambridge 1991.

Waltz, Kenneth N., *Theory of International Politics*, Addison-Wesley, Reading, Mass., 1979.

_____, *Foreign Policy and Democratic Politics: The American and British Experience,* Longmans, London, 1968.

Weiss, Thomas G., "Triage: Humanitarian Interventions in a New Era," *World Policy Journal*, no. 11, Spring 1994, p. 59ff.

_____& Collins, Cindy, *Humanitarian Challenges and Intervention. World Politics and the*

Dilemmas of Help, Westview Press, Boulder, 1996.

_____, "New Challenges for UN Military Operations: Implementing an Agenda for Peace", *The Washington Quarterly*, 1993, vol. 16, no. 1, pp 51-66.

_____, "Tangled Up in Blue: Intervention and Alternatives", *Harvard International Review*, vol. 16, no. 1, Fall 1993, pp. 30-32.

_____, & Minear, Larry, eds., *Humanitarianism Across Borders: Sustaining Civilians in Times of War*, Lynne Rienner, Boulder, 1993.

Wendt, Alexander, "Anarchy is what States Make of it: The Social Construction of Power Politics", *International Organization*, vol. 46, no. 2, Spring 1992,, reprinted in M.E. Brown, S. M. Lynn-Jones, and S. E. Miller, eds., *The Perils of Anarchy,* pp. 391 – 425.

Wider Peacekeeping, British Ministery of Defence, London, 1995.

Woods, Ngaire, "Economic Ideas and International Relations: Beyond Rational Neglect", *International Studies Quarterly*, vol. 39, 1995, pp. 161 - 180.

b) Ethics of Humanitarian Intervention

Beitz, Charles. Ed.: *International Ethics. A Philosophy and public affairs reader,* Princeton: University Press, Princeton, 1985.

_____, "Nonintervention and Communal Integrity," *Philosophy & Public Affairs*, vol. 9, 1980, no. 4, pp. 385 - 397.

_____, *Political Theory and International Relations*, Princeton University Press, Princeton 1979.

Berlin, Isaiah: 'Two Concepts of Liberty', abridged from *Four Essays on Liberty*, Oxford: Oxford University Press, 1969, 121-134, 145-154, David Miller, ed., *Liberty*, Oxford University Press, Oxford, 1991, pp. 33-58.

Beestermöller, Gerhard, Thomas von Aquin und der gerechte Krieg. Friedensethik im theologischen Kontext der Summa Theologiae, J.P. Bachem Verlag, Köln, 1990.

Bettati, Mario and Kouchner, Bernard: *Le devoir d'ingérence: peut-on les laisser mourir?*, Denoël, Paris, 1987.

Bettati, Mario, *Le droit d'ingérence. Mutations de l'ordre international,* Éditions Odile Jacob, Paris, 1996.

_____, "Droit d'ingérence ou droit d'assistance?," *Le Trimestre Du Monde*, 2ème trimestre, 1993, pp. 9-15.

_____, "Le droit d'ingérence: sens et portée," *le débat*, no. 67, November-December 1991, pp. 4-15.

Bouretz, Pierre, "Actualité du droit d'ingérence humanitaire," *Raison Présente*, no. 116, October/December 1995, pp. 29-38.

Brownlie, Ian, "Thoughts on Kind-Hearted Gunmen", Lillich, ed., *Humanitarian Intervention and the United Nations*, 1973.

Coates, A.J., *The Ethics of War*, Manchester University Press, Manchester, 1997.

Comblin, Christophe, "Droit d'ingérence humanitaire ou retour de l'intervention d'humanité?, *La Revue Nouvelle*, no. 11, November 1994, pp. 33-43.

Destexhe, Alain, *L'humanitaire impossible: Ou deux siècles d'ambiguïté*, Arman Colin, Paris, 1993.

Doppelt, Gerald, "Walzer's Theory of Morality in International Relations", *Philosophy and Public Affairs*, vol. 8, no. 1.

_____, "Statism without Foundations," *Philosophy & Public Affairs*, vol. 9, no. 4, 1980, pp. 398 - 403.

Douglas, Mary, "Morality and Culture," *Ethics*, July 1993, pp. 786 - 791.

Elfstrom, Gerard, "On Dilemmas of Intervention," *Ethics*, vol. 93, July 1983, pp. 709 - 725.

Ellis, Anthony, ed., *Ethics and International Relations,* Manchester University Press, Manchester, 1986.

Étienne, Bruno, "Du droit de coloniser au devoir d'ingérence," *Politiques*, no. 6, Summer 1993, pp. 90-97.

Farer, Tom J., "Humanitarian Intervention: Lessons from the First Phase", *Human Rights Quarterly*, January 1996.

_____, "A Paradigm of Legitimate Intervention", Lori Fisler Damrosch, ed., *Enforcing Restraint. Collective Intervention in Internal Conflicts,* Council on Foreign Relations

Press, New York, 1993, p. 316-347.

_____, "An Inquiry into the Legitimacy of Humanitarian Intervention", L.F. Damrosch and D.J. Scheffer, eds., *Law and Force in the New International Order,* Westview Press, Boulder, 1991.

Forbes, Ian & Hoffmann, Mark, eds., *Political Theory, International Relations and the Ethics of Intervention,* St.Martin's Press, London, 1993.

Frost, Mervyn, "The Role of Normative Theory in International Relations," *Millenium: Journal for International Studies*, vo. 23, no. 1, 1994, pp. 109 - 118.

_____, *Towards a Normative Theory of International Relations,* Cambridge University Press, Cambridge, 1986.

Goldmann, Alan H., "The Moral Significance of National Boundaries", in P. French et alt., Eds. *Midwest Studies in Philosophy VII*, Univ. Press Minnesota, Minnesota, 1982, pp. 437-453.

Goodin, Robert E., "What is so special about our fellow countrymen?", *Ethics*, vol. 98, July 1988, pp. 663 - 686.

Greenwood, Christopher, "Is There a Right of Humanitarian intervention?", *The World Today*, vol. 49, no. 2, February 1993.

Haas, Ernst B., "Beware the Slippery Slope: Notes towards the Definition of Justifiable Intervention", Laura W. Reed and Carl Kaysen, eds., *Emerging Norms of Justified Intervention. A Collection of Essays from a Project of the American Academy of Arts and Sciences*, Committee on International Security Studies, American Academy of Arts and Sciences, Cambridge, Mass., 1993, p. 63-87.

Habermas, Jürgen, "Bestialität und Humanität," *Die Zeit*, no. 18, 29 April 1999.

Hare, J.E. & Joynt, Carey B., *Ethics and International Affairs*, St. Martin's Press, New York, 1982.

Harré, Rom & Krausz, Michael, *Varieties of Relativism,* Blackwell, Oxford, 1996.

Hassner, Pierre, "Devoir, dangers, dilemmes", *le débat*, no. 67, November - December 1991, pp. 16-23.

Hehir, J. Bryan, "Expanding Military Intervention: Promise of Peric?", *Social Research*, vol. 62,

no. 1, Spring 1995, p. 49ff.

_____, , "Intervention: From Theories to Cases," *Ethics in International Affairs*, vol. 9, 1995, pp. 1 - 13.

Hobbes, Thomas, *Leviathan*, Penguin Books, London, 1985.

Hoffmann, Stanley, "The Political Ethics of International Relations", Joel H. Rosenthal, ed., *Ethics & International Affairs: A Reader*, Georgetown University Press, Washington, D.C, 1995, pp. 22 - 38.

_____, *Duties Beyond Borders. On the Limits and Possibilities of Ethical International Politics*, Syracuse University Press, Syracuse,1981.

Howard, Rhoda, "Cultural Absolutism and the Nostalgia for Community," *Human Rights Quarterly*, vol. 15, 1993, pp. 315 - 338.

Kant, Immanuel, "Perpetual Peace: A Philosophical Sketch", I. Kant, *Political Writings*, edited by Hans Reiss, Cambridge University Press, Cambridge, 1991, p. 93 - 130.

_____, *Grundlegung zur Metaphysik der Sitten*, edited by Theodor Valentiner, 2nd edition, Philipp Reclam, Stuttgart, 1984.

Kouchner, Bernard, *Le malheur des autres*, Éditions Odile Jacob, Paris, 1991.

_____, "Le mouvement humanitaire: Questions à Bernard Kouchner," *le débat*, no. 67, November-December 1991, pp.30-40.

Lewer, Nick and Ramsbotham, Oliver, *'Something must be done' Towards an Ethical Framework for Humanitarian Intervention in International Social Conflict*, Peace Research Report Number 33, Department of Peace Studies, University of Bradford, Bradford, 1993.

Lillich, Richard B., "Humanitarian Intervention through the United Nations: Towards the Development of Criteria", *Zeitschrift für ausländisches Recht und Völkerrecht*, vol. 53, no. 3, 1993, pp. 557 - 575.

_____, ed., *Humanitarian Intervention and the United Nations*, University Press of Virginia, Charlottesville, 1973.

Locke, John, "The Second Treatise of Government," in John Locke, *Political Writings*, Penguin, London, 1993, pp. 261 - 386.

Luban, David, "Just War and Human Rights", *Philosophy & Public Affairs*, vol. 9, no.4, pp. 160-181.

Luban, David, "The Romance of the Nation-State", *Philosophy & Public Affairs*, vol. 9, no. 4, pp. 392-403.

Maesschalck, Mark, "Une stratégie exceptionelle," *La Revue Nouvelle*, no. 11, November 1994, pp. 44-54.

Mill, John Stuart, "A Few Words on Non-Intervention", *Dissertations and Discussions*, vol. 3, Longman Green Reader and Dyer, London, 1875.

Moreau Defarges, Philippe, "Le Devoir d'ingérence," *Défence Nationale*, 47th year, June 1991, pp. 103-112.

Oeter, Stefan, "Humanitäre Intervention und Gewaltverbot: Wie handlungsfähig ist die Staatengemeinschaft?", Brunhorst, Hauke, ed., *Einmischung erwünscht? Menschenrechte und bewaffnete Intervention*, Fischer, Frankfurt am Main, 1998.

Ramsbotham, Oliver P., "Islam, Christianity, and Forcible Humanitarian Intervention", *Ethics & International Affairs*, vo. 12, 1998, p. 81 - 102.

_____ and Woodhouse, Tom, *Humanitarian Intervention in Contemporary Conflict. A Reconceptualization*, Polity Press, Cambridge, 1996.

Rawls, John, *A Theory of Justice*, Belknap, Cambridge, Mass., 1971.

Reed, Laura W. and Kaysen, Carl, eds., *Emerging Norms of Justified Intervention. A Collection of Essays from a Project of the American Academy of Arts and Sciences*, Committee on International Security Studies, American Academy of Arts and Sciences, Cambridge Mass., 1993.

Rousseau, Jean-Jaques, *The Social Contract,* Oxford University Press, Oxford, 1994.

Rufin, Jean-Christophe, "Les pièges de l'humanitaire," *Revue des deux mondes*, juin 1993, pp. 129-139.

_____, *Le piège humanitaire*, 2nd edition, Éditions Jean-Claude Lattès, Paris, 1992.

_____, "La maladie infantile du droit d'ingérence", *le débat*, no. 67, November-December 1991, p. 24-29.

Sherman, Nancy, "Empathy, Respect, and Humanitarian Intervention", *Ethics & International*

Affairs, vol. 12, 1998, pp. 103-120.

Singer, Peter, "Famine, Affluence, and Morality", *Philosophy & Public Affairs*, vol. 1, no. 3, 1972, pp. 229 - 231.

Smith, Hugh, "Humanitarian Intervention. Morally Right, Legally Wrong?", *Current Affairs Bullettin*, September 1991, pp. 4-11.

Smith, Michael J., "Humanitarian Intervention: An Overview of the Ethical Issues", *Ethics & International Affairs*, vol. 12, 1998, p. 63-80.

Tesón, Fernando, *Humanitarian Intervention: An Inquiry into Law and Morality*, Transnational Publishers, Dobbs Ferry, 1988.

Thompson, Kenneth W., ed., *Ethics and International Relations*, Ethics in Foreign Policy, vol. 2, Transaction Books, New Brunswick, 1985.

Unger, Peter, *Living High & Letting Die. Our Illusion of Innocence*, Oxford University Press, Oxford, 1996.

Walzer, Michael, "The Politics of Rescue", *Social Research*, vol. 62, no. 1, Spring 1995, pp. 53-66.

_____, "The Moral Standing of States: A Response to Four Critics," *Philosophy & Public Affairs 9*, no.3, 1980, pp. 209-229.

_____, *Just and Unjust Wars. A Moral Argument With Historical Illustrations,* second edition, Harper Collins Publishers, 1992 [1977].

_____, "World War II: Why Was This War Different?", *Philosophy & Public Affairs*, vol. 3, no. 1 (1971), p. 4ff.

Weber, Max, "Der Beruf zur Politik"[1919], M. Weber, *Soziologie, Universalgeschichtliche Analysen, Politik* (Stuttgart: Alfred Kröner Verlag, 1973), p. 167-185.

Welch, David A., "Can We Think Systematically About Ethics and Statecraft?", *Ethics & International Affairs*, vol. 8, 1994, pp. 23-37.

Marc Weller, "Access to victims: Reconceiving the right to 'intervene'," *International law and The Hague's 750th Anniversary*, W.P. Heere / TMC Asser Press, The Hague, 1999, pp. 353-370.

Wheeler, Nicolas, "Pluralist and Solidarist Conceptions of International Society: Bull and Vincent on Humanitarian Intervention," *Millenium: Journal of International Studies*, vol. 21, no. 3, pp. 463-487.

Williams, Bernard, "Is International Rescue a Moral Issue?", *Social Research*, vol. 62, no. 1, Spring 1995, p. 67-75.

c) Somalia

Collections of Documents & Bibliographies

Clarke, Walter S., *Humanitarian Intervention in Somalia: Bibliography,* US Army War College, Center for Strategic Leadership, Carlyle, PA, 1995.

The United Nations in Somalia, 1992-1996, The United Nations Blue Books Series, vol. viii, United Nations, Department of Public Information, New York, 1996

Provisional Verbatim Accounts of the Meetings of the United Nations Security Council, 1992-1996.

Final Report of the Commission of Inquiry into the Deployment of Canadian Forces to Somalia, 4 volumes, Canadian Commission of Inquiry, Ottawa, 1995.

Books & Articles

African Rights, *Somalia: Operation Restore Hope: A Preliminary Assessment*, London, May 1993.

_____, *Human Rights Abuses by the United Nations Forces*, London, July 1993.

Africa Watch Report, *A Government at War with its own people. Somalia, testimonies about the killings and the conflict in the north*, London, 1990.

Allard, Kenneth, *Somalia Operations: Lessons Learned*, National Defense University Press, 1995.

Alter, Jonathan, "Did the Press push us into Somalia?", *Newsweek,* 21 December 1992, p. 33.

"Ambush in Mogadishu", Interviews with Policymakers, Military Officials and Somalis, *Frontline*, published on the world wide web by PBS Online and WGBH/Frontline,

September 1998.

Barzani, Massoud, "Hope Restored. Benefits of Humanitarian Intervention", *Harvard International Review*, vol. 16, no. 1, Fall 1993, pp 18/19, 63.

Blumenthal, Sidney, "Why are we in Somalia", *The New Yorker*, 25. October 1993, p. 48-60.

Bongartz, Maria, *Somalia im Bürgerkrieg. Ursachen und Perspectiven des innenpolitischen Konflikts,* Arbeiten aus dem Institut für Afrika-Kunde 74, Hamburg, 1991.

Bolton, John R., "Wrong Turn in Somalia", *Foreign Affairs*, vol 73, no. 1, Jan/Feb 1994, pp. 56-66.

Boutros-Ghali, Boutros, *Unvanquished: A U.N. - U.S. Saga*, Random House, New York, 1999.

_____, "An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping", Adam Roberts & Benedict Kingsbury, *United Nations, Divided World*, 2nd edition, Clarendon Press, Oxford, 1993.

_____, *Supplement to An Agenda for Peace,* UN document S/1995/1, 3 January 1995.

_____, "Introduction", *The United Nations in Somalia, 1992-1996*, The United Nations Blue Books Series, vol. 8, United Nations, Department of Public Information, New York, 1996.

Bowden, Mark, *Blackhawk Down: An American War Story*, special reprint of a series that appeared in *The Philadelphia Inquirer* from 16 November to 14 December 1997.

Bradbury, Mark, "The Somali Conflict, Prospects for Peace", *Oxfam Research Paper no. 9*, Oxfam, Oxford, October 1993.

Bush, George, "Speech to the Nation", 4 December 1992, *Foreign Policy Bulletin*, January-April 1993, p. 22-24.

Callahan, Thomas J., "Some Observations on Somalia's Past and Future," *CSIS Africa Notes*, no. 158 (March 1994), p. 2ff.

Clark, Warren P., "Debakle in Somalia: Failure of the Collective Response", Lori Fisler Damrosch, ed., *Enforcing Restraint: Collective Intervention In Internal Conflicts,* Council on Foreign Relations, New York, 1993, pp. 205-240.

Clark, Jeffrey, "Debacle in Somalia", *Foreign Affairs*, vol. 72, no. 1, 1993, p. 109-123.

Clinton, Bill, "The Democratic Agenda", *Africa Report*, September / October 1992, p. 19ff.

Comprehensive Report on Lessons-Learned from United Nations Operation in Somalia, April 1992 - March 1995, Friedrich Ebert Stiftung (Germany), Life and Peace Institute (Sweden), and the Norwegian Institute of International Affairs in cooperation with the Lessons-Learned Unit of the UN Department of Peace Keeping Operations, December 1995.

Crocker, Chester A., "The Lessons of Somalia. Not Everything Went Wrong", *Foreign Affairs*, May/June 1995, p. 3ff.

Cuny, Frederick C., *Operational Conceptplan 2 - Military Intervention in Somalia*, 21 November 1992, reprinted in "Ambush in Mogadishu", PBS Online and WGBH/Frontline, world wide web, September 1998.

de Waal, Alex and Omaar, Rakiya, "Doing Harm by Doing Good? The International Relief Effort in Somalia", *Current History*, vol 92, iss 574, pp. 198-202.

_____, letter to *The Lancet*, vol. 341, June 5, 1993, p. 1479.

de Waal, Alex, "We do deserts, we don't do mountains," *The London Review of Books*, vol. 21, no. 22, 11 November 1999, p. 18.

_____, *Famine Crimes. Politics & The Disaster Relief Industry in Africa*, Indiana University Press, Bloomington & Indianapolis, 1997.

_____, "We do deserts, we don't do mountains", *The London Review of Books*, vol. 21, no. 22, 11 November 1999, p. 17-19.

Drysdale, John, *Whatever Happened to Somalia? A Tale of Tragic Blunders*, Haan Associates, London, 1994.

Dualeh, Hussein Ali, *From Barre to Aideed. Somalia: The Agony of a Nation*, Nairobi, Stellagraphics Ltd., 1994.

Eikenberg, Katrin, "Somalia: Vom Krieg der Clans zum Krieg der UNO?", Volker Matthies, ed., *Frieden durch Einmischung. Der Schrecken des Krieges und die, Ohnmacht der internationalen Gemeinschaft,* J.H.W. Dietz Nachfolger, Bonn, 1993.

Goodman, Walter, "ReSomalia: How much did TV shape policy", *The New York Times Word and Image*, 8 December 1992.

Hansch, Steven; Lillibridge, Scott; Egeland, Grace; Teller, Charles and Toole, Michael, *Lives*

Lost, Lives Saved. Excess Mortality and the Impact of Health Interventions in the Somalia Emergency, Refugee Policy Group, November 1994.

Harsch, Ernest, "'Somalia. Restoring Hope'", *Africa Recovery Briefing Paper No. 7*, U.N. Department of Public Information, New York, 1993.

Healy, Sally, "Research and Analysis Department Note: The Demise of State Institutions in Somalia", *Foreign and Commonwealth Office*, RAD Note 5/93, DD 1993/147, April 1993.

Hippel, Karin von, *Democracy by Force: US Military Intervention in the post-Cold War World*, Cambridge University Press, Cambridge, 2000.

_____, *Why States Collapse? One Attempt at a Response - Somalia*, paper presented at the MacArthur Foundation's Annual Conference 1998 on *Regional Security in a Global Context* convened by the Department of War Studies, King's College London, April 1998.

Hirsch, John L. and Oakley, Robert B., *Somalia and Operation Restore Hope. Reflections on Peacemaking and Peacekeeping*, United States Institute for Peace, Washington, D.C., 1995.

Huband, Mark, "When Yankee Goes Home", *Africa Report*, March/April 1993.

Jean, Francois and Médecins sans Frontières, eds., *Face aux crises...*, Hachette, Paris, 1993.

Lefebure, Jeffrey A., *Arms for the Horn. US Security Policy in Ethiopia and Somalia, 1953 - 1991*, University of Pittsburgh Press, Pittsburgh, P.A., 1991.

Lewis, I.M., *Understanding Somalia. Guide to Culture, History and Social Institutions*, Haan Associates, London, 1993.

Lyons, Terrence & Samatar, Ahmed I., *Somalia. State Collapse, Multilateral Intervention, and Strategies for Political Reconciliation*, The Brookings Institution, Washington, D.C., 1995.

Makinda, Samuel M., "Somalia: From Humanitarian Intervention to Military Offensive?", *The World Today*, vol. 49, iss. 10, Oct 1993, pp. 184-186.

Menkhaus, Ken with Ortmayer, Louis, "Key Decisions in the Somalia Intervention", *typescript*.

Moore, Patrick *et alt.*, "Mortality Rates in Displaced and Resident Populations of Central

Somalia During 1992 Famine," *The Lancet*, no. 341, 10 April 1993, p. 935ff. First published as: *Population-based mortality assessment-Baidoa and Afgoi, Somalia, 1992*; MMWR 1992, vol. 41, p. 913-17.

Oberdorfer, Don, "The Path to Intervention: A Massive Tragedy 'We Could Do Something About,'" *Washington Post*, 6 December 1992.

Omaar, Rakiya, "Alptraum ohne Ende. Die UN versagen in Somalia", *der überblick*, vol. 4, 1992.

Omar, Mohamed Osman, *The Road to Zero. Somalia's Self-Destruction*, HAAN Associates, London, 1992.

Pape, Matthias, *Humanitäre Intervention. Zur Bedeutung der Menschenrechte in den Vereinten Nationen*, Schriftenreihe Demokratie, Sicherheit, Frieden, vol. 108, diss. Freiburg i.B. 1996, Nomos-Verlagsgesellschaft, Baden-Baden, 1997.

Parsons, Anthony, *From Cold War to Hot Peace: UN Interventions 1947 - 1994,* Michael Joseph, London, 1995.

Perlez, Jane, "Deaths in Somalia Outpace Delivery of Food", *New York Times*, 19 July 1992, p. A1.

Public Papers of the Presidents of the United States: Administration of George Bush, Book II, 1 August 1992 to 29 January 1993.

Public Papers of the Presidents of the United States Administration of President William J. Clinton, Book II, 1 August to 31 December 1993.

Ramsbotham, Oliver and Woodhouse, Tom, *Humanitarian Intervention in Contemporary Conflict. A Reconceptualization*, Polity Press, Cambridge, 1996.

Roberts, Adam, "Humanitarian War: Military Intervention and Human Rights", *International Affairs*, 69, 429 - 49.

Sahnoun, Mohamed, *Somalia. The Missed Opportunities*, United States Institute for Peace, Washington, D.C., 1994.

Sapir, Debarati G. and Deconinck, Hedwig, *Somalia: The Paradox of International Humanitarian Assistance and Military Intervention,* unpublished paper, Centre for Research on the Epidemiology of Disasters, CRED, Catholic University of Louvain,

Brussels, May 1994.

Save the Children, Ed., *The Prize of Peace. A Survey of rural Somaliland*, Save The Children, London, UK, 1992.

Sloyan, Patrick J., "Hunting Down Aidid; Why Clinton changed mind", second part of a four part series, *Newsday*, December 6, 1993.

Smith Hempstone, "Dispatch from a place near Hell. The killing drought in Kenya, as witnessed by the U.S. Ambassador", *Washington Post*, 23 August 1992, p. C1.

Somalia Task Force, Post-UNSOM Aid Strategies in Somalia. Recommendations to the Somalia Aid Coordination Body, 10 Novermber 1994

"Somalia. A Role for UN Still", *Economic and Political Weekly*, 1993, vol. 28, no. 45, p. 2525.

"Somalia: The UN trundles into action", *Africa Confidential*, vol. 34, no.6, 1993, 19 March 1993.

Stevenson, J., "Hope Restored in Somalia?", *Foreign Policy*, no. 91, Summer 1993, p. 138-54.

Strobel, Warren P., *Late-Breaking Foreign Policy. The News Media's Influence on Peace Operations*, United States Institute for Peace, Washington D.C., 1997.

The United Nations in Somalia, 1992-1996, The United Nations Blue Books Series, vol. viii, United Nations, Department of Public Information, New York, 1996.

United Nations, *The Comprehensive Report on Lessons Learned from United Nations Operation in Somalia (UNOSOM), April 1992 - March 1995,* Lessons Learned United, United Nations, New York, www.un.org/depts/dpko/lessons/somalia.htm.

Van Hoeylandt, Pierre, "Von den Deutschen blieb nur Erinnerung", *Berliner Zeitung*, 31. August 1994, p. 7.

_____& Grill, Bartholomäus, "Die Helfer gehen, der Krieg bleibt", *Die Zeit*, 3 March 1995, p. 4.

UNICEF Somalia, *Situation Report: December 1992*, internal report.

d) Rwanda

Reports and Collections of Documents

Enquète sur la tragédie rwandaise, 1990-1994, Rapport d'information par la mission d'information de la commission de la défense nationale et des forces armées et de la commission des affaires étrangères, sur les opération militaires menées par la France, d'autres pays et l'ONU au Rwanda entre 1990 et 1994, 4 volumes, Assemblée Nationale, Paris, 1998.

Rapport du groupe ad hoc *Rwanda á la Commission des Affaires étrangères*, JMP/KTR/BVB/svd-30.12.1996, Sénat, Brussels, 1997.

Report of the Independent Inquiry Into the Actions of the United Nations During the 1994 Genocide in Rwanda, by Ingvar Carlsson, Han Sung-Joo, and Rufus M. Kupolati, 15 December 1999.

The United Nations and Rwanda, 1993-1996, The United Nations Blue Books Series, vol. x, United Nations, Department of Public Information, New York, 1996.

Provisional Verbatim Accounts of the Meetings of the United Nations Security Council, 1993 - 1994.

United Nations, Code Cable from Dallaire\UNAMIR\Kigali to Baril\DPKO\UNations New York, 11 January 1994.

Books & Articles

African Rights, *Death, Despair, and Defiance,* revised 1995 edition, London, 1995.

Bonner, Raymond, "Where the Rich Played, Poor Huddle", *International Herald Tribune*, 18 July 1994.

Brauman, Rony, *Devant Le Mal: Rwanda, Un Génocide En Direct*, Arléa, Paris, 1994.

Bruce D. Jones, "'Intervention without Borders': Humanitarian Intervention in Rwanda, 1990-1994", *Millenium. Journal of International Studies*, vol. 24, no. 2, 1995.

Connaughton, R.M., *Military Support and Protection for Humanitarian Assistance, Rwanda, April - December 1994*, The Occasional, Strategic & Combat Studies Institute, no. 18, 1996.

Destexhe, Alain, *Rwanda and Genocide in the Twentieth Century*, Pluto Press, London, 1994.

"Gendarm in Africa", *Der Spiegel*, 27 June 1994.

Gourevitch, Philip, *We wish to inform you that tomorrow we will be killed with our families. Stories from Rwanda*, Picador, London, 1999.

"Heikle französische Mission in Rwanda. Abwehrdispositiv gegen den FPR in Gikongoro", *Neue Züricher Zeitung*, 7 July 1994.

Holman, Michael, "Oxfam warns of Rwanda Genocide", *The Financial Times*, 29 April 1994.

Honke, Gudrun and Servaes, Sylvia, "Die Ruanda-Berichterstattung der deutschen Presse", in Hildegard Schürings, *Ein Volk verläßt sein Land. Krieg und Völkermord in Ruanda*, ISP, Köln, 1994, pp. 229 - 238.

Human Rights Watch, *Leave None to Tell the Story: Genocide in Rwanda*, written by Alison DesForges, Human Rights Watch, New York, 1999.

Human Rights Watch Arms Project, *Arming Rwanda. The Arms Trade and Human Rights Abuses in the Rwandan War*, vol. 6, iss. 1, January 1994.

Human Rights Watch Africa, *Genocide in Rwanda, April-May 1994,* London, May 1994.

Joint Evaluation of Emergency Assistance to Rwanda, *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*, 4 volumes, Steering Committe of the Joint Evaluation of Emergency Assistance to Rwanda, Copenhagen, 1996.

Johnson, Dominic, "'Bye, Bye, Ihr seid zu teuer!' Ausländische Einflußnahmen in Afrika - vom Kalten Krieg zur Duldung des Völkermordes", Dominic Johnson & Willy Germund, eds., *Wie ein Floß in der Nacht. Afrikas Suche nach der Zukunft*, Dietz, Bonn, 1996, p. 128.

Juppé, Alain, "Intervenir au Rwanda", *Libération*, 16 June 1994.

Krabbe, Günter, "In Ruanda ein Nationalitätenkrieg", *Frankfurter Allgemeine Zeitung*, 12 April 1994.

Kuperman, Alan J., "Rwanda in Retrospect", *Foreign Affairs*, January/February 2000, pp. 94-118.

Minear, Larry and Guillot, Philippe, *Soldiers to the Rescue. Humanitarian Lessons from Rwanda*, Organisation for Economic Co-Operation and Development, Paris, 1996.

Pfaff, William, "Rwanda: The French Intervention Is Useful but Is Not Enough", *International Herald Tribune*, 15 July 1994.

Prunier, Gérard, *The Rwanda Crisis, 1959 - 1994: History of a Genocide*, Hurst & Company, London, 1995.

Rapport du Gruppe Ad Hoc Rwanda à la Commission des Affaire Etrangères, chapter 4.7, pp. 95 - 105.

Report of the Independent Inquiry into the Actions of the United Nations during the 1994 Genocide in Rwanda, December 1999.

Richard, Pierre-Olivier, *Casques bleus, sang noir. Rwanda 1994 - Zaire 1996: Un génocide en spectacle*, Éditions EPO, Bruxelles, 1997.

Muyombano, Célestin, *Ruanda: Die historischen Ursachen des Bürgerkrieges*, Verlag Stephanie Naglschmid, Stuttgart, 1995.

Schürings, Hildgard, ed., *Ein Volk verläßt sein Land. Krieg und Völkermord in Rwanda*, ISP Verlag, Köln, 1994.

Strobel, Warren P., *Late-Breaking Foreign Policy. The News Media's Influence on Peace Operations,* United States Institute for Peace, Washington, D.C., 1997.

"Threats to Arusha", *Africa Confidential*, vol. 34, no. 18, p. 8.

United Nations, *Comprehensive Report on Lessons Learned from United Nations Assistance Mission for Rwanda (UNAMIR), October 1993 April 1996*, Lessons Learned Unit, United Nations, New York, www.un.org/depts/dpko/lessons/rwanda.htm

Vassall-Adams, Guy, *Rwanda: An Agenda for International Action,* Oxfam Publications, Oxford, 1994.

Verschave, François-Xavier, *Complicité de Génocide? La politique de la France au Rwanda,* Éditions de la Découverte, Paris, 1994.

von Münchhausen, Thankmar, "Glauben Sie, daß Hilfeleisung ein Verstoß gegen die Menschenrechte ist?", *Frankfurter Allgemeine Zeitung*, 25 June 1994.

Willame, Jean-Claude, *L'ONU au Rwanda, 1993 - 1995, La "Communoté internationale" á l'épreuve d'un génocide*, Bruxelles, Éditions Labor, 1996.

OUTGOING CODE CABLE

JAN 1994

DATE: 11 JANUARY 1994 MIR 67

TO: BARIL\DPKO\UNATIONS NEW YORK	FROM: DALLAIRE\UNAMIR\KIGALI
FAX NO:MOST IMMEDIATE-CODE CABLE-212-963-9652 INMARSAT:	FAX NO: 011-250-5427
SUBJECT:REQUEST FOR PROTECTION	OR INFORMANT
ATTN: MGEN BARIL	ROOM NO.2052
TOTAL NUMBER OF TRANSMITTED PAGES INCLUDING THIS ONE: 2	

1. FORCE COMMANDER PUT IN CONTACT WITH INFORMANT BY VERY VERY IMPORTANT GOVERNMENT POLITICIAN. INFORMANT IS A TOP LEVEL TRAINER IN THE CADRE OF INTERHAMWE-ARMED MILITIA OF MRND.

2. HE INFORMED US HE WAS IN CHARGE OF LAST SATURDAYS DEMONSTRATIONS WHICH AIMS WERE TO TARGET DEPUTIES OF OPPOSITION PARTIES COMING TO CEREMONIES AND BELGIAN SOLDIERS. THEY HOPED TO PROVOKE THE RPF BN TO ENGAGE (BEING FIRED UPON) THE DEMONSTRATORS AND PROVOKE A CIVIL WAR. DEPUTIES WERE TO BE ASSASSINATED UPON ENTRY OR EXIT FROM PARLIAMENT. BELGIAN TROOPS WERE TO BE PROVOKED AND IF BELGIANS SOLDIERS RESORTED TO FORCE A [illegible] THEM WERE TO BE KILLED AND THUS GUARANTEE BELGIAN WITHDRAWAL FROM RWANDA.

3. INFORMANT CONFIRMED 48 RGF PARA CDO AND A FEW MEMBERS OF THE GENDARMERIE PARTICIPATED IN DEMONSTRATIONS IN PLAIN CLOTHES. ALSO AT LEAST ONE MINISTER OF THE MRND AND THE SOUS-PREFET OF KIGALI WERE IN THE DEMONSTRATION RGF AND INTERHAMWE PROVIDED RADIO COMMUNICATIONS.

4. INFORMANT IS A FORMER SECURITY MEMBER OF THE PRESIDENT. HE ALSO STATED HE IS PAID RF150,000 PER MONTH BY THE MRND PARTY TO TRAIN INTERHAMWE. DIRECT LINK IS TO CHIEF OF STAFF RGF AND PRESIDENT OF THE MRND FOR FINANCIAL AND MATERIAL SUPPORT.

5. INTERHAMWE HAS TRAINED 1700 MEN IN RGF MILITARY CAMPS OUTSIDE THE CAPITAL. THE 1700 ARE SCATTERED IN GROUPS OF 40 THROUGHOUT KIGALI. SINCE UNAMIR DEPLOYED HE HAS TRAINED 300 PERSONNEL IN THREE WEEK TRAINING SESSIONS AT RGF CAMPS. TRAINING

FOCUS WAS DISCIPLINE, WEAPONS, EXPLOSIVES, CLOSE COMBAT AND TACTICS.

6. PRINCIPAL AIM OF INTERHAMWE IN THE PAST WAS TO PROTECT KIGALI FROM RPF. SINCE UNAMIR MANDATE HE HAS BEEN ORDERED TO REGISTER ALL TUTSI IN KIGALI. HE SUSPECTS IT IS FOR THEIR EXTERMINATION. EXAMPLE HE GAVE WAS THAT IN 20 MINUTES HIS PERSONNEL COULD KILL UP TO 1000 TUTSIS.

7. INFORMANT STATES HE DISAGREES WITH ANTI-TUTSI EXTERMINATION. HE SUPPORTS OPPOSITION TO RPF BUT CANNOT SUPPORT KILLING OF INNOCENT PERSONS. HE ALSO STATED THAT HE BELIEVES THE PRESIDENT DOES NOT HAVE FULL CONTROL OVER ALL ELEMENTS OF HIS OLD PARTY\FACTION.

8. INFORMANT IS PREPARED TO PROVIDE LOCATION OF MAJOR WEAPONS CACHE WITH AT LEAST 135 WEAPONS. HE ALREADY HAS DISTRIBUTED 110 WEAPONS INCLUDING 35 WITH AMMUNITION AND CAN GIVE US DETAILS OF THEIR LOCATION. TYPE OF WEAPONS ARE G3 AND AK47 PROVIDED BY RGF. HE WAS READY TO GO TO THE ARMS CACHE TONIGHT-IF WE GAVE HIM THE FOLLOWING GUARANTEE. HE REQUESTS THAT HE AND HIS FAMILY (HIS WIFE AND FOUR CHILDREN) BE PLACED UNDER OUR PROTECTION.

9. IT IS OUR INTENTION TO TAKE ACTION WITHIN THE NEXT 36 HOURS WITH A POSSIBLE H HR OF WEDNESDAY AT DAWN (LOCAL). INFORMANT STATES THAT HOSTILITIES MAY COMMENCE AGAIN IF POLITICAL DEADLOCK ENDS. VIOLENCE COULD TAKE PLACE DAY OF THE CEREMONIES OR THE DAY AFTER. THEREFORE WEDNESDAY WILL GIVE GREATEST CHANCE OF SUCCESS AND ALSO BE MOST TIMELY TO PROVIDE SIGNIFICANT INPUT TO ON-GOING POLITICAL NEGOTIATIONS.

10. IT IS RECOMMENDED THE INFORMANT BE GRANTED PROTECTION AND EVACUATED OUT OF RWANDA. THIS HQ DOES NOT HAVE PREVIOUS UN EXPERIENCE IN SUCH MATTERS AND URGENTLY REQUESTS GUIDANCE. NO CONTACT HAS AS YET BEEN MADE TO ANY EMBASSY IN ORDER TO ENQUIRE IF THEY ARE PREPARED TO PROTECT HIM FOR A PERIOD OF TIME BY GRANTING DIPLOMATIC IMMUNITY IN THEIR EMBASSY IN KIGALI BEFORE MOVING HIM AND HIS FAMILY OUT OF THE COUNTRY.

11. FORCE COMMANDER WILL BE MEETING WITH THE VERY VERY IMPORTANT POLITICAL PERSON TOMORROW MORNING IN ORDER TO ENSURE THAT THIS INDIVIDUAL IS CONSCIOUS OF ALL PARAMETERS OF HIS INVOLVEMENT. FORCE COMMANDER DOES HAVE CERTAIN RESERVATIONS ON THE SUDDENNESS OF THE CHANGE OF HEART OF THE INFORMANT TO COME CLEAN WITH THIS INFORMATION. RECCE OF ARMED CACHE AND DETAILED PLANNING OF RAID TO GO ON LATE TOMORROW. POSSIBILITY OF A TRAP NOT FULLY EXCLUDED, AS THIS MAY BE A SET-UP AGAINST THE VERY VERY IMPORTANT POLITICAL PERSON. FORCE COMMANDER TO INFORM SRSG FIRST THING IN MORNING TO ENSURE HIS SUPPORT.

13. PEUX CE QUE VEUX. ALLONS-Y.

BODLEIANA BIBLIOTHECA