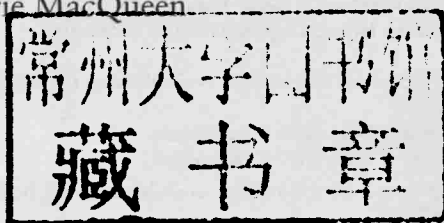


HUMANITARIAN
INTERVENTION
AND THE
UNITED NATIONS

Norrie MacQueen



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As always, this book is for Betsy and Triona

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United Nations military interventions since 1948

1948–present	Palestine	UNTSO
1949–present	Kashmir	UNMOGIP
1956–1967	Suez	UNEF
1958	Lebanon	UNOGIL
1960–1964	Congo	ONUC
1962–1963	West New Guinea	UNTEA/UNSF
1963–1964	Yemen	UNYOM
1964–present	Cyprus	UNFICYP
1965–1966	India–Pakistan	UNIPOM
1965–1966	Dominican Republic	DOMREP
1973–1979	Sinai	UNEF-II
1974–present	Golan Heights	UNDOF
1978–present	Lebanon	UNIFIL
1988–1990	Afghanistan–Pakistan	UNGOMAP
1988–1991	Iran–Iraq	UNIIMOG
1988–1999	Angola	UNAVEM-I, II, III, MONUA
1989–1990	Namibia	UNTAG
1989–1992	Central America	ONUCA
1991–present	Western Sahara	MINURSO
1991–1993	Cambodia	UNTAC
1991–1995	El Salvador	ONUSAL
1991–2003	Iraq–Kuwait	UNIKOM
1992–1994	Mozambique	ONUMOZ
1992–1995	Somalia	UNOSOM-I, II
1992–1999	Macedonia	UNPROFOR, UNPREDEP
1992–2002	Bosnia	UNPROFOR
1992–2002	Croatia	UNPROFOR, UNCRO
1993–present	Georgia	UNOMIG
1993–1994	Uganda–Rwanda	UNOMUR
1993–1996	Rwanda	UNAMIR

UN MILITARY INTERVENTIONS SINCE 1948

1993–present	Haiti	UNMIH
1993–present	Liberia	UNMIL
1994	Chad–Libya	UNASOG
1994–2000	Tajikistan	UNMOT
1997	Guatemala	MINUGUA
1998–2000	CAR	MINURCA
1998–2005	Sierra Leone	UNAMSIL, UNOMSIL
1999–present	DR Congo	MONUC
1999–present	East Timor	UNAMET
1999–present	Kosovo	UNMIK
2000–2008	Ethiopia–Eritrea	UNMEE
2004–present	Côte d'Ivoire	UNOCI
2004–2006	Burundi	ONUB
2005–present	Sudan	UNMIS
2007–present	CAR–Chad	MINURCAT
2007–present	Darfur	UNAMID

Abbreviations and acronyms

AMIS	African Union Mission in Sudan
APODETI	Timorese Popular Democratic Association (<i>Associação Popular Democrática Timorense</i>)
ASEAN	Association of Southeast Asian Nations
AU	African Union
CAR	Central African Republic
CNN	Cable News Network
CNRT	National Council of East Timorese Resistance (<i>Conselho Nacional de Resistência Timorense</i>)
CSCE	Conference on Security and Cooperation in Europe
DDR	Disarmament, demobilisation and reintegration
DOMREP	United Nations Representative in Dominican Republic
DPKO	Department of Peacekeeping Operations
DRC	Democratic Republic of Congo
ECOMOG	Economic Community of West African States Military Observation Group
ECOWAS	Economic Community of West African States
ESDP	European Security and Defence Policy
EULEX	European Union Rule of Law Mission (Kosovo)
Falintil	National Liberation Forces of East Timor (<i>Forças Armadas da Libertação Nacional de Timor Leste</i>)
F-FDTL	Falintil-Defence Forces of Timor Leste (<i>Falintil-Forças de Defesa de Timor Leste</i>)
Frelimo	Front for the Liberation of Mozambique (<i>Frente para a Libertação de Moçambique</i>)
Fretilin	Revolutionary Front for an Independent East Timor (<i>Frente Revolucionária de Timor Leste Independente</i>)

ABBREVIATIONS AND ACRONYMS

ICC	International Criminal Court
ICJ	International Court of Justice
IDPs	Internally displaced persons
IFOR	Implementation Force (Bosnia)
ILC	International Law Commission
INTERFET	International Force for East Timor
JNA	Yugoslav National Army
KFOR	Kosovo Force
KLA	Kosovo Liberation Army
MFO	Multinational Force and Observers (Sinai)
MINUGUA	United Nations Verification Mission in Guatemala (<i>Misión de las Naciones Unidas en Guatemala</i>)
MINURCA	United Nations Mission in the Central African Republic (<i>Mission des Nations Unies en République Centrafricaine</i>)
MINURCAT	UN Mission in Central African Republic and Chad (<i>Mission des Nations Unies en République Centrafricaine et au Tchad</i>)
MINURSO	United Nations Mission for the Referendum in Western Sahara (<i>Mission des Nations Unies pour l'Organisation d'un Référendum au Sahara Occidental</i>)
MNF (I-II)	Multinational Force (Lebanon)
MONUA	United Nations Observation Mission in Angola (<i>Missão de Observação das Nações Unidas em Angola</i>)
MONUC	United Nations Organization Mission to the Congo (<i>Mission de la Organisation des Nations Unies au Congo</i>)
MPLA	Popular Movement for the Liberation of Angola (<i>Movimento Popular de Libertação de Angola</i>)
NATO	North Atlantic Treaty Organization
NCC	National Consultative Council (East Timor)
NFZ	No Fly Zone (Bosnia)
NGO	Non-governmental organisation
ONUB	United Nations Operation in Burundi (<i>Opération des Nations Unies au Burundi</i>)
ONUC	United Nations Operation in Congo (<i>Opération des Nations Unies au Congo</i>)

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ONUCA	United Nations Observer Group in Central America (<i>Observadores de las Naciones Unidas en Centroamerica</i>)
ONUMOZ	United Nations Operation in Mozambique (<i>Operação das Nações Unidas em Moçambique</i>)
ONUSAL	United Nations Observation Mission in El Salvador (<i>Observadores de las Naciones Unidas en El Salvador</i>)
OSCE	Organization for Security and Co-operation in Europe
PDD25	Presidential Decision Directive No. 25 (US)
Renamo	Mozambican National Resistance Movement (<i>Resistência Nacional Moçambicana</i>)
RPF	Rwandan Patriotic Front
RtoP/R2P	Responsibility to protect
SNA	Somali National Alliance
SWAPO	South West African People's Organization (Namibia)
UDT	Timorese Democratic Union (União Democrática Timorense)
UMMISSET	United Nations Mission of Support in East Timor
UMOSOM (I-II)	United Nations Operation in Somalia
UNAMET	United Nations Mission in East Timor
UNAMID	UN-AU Mission in Darfur
UNAMIR	United Nations Assistance Mission for Rwanda
UNAMSIL	United Nations Mission in Sierra Leone
UNASOG	United Nations Aouzou Strip Observer Group (Chad)
UNAVEM (I-III)	United Nations Angola Verification Mission
UNCIVPOL	United Nations Civilian Police
UNCRO	United Nations Confidence Creation Organization (Croatia)
UNDOF	United Nations Disengagement Observation Force (Golan Heights)
UNEF (I-II)	United Nations Emergency Force (Suez-Sinai)
UNFICYP	United Nations Force in Cyprus
UNGOMAP	United Nations Good Offices Mission in Afghanistan and Pakistan

ABBREVIATIONS AND ACRONYMS

UNHCR	United Nations High Commission for Refugees
UNIFIL	United Nations Interim Force in Lebanon
UNIIMOG	United Nations Iran–Iraq Observer Group
UNIKOM	United Nations Iraq–Kuwait Observer Mission
UNIPOM	United Nations India–Pakistan Observation Mission
UNITA	National Union for the Total Independence of Angola (<i>União Nacional para a Independência Total de Angola</i>)
UNITAF	Unified Task Force (Somalia)
UNMEE	United Nations Mission in Ethiopia and Eritrea
UNMIH	United Nations Mission in Haiti
UNMIK	United Nations Interim Administration in Kosovo
UNMIL	United Nations Mission in Liberia
UNMIS	United Nations Mission to Sudan
UNMOGIP	United Nations Military Observer Group in India and Pakistan
UNOCI	United Nations Operation in Côte d’Ivoire
UNOGIL	United Nations Observation Mission in Lebanon
UNOMIG	United Nations Observer Mission in Georgia
UNOMIL	United Nations Observer Mission in Liberia
UNOMSIL	United Nations Observer Mission in Sierra Leone
UNOMUR	United Nations Observer Mission Uganda–Rwanda
UNOSOM (I–II)	United Nations Operation in Somalia
UNOTIL	United Nations Office in Timor Leste
UNPREDEP	United Nations Preventive Deployment Force (Macedonia)
UNPROFOR	United Nations Protection Force (former Yugoslavia)
UNSF	United Nations Security Force (West New Guinea)
UNTAC	United Nations Transitional Authority in Cambodia
UNTAET	United Nations Transitional Administration in East Timor
UNTAG	United Nations Transition Assistance Group (Namibia)

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UNTEA	United Nations Temporary Executive Authority (West New Guinea)
UNTSO	United Nations Truce Supervision Organization (Middle East)
UNYOM	United Nations Yemen Observer Mission
USC	United Somali Congress

Preliminaries

The concept of 'humanitarian intervention' by the United Nations that we explore in this book is, in different ways, both narrowly and broadly defined here.

Our focus is narrow in that we are concerned solely with the use of military (or, in a few cases, police) contingents to manage local conflicts. This is not to say that the UN does not also intervene with humanitarian objectives in a whole range of non-military ways. The entire architecture of the organisation's functional agencies, from the High Commission for Refugees to the Food and Agriculture Organization, is in a direct sense concerned with humanitarian action, whether aimed at immediate aid or long-term solutions. But here our concern is with the deployment of armed force (although ideally it is not directly exercised as such), as a means of pre-empting, controlling or preventing the recurrence of violent conflict. Over the years these military-based activities have increasingly involved liaison and co-operation with the UN's other non-military agencies in multifunctional operations dealing with complex emergencies. But our primary concern is with the particular problems, political and military, in the UN's deployment of armed force.

In another sense our focus is a wide one. While concentrating on military action the book embraces all such undertakings by the UN. Contemporary humanitarian intervention was not suddenly invented as an activity in the 1990s when the term first came into common use. The end of the cold war certainly had a huge quantitative impact on UN interventions. It ended the superpowers' determination to exclude other actors from their respective spheres of interest, and fanned into life long-suppressed conflicts in these. But the proposition that there was any fundamental qualitative change in the nature of UN interventions at this time is debatable (and debated in this book). Armed humanitarian intervention had long existed previously, though in the United Nations it was usually described as 'peacekeeping'.

The two terms are not entirely synonymous, of course. Traditional United Nations peacekeeping, as it developed from the late 1940s,

was concerned with the interposition of military observers or forces between hostile national armies, usually in the aftermath of an international conflict. While this was obviously not as directly 'humanitarian' as the operations to deliver aid in Somalia or Bosnia in the 1990s, say, it had clear humanitarian ends in its aim of preventing further armed conflict. Otherwise, it could reasonably be asked, why was the United Nations doing this if not in pursuit of the fundamental aims of the organisation? The first objective set out in the preamble to the charter in 1945 was, after all, 'to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind'. In this sense all interventions by armed forces either under the command of or formally legitimised by the United Nations are by definition humanitarian interventions.

Humanitarian intervention by the UN therefore is conceived here as part of the broad canvas of military involvement. But not only does the activity pre-date the term, it also pre-dates the United Nations itself. To fully comprehend contemporary humanitarian intervention it has to be set in a long historical narrative. This too is reflected here, particularly in the first chapter, which is concerned with the 'evolution' of intervention and which explores in some detail the precursors to UN military forces.

Similarly, while our concern is with humanitarian intervention as a United Nations 'project', actors other than the UN have engaged in (or sometimes just claimed to engage in) humanitarian intervention. Often these interventions will have had some semi-formal association with the United Nations. The French-led Operation Turquoise in Rwanda in 1994 and, more creditably, the Australian-led intervention force in East Timor in 1999 both had security council authorisation, though neither was a 'UN' operation in the full sense. Other interventions have taken place in some form of partnership with the United Nations. The UN-NATO 'dual key' arrangement in Bosnia in 1994–5 lies in this category, as does, in a rather different sense, the NATO enforcement operation in Kosovo in 1999 and the 'hybrid' operation with the African Union in Darfur established in 2007. All of these should be considered in the broad context of United Nations intervention and this is reflected in the scope of this book.

Much of the discussion of humanitarian intervention since the 1990s has related to a supposed change in the basic fabric of international politics. This goes much further than an acknowledgement of the impact of the end of cold war bipolarity, though that is seen as part of a larger picture. Put briefly, have we moved (or are we at least

moving) beyond the old 'rules' of international relations which are generally considered to have been in place since the Peace of Westphalia of 1648? The centrepiece of this 'Westphalian' international system has been the sovereign state. In this conception the political world consists of territorially defined units (states) which exercise absolute authority within their own borders. In the interests of peace and order, the sovereignty of each state has to be respected by all other states, regardless of differences in power and capacity (the idea of 'sovereign equality'). The constraints that such a system place on humanitarian intervention are obvious. In principle, even where there is a manifest need for outside intervention to relieve suffering and right wrongs, this cannot take place without the consent of the sovereign state within whose territory the suffering is taking place.

The general liberation of thought about international relations encouraged by the end of cold war rigidities, along with the apparent weakening of state power as a result of economic globalisation, has resulted in new critical approach to the idea of 'Westphalianism'. How far should human beings be bound by the old prohibitions around sovereignty when faced with humanitarian demands? Is sovereignty truly a 'right', or is it a responsibility which can only be exercised by a government after it has passed the 'qualification' of humanitarian responsibility towards its own people? Should those who fail this qualification forfeit the right to external respect for their sovereignty? In such a post-Westphalian world, humanitarian intervention would be a responsibility of the 'international community' which, morally, must be exercised, regardless of the willingness or unwillingness of the host state to accept it. Even in such a new, humanly responsible system, such interventions would need to be legitimised, however. What more appropriate source of this legitimisation could there be than the long-established, globally representative United Nations?

A problem in this line of thought tends to be the blurring of the line between prescription and description. Yes, most individuals with a progressive outlook on the world would agree that a post-Westphalian world would be a very good thing (at least as far as other states are concerned). But do we actually inhabit – or are we even moving towards – such a desirable international arrangement? Have the end of cold war bipolarity and a globalising world economy actually delivered us into a new world order in which humanitarian need takes precedence over national sovereignty? It is far from clear that they have.

And, even if we are in a post-Westphalian age with regard to sovereignty, is there any evidence that states accept the concomitant

part of interventionism: the responsibility to do the intervening? Has there been a fundamental reformulation of the idea of national interest which makes UN member states more willing than in the past to intervene in conflicts with no obvious relevance to their own foreign policies? Are we now ready to spend blood and treasure on 'quarrels in far-away countries between people of whom we know nothing', as British prime minister Neville Chamberlain put it when responding to Nazi aggression in central Europe? Or, is there a large element of well-intentioned wishful thinking in such propositions?

This book is sceptical towards claims that the fundamental nature of the international system has changed in this way – or even that there is strong evidence of a shift in that direction. To misquote Mark Twain, 'reports of the demise of Westphalianism are greatly exaggerated'. The state remains a stubbornly assertive presence in international relations, both in its resistance to unwanted intervention within its territory and in its reluctance to incur costs in making such interventions in the territories of others. The United Nations itself, after all, is an inter-governmental organisation, not a supranational one. It takes only the lightest investigation of its history and politics to make clear that the pursuit of fairly narrow national interests is what its member states see as the purpose of their presence in the UN. The use of the United Nations as alibi or scapegoat is common enough. Thus it was the 'UN' that failed in Bosnia and the 'UN' that stood by as genocide was unleashed on Rwanda. In truth, though, it was no such thing. The United Nations there as elsewhere did no more or less than the five permanent members of its security council were prepared to permit and equip it to do.

And (maintaining the pessimistic tone) even when so permitted and equipped, the outcomes of the UN's humanitarian interventions will often be less than desired, whether by the subjects of the intervention themselves or the wider world. The idea that such 'failures' of intervention are always or even often the fault of the UN officials in New York or in the field is simply false. A hard lesson for the advocates of humanitarian intervention, but one which must be learned, is that some conflicts are just not amenable to resolution by external intervention. In short, success and failure are not always determined by political or military technique by UN personnel. Until the particular dynamics of a conflict have reached a stage where external intervention is appropriate, even the most creative forms of intervention will be unavailing. (The matched pair of Angola and Mozambique in the 1990s is offered in illustration of this.)

More fundamentally, what precisely is success in humanitarian intervention? The cessation of immediate violence? Deep and enduring peace and equity? A more stable international system? Each of these is a reasonable aspiration for UN operations. But not all will be achieved, and success in one might itself compromise the pursuit of another.

These considerations are explored here, both in broad terms and in relation to particular operations and regions. The first three chapters explore the generalities: the evolution of multinational intervention and humanitarianism in world politics; the impact of the end of cold war bipolarity; and the conceptual and theoretical considerations surrounding contemporary intervention. The practice of intervention is then examined in relation to a range of operations since the 1990s in sub-Saharan Africa, the Balkans and East Timor. These have been chosen because of their broader representativeness in the spectrum of humanitarian intervention as a UN 'project'. The final chapter attempts to tackle head-on the complicated and highly contested issue of the effectiveness of UN intervention.

While scepticism about some of the less realistic expectations and ambitions for humanitarian intervention is a feature of this book, its point of view is essentially supportive of the endeavour. Once all the necessary caveats about the enduringly conservative nature of world politics and the many political constraints on UN action have been entered, we are still left with an activity which, over the past six decades, has saved many thousands of lives and improved millions more. Beyond the compromises and half-measures which are an inevitable part of such a highly politicised activity lies an essentially noble project pursued by admirable individuals, both civilian and military. While we do its reputation no good by disregarding its limitations, ultimately it deserves to be celebrated as a fundamentally decent activity in an often far from decent world.

For some, the international community is not intervening enough; for others it is intervening much too often. For some the only issue is in ensuring that coercive interventions are effective; for others questions about legality, process and the possible misuse of precedent loom much larger. For some, the new interventions herald a new world in which human rights trumps state sovereignty; for others it ushers in a world in which big powers ride roughshod over the smaller ones, manipulating the rhetoric of humanitarianism and human rights. The controversy has laid bare basic divisions within the international community. In the interest of all those victims who suffer and die when leadership and institutions fail, it is crucial that these divisions be resolved.

The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty (2001)

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