The Politics of Humanitarian Assistance: Debates, Dilemmas, and Dissension

“Humanitarian War: a New Consensus?”
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The focus in this paper is on a specific case – albeit one which has taken on emblematic significance. The military intervention against Yugoslavia by the North Atlantic Treaty Organisation (NATO) in May-June 1999 on behalf of the Albanian population of Kosovo represents the final collapse of the narrowing divide between humanitarianism and politics: a war initiated for humanitarian principles.

But I should also add a cautionary note. Kosovo, and NATO’s bombing in Bosnia in August-September 1995, may well be exceptions. It is not clear at all how much we should infer from either case as a precedent for future action. Rather, the role of Operation Allied Force has been to cement an ideological shift that had been emerging in response to the Balkan conflicts, particularly in Bosnia and Herzegovina, and that is how the Kosovo case should be viewed. Whether or not a precedent has been set for future operations, consensus has been reached on the right of the international community to violate a state’s sovereignty with force to protect civilian lives within that state.

Indeed, public debate about the Kosovo intervention – NATO’s aerial bombing operation lasting 77 days against the Federal Republic of Yugoslavia from March 24, 1999, to June 12, 1999 -- has focused almost entirely on its legitimacy.1 Can one intervene in the internal affairs of a sovereign state with military force – in this case, a

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1 The most thorough effort to date to assess the intervention was done by the peace and governance programme of the United Nations University in the summer of 2000, and published as Albrecht Schnabel and Ramesh Thakur, eds., Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Intervention, and International Citizenship (Tokyo: United Nations University Press, 2000). See also Nicholas J. Wheeler’s review of it and four other recent works, “Humanitarian intervention after
massive, prolonged, and disproportionate bombing operation, including the explicit targeting of civilians by the world’s most powerful military alliance – for humanitarian goals, even to the extent of bypassing the United Nations Security Council because some of its members might choose to give priority to the norm of sovereignty?

Most humanitarians appear to fall in a middle camp between critics of Operation Allied Force and a defensive NATO, arguing that the operation was “illegal but moral” -- that it was the only alternative left by March 1999, having exhausted all other options, and that it was necessary, as NATO officials declared, “to prevent a humanitarian catastrophe.” The fact that the 800,000 who were forced to flee from Kosovo during the bombing returned almost immediately after its termination to their homes, that the Yugoslav security forces, said to be the cause of Albanian suffering, were forced to leave the province, and that a possibility for autonomous governance of the province by Albanians after ten years of direct rule from Belgrade was restored, are seen to justify its correctness, on moral grounds. That is, judgment of the bombing campaign, including its civilian victims – both as collateral damage and civilians targeted intentionally as a form of pressure on Yugoslav president Slobodan Milosevic – has been made in terms of a humanitarian legitimation and humanitarian outcomes.

This acceptance is, to me, very problematic for humanitarians. Worse, the level of consensus and received wisdom about the operation prevents any serious debate about its lessons for the future. Nonetheless, I would like to suggest two types of lessons that should be addressed: (1) that one cannot evaluate this operation in isolation from the nature of the conflict and its global politics, as Joanna Macrae and Mark Duffield have

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argued so well, and (2) that one must look seriously at the operational implications for humanitarians of acting under such conditions, and the interaction between such conflicts and the operations of humanitarian organisations.

First, what is the context? The stated goal of NATO officials at the start of the bombing campaign on March 24, 1999, was preventive diplomacy – to force Slobodan Milosevic, then Yugoslav president, to sign the Rambouillet accords that had been written by American diplomats and presented to both Yugoslav and Kosovo Albanian parties at Rambouillet, France, with a deadline of two weeks to sign. This proposal to end the violence and contest over the political status of Serbia’s southern province, Kosovo, represented the outcome of a decade of policy consensus that the problem of Kosovo was the violation of the human rights of the Albanian community in Kosovo by the Milosevic regime. And, it was, in the course of the twelve months leading up to the decision to use force, increasingly an issue of credibility – of Western states and, after NATO ambassadors issued the threat of bombing against Milosevic in June 1998, of the NATO alliance in particular. An escalating insurgency by the Kosovo Liberation Army after 1997 and a counterinsurgency campaign by Yugoslav security forces had been leading to growing numbers of civilian casualties (more than 2,000 in the year before Operation Allied Force) and displaced persons (nearly 200,000 in October 1998 until an agreement on October 12 between American diplomat Richard Holbrooke and President

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2 Among many examples, see their papers for this conference.

3 By context I mean what analysts such as David Keen call the “dynamics of conflict” and its “political economy.” See, for example, David Keen and Ken Wilson, “Engaging with Violence: A Reassessment of Relief in Wartime,” in Joanna Macrae and Anthony Zwi, et al., eds., War and Hunger (London: Zed, 1999), 209-221.

4 This is not the place to analyse the actual conflict, only the policy consensus in western capitals. For the former, see …
Milosevic, led to fulfillment of U.N. Security Council Resolution 1199 of 23 September, such as the partial withdrawal of Yugoslav security forces and full access to humanitarian organisations that provided conditions for their return home). To western publics and some foreign policy officials, the fact that fighting and reported massacres of civilians resumed in January 1999 only demonstrated a lack of political will on NATO’s part to carry out their threat.

This specific approach to conflict resolution, however, was not a response to the Kosovo violence, but to the acknowledged failure by Western powers and international organisations to protect civilians in Bosnia and Herzegovina in 1992 – 1995 and in Rwanda in 1994, despite gross violations of international law. The decision to act by threatening military force and early in the case of the Kosovo violence was explicitly an act of repentance, by not repeating the mistakes in regard to Bosnia and Rwanda. This time they would act sooner and with force, applying the lessons, wrongly drawn in my view, from the effects of NATO’s bombing campaign against Bosnian Serb targets in September 1995 – namely that the bombing was said to have forced the Serbs to negotiate a peace.

The politics behind this new consensus and the decision to use military force toward the Kosovo conflict was thus part of an evolving response from Bosnia and Herzegovina, by way of Somalia and Rwanda, to the end of the cold war and the struggle among the major powers to reshape the international regime of peace and security for new threats and conditions. Key to that struggle was competition among transatlantic powers (between the United States and western Europe and within western Europe) over the nature of this reordering and also a continuation of cold-war conflict between the U.S.
and Russia in the form of NATO enlargement and the declared moral superiority of
NATO over the United Nations.

Major participants in this process of reordering have also been human rights
organisations and some humanitarians who were, in fact, the main advocates of military
force, including bombing. Far more than major powers, they were seizing the
opportunity of this reordering process to promote their interest in strengthening
international humanitarian and human rights regimes and the authority of these regimes
over sovereign states now that the shackles of superpower nuclear confrontation had
fallen.

Yet if we look at the actual conflict in Kosovo, we see, first, a century-long
reaction to a decision in 1913, when the second of two Balkan wars completed the
collapse of Ottoman rule in the area, by the then Great Powers to create an independent
Albanian state while awarding the Ottoman province of Kosovo to Serbia, and second, an
opportunity opened up in 1990-91 by the progressive dissolution of Yugoslavia under
claims of national self-determination to challenge that international decision. That is, the
conflict is only derivatively about human rights, and primarily about rivalry between two
national communities over statehood and the right to rule this territory where both live
and claim the origin of their national identity.

The “restoration” of autonomy demanded by NATO of Belgrade and listed as one
of the primary objectives of the NATO campaign in the United Nations Security Council
Resolution (1244) that confirmed its victory was, in fact, a recognition of the right of one
of those communities (the Albanian majority) to rule this territory over the claims of
others. Its reduction in 1989 by the Serbian parliament (commentary often refers
incorrectly to its abolition) referred to a status in the former Socialist Federal Republic of Yugoslavia that no longer had meaning; in the new circumstances of the nation-states being formed out of that multinational federation, this was recognizing the rights of the local majority (ethnic Albanians) to self-government and the reduction of non-Albanians to minority status according to their numbers. At the same time, the definition of the conflict as humanitarian, resulting from the violation by the Yugoslav government of Albanian human rights, enabled NATO powers to preserve the principle of Yugoslav sovereignty over the territory. The violence against all non-Albanians since June 12, 1999, equally violations of human rights and humanitarian principles, is a predictable consequence of the actual conflict and the ambiguity of UNSCR 1244 regarding the political future of the province. The attempt by 1244 to continue the compromise of competing claims and competing international principles (human rights and state sovereignty) did not complete the KLA’s goal of national independence. To finish the struggle required eliminating anyone (in fact, all non-Albanians, whether Serbs, Roma, Gorans, Turks, and so forth) who might be perceived as loyal to Belgrade.

The context also included a second lesson that had been evolving over the decade of the 1990s for nationalists on the ground in former Yugoslavia and its neighborhood. This lesson was that violence pays if it can be tied to humanitarian rhetoric. That is, violence against civilians was a conscious strategy of insurgency and national liberation using the principles and rhetoric of human rights and humanitarianism which appeared to win repeatedly -- in Slovenia, then Croatia, then Bosnia, and now potentially in Kosovo. In contrast to a rhetoric suited to the goal of national liberation, nationalists were claiming the right to self-determination on the grounds that their human rights were being
abused or were at risk of abuse. Hence the widespread emphasis on terms such as the victims of aggression, oppressed human rights, even genocide, to mobilize international support for one’s political cause, beginning with the human rights and humanitarian communities. In this strategy, both rebels and officials not only use the rhetoric, but are also willing to target and sacrifice their own population for what they consider a higher purpose. Humanitarian organisations find themselves instruments of this strategy once they enter to protect refugees, internally displaced persons, and other civilian casualties of the insurgency and counterinsurgency.

The extent to which Kosovo represents a fundamental change in the narrowing standoff between humanitarianism and politics, however, is largely due to a third element of the context – the decision to declare the right to intervene and violate Yugoslav sovereignty on humanitarian grounds. This decision was the result of more than six months’ deliberation, and thus delay, to satisfy the insistence of British officials that there be a legal basis for the intervention. American officials, for whom the object of the campaign was Slobodan Milosevic, to find a way to be done with him once and for all, were content to claim in a series of moveable justifications, first, that Milosevic had reneged on his agreement, embodied in U.N. Security Council Resolution 1190, to hold Yugoslav security forces in the province at pre-March 1998 levels, and then, had refused to sign onto the Rambouillet Accords. For Foreign-and-Commonwealth-Office lawyers, there were two parties to both the fighting and the negotiations. The decision to ignore the U.N. Security Council in the aggressive use of military force – not as in Bosnia and Herzegovina to deploy “all necessary means,” including U.N. troops, to protect a humanitarian operation, but a NATO bombing campaign to interrupt a civil war -- needed
an open-and-shut legal case. This need arose not only out of concern for the precedent that would be set, but also about the need for an argument around which the NATO coalition could coalesce, in the presence of clear opposition from a number of NATO states and deep worry from others. Humanitarian principles could trump sovereignty.

The second lesson raised by the Kosovo intervention concerns the operational aspect of humanitarian work in a political conflict that chooses violence as its main instrument and which has been deliberately and successfully redefined as a potential humanitarian catastrophe.

The operational aspects of the Kosovo intervention reflect another evolution -- in the experiences of aid workers and organisations as they move from one such conflict to another. These experiences are both operational and psychological. The first reflects their attempt to improve operations on the basis of experience, bringing lessons from one case to the next. The second reflects their frustrations with their apparent powerlessness to stop the killing and save lives or with the growing criticism of their ineffectiveness, leading them to become more active in pressing for a more robust, militarized policy response. From northern Iraq to Bosnia, Somalia, Rwanda, Bosnia again, Kosovo, and Sierra Leone, we see an emerging pattern in the relation between the humanitarian impulse and these civil wars.

First, it was the attempt to deliver relief supplies during a civil war that drove the introduction of external military force initially. The logistics of supply where communications are poor or under attack leads early to a decision to commandeer control over the international airport in the country for aid flights. But this requires aid agencies
to deal directly with warring parties who control the airport – in Sarajevo, Mogadishu, Kigali -- and to make deals in order to obtain consent and a local cease-fire with people we have come to label, negatively, “warlords.” To protect the aid workers in wartime, using “all necessary means” to protect civilians with relief, United Nations troops are introduced. Because these are military units with a mandate to protect the relief operation, not to fight a war to protect civilians, and because they too need supplies, which intensifies the need for military support units and for control over the airport for deliveries, however, their very presence provokes a new policy debate, characterized by alternating pressures to use the military more robustly in ending the violence itself or, if supplies for the soldiers or their lives are at risk, to withdraw them and with it, aid workers. In the Bosnian case, this dilemma lead early to the introduction into theatre of NATO air power (the agreement to provide at the request of UN commanders what was called “close air support” should their soldiers be at risk) and the imposition of a NATO-implemented “no fly zone” to protect the UN soldiers working under a peacekeeping mandate in their role of protecting aid convoys and deliveries.

In the promotion as well of “blue corridors” (priority routes within the country for aid convoys that the multinational troops agree to defend), humanitarian organisations are necessarily competing with warring parties for control over one of the key assets and goals of warfare: strategic routes and communications. In the contest between the humanitarians and the warriors over control, humanitarians either negotiate agreements with warriors over the terms of their use and transit or persuade the international military force to negotiate or impose exclusive control for aid workers. In the first instance, the humanitarian organisations become dependent on the continuing consent of the parties,
often concede to share some portion of the aid supplies with the soldiers, and thus are open to accusations that they are actually helping to prolong the war. In the second approach, the mission of the forces sent to protect aid workers can be redefined, *de facto* rather than by an accountable policy decision, with the risk of distorting the mission itself. In either approach, they become perceived, or actually, part of the conflict and vulnerable to criticism of siding with one party against another or of aiding the war effort. And experience shows that the contest over exclusive control does indeed have one of the two outcomes of the policy debate: either a dynamic requiring ever greater use of force (in the case of Bosnia and Herzegovina, this included NATO authorisation to provide air strikes – called close air support – to protect UNPROFOR, and eventually even the deployment of a NATO Rapid Reaction Force equipped with heavy artillery and rules of engagement allowing disproportionate combat), or a dynamic forcing premature withdrawal of the soldiers providing security to relief workers (illustrated by the case of Rwanda and eventually Bosnia and Herzegovina) because it is not mandated, equipped, or permitted (by peacekeeping rules and by the commitments of the troop contributing countries) to use the force necessary to dominate the field.

To get around the increasing risk to soldiers sent on peacekeeping terms and stem the choice for withdrawal, such operations have also resorted to the delivery of aid by air, especially into remote areas or for populations caught in the cross-fire. One example is the food drops into the safe areas of eastern and northeastern Bosnia undertaken by U.S. planes. But such deliveries also has military requirements, namely, exclusive control over the airspace and its enforcement by air power imposing a no-fly zone against locals and the neutralisation or destruction of local air defense systems. Like land-based
convoys, aerial food drops become tempting channels for the covert delivery of arms and ammunition to one or another side in the war. Although there is much evidence that this actually occurred in Bosnia and Herzegovina, the very fear and perception that this might be taking place is enough to change warring parties’ views of the humanitarian workers, seeing them as politically engaged and partial. At the least, the consequence of this perception is to make consent for convoys ever more problematic and subject to challenge.

Also vulnerable to politicisation in civil wars that have been defined in humanitarian terms is the operational calculation of civilian beneficiaries, assessing who is in need and deciding whom to aid. The classic humanitarian categories “civilian victim” and “the vulnerable” easily coincide with the propaganda categories of the warring parties and their external supporters. Even if aid workers succeed in working on all sides of the conflict and in providing aid according to need alone, which the logistical constraints of operating in a civil war make extraordinarily difficult, the similarity in the terms of classification reinforces the rhetoric and identities that are fuelling the war. And wherever the aid appears insufficient, the humanitarian organisations become an integral part of the political picture in a discourse of perceived discrimination and vulnerability.

The toolkit of humanitarian practice in these conflicts also has come to include the concept of safe haven or safe area. First introduced in the intervention in northern Iraq as an operational response to the difficulties of protection under civil war, it was repeated in Bosnia and Herzegovina. But unlike refugee camps and hospitals, which are also based on the ancient concept of sanctuary, the location of safe areas, like that of blue routes or corridors, can easily be in areas considered strategically vital by warring parties.
Citizens most vulnerable to attack are in contested areas or at confrontation lines between rival armies. To create internationally protected safe areas within a war zone means to deprive one or more warring parties of territory they want and to give a potential strategic advantage to another.

The case of Bosnia and Herzegovina illustrates the dangers best because it is the most extreme. Although the proposal for safe areas gained currency on humanitarian grounds (with a strong dose of realpolitik from Europeans such as Britain and France which sought ways to avoid their obligations under the refugee protection regime with means of protection that would keep civilians at home), the concept also became a critical element of the Bosnian government’s military strategy. The location of safe areas for Bosnian Muslim civilian populations – six were eventually so proclaimed by U.N. Security Council Resolutions – was chosen by military strategists to be at strategic points of communication inside Bosnian Serb-held territory that would both constrain the mobility of the Bosnian Serb army and tie up significant manpower in defending against the enclaves which the manpower-short Serb army could not well afford. Towns with equally vulnerable populations that did not fit into the military plan of the Bosnian government (the Bosnian Muslim political party) were not granted safe area status. Although United Nations peacekeepers were deployed to surround the safe areas to guarantee the terms of safe areas -- a ceasefire, a weapons exclusion zone, and regular delivery of aid to these enclaves -- the areas were, in fact, never demilitarized and became the base for initiating war from the safe area into the surrounding enemy (Bosnian Serb-held) territory, gaining the assistance of external (UNPROFOR) firepower deployed under a humanitarian mandate and goal.
Hospitals, too, became a useful instrument of war in a humanitarian logic: place artillery inside the walls of hospitals, fire out to provoke retaliation at the hospital staff and patients, and allow aid workers in the hospitals to report mounting civilian casualties and to plead over faxes, telephone lines, and radios for external military assistance to stop the attack. Many aid workers performed this task eloquently out of deep conviction that there were clear aggressors and victims and that the impartial mandate of the humanitarian operation was allowing the outside world to turn a blind eye to reality, betraying both victims and the spirit of humanitarianism itself. Whether wittingly or unwittingly, however, their reports and pressure took political sides in the conflict, becoming active players in the war.

One consequence for humanitarian workers of participating in humanitarian and human rights actions in the Yugoslav cases, particularly in Bosnia and Herzegovina, has also been their increasing support for a particular approach to war termination and the construction of a sustainable peace. Calling for an end to the suffering through justice, the human rights campaigners appear to aim at righting the wrongs of the war – insisting that refugees be allowed to return to their prewar homes, even if they did not feel (and in many instances are not) physically safe; successfully calling for aid conditionality against all communities not welcoming the return of refugees or not cooperating with the International War Crimes Tribunal and “harboring” indicted war criminals instead, with the consequence that many communities were at risk because they were starved of any assistance; and in other ways turning the tables on the “aggressors” who had not been fully defeated because the war ended with a negotiated settlement. The fact that these principles of justice led to more victims did not provoke a new humanitarian operation,
although it did create tensions within the humanitarian community, for example, between UNHCR and those pushing for return regardless of the human cost. The logical outcome of this reasoning was to decide that a massive bombing campaign could prevent a humanitarian catastrophe in Kosovo, including a willingness to defend NATO targeting of civilians in Serbia proper and in Kosovo as an integral part of the military operation.

This move to militant humanitarian activism introduced a second set of operational consequences as can be seen in the Kosovo operation. Namely, once one crosses the political line and becomes a lobbyist for forceful (military) action in support of humanitarian goals, at least in the sense of using the threat of force (and thus the willingness to use it) to compel those responsible for human rights violations and humanitarian abuses to change their behavior, then one becomes constrained in how one deals with the downside risks. The UNHCR provides a particularly useful, if not the only, example, of the resulting dilemma. As an organisation, it could not prepare for the possibility that the NATO operation might provoke a humanitarian emergency for fear of sending signals to the target (Yugoslav civilian and military officials) that could undermine the strategy that lay behind the threat to bomb. Thus, for example, UNHCR kept its main supplies for any emergency operation in Kosovo warehoused in Belgrade, even though they would (and did) become completely unavailable with the onset of bombing. UNHCR officials announced publicly, both prior to the campaign and several weeks into it, that their assessments of the potential refugee exodus and thus vulnerable population for whom they would feel responsible was 80,000 to, at most, 100,000. This was at a time when the real figures were rising above 300,000, on the way to 800,000. Because UNHCR officials had been in continuing negotiations with the Macedonian
government for seven years about what to do in the eventuality of a refugee exodus from Kosovo into northern Macedonia and were fully aware of the Macedonian objection to camps along the border that could easily destabilize Macedonia and their insistence on “blue routes” to evacuate the refugees to third countries, UNHCR also chose to avoid preparations that would enable the Macedonian government to obstruct the NATO operation or relief actions in any way. The intention was to force the Macedonian government into fulfilling its international obligations toward the refugees, regardless of the consequences for its survival as a country and the humanitarian catastrophe that could result from such a collapse. The political role of UNHCR leadership in support of a Western policy that it had played a part in making thus left the office unable to fulfill its protection role as a humanitarian organisation.

The results were also significant for the international regime of humanitarian principles. For the first time, UNHCR agreed to accept the direct assistance of a military organisation -- NATO soldiers -- in providing relief and in building and managing refugee camps. Only 3.5 percent of all donor assistance went to the UNHCR; most aid was provided bilaterally, channelled by official emergency and humanitarian agencies through that country’s military units in the NATO logistical operations in Albania or Macedonia. In addition, bilateralism meant a loss of universality. In the face of outcomes they appeared not to anticipate and donor anger at their obvious lack of preparation and ability to manage the refugee crisis, moreover, UNHCR even retreated in its self-definition. Already during the NATO operation, UNHCR reversed nearly seven years of a much expanded definition of its protection role, from refugees alone to include internally displaced persons and from agent of safe passage to primary relief
organisation, which it had developed in the course of the war in Bosnia and Herzegovina (and followed in the case of Rwanda). For multiple reasons that require serious analysis, it chose to backtrack into a minimalist definition of its protection mandate, a retreat that still holds.

Another operational consequence of the war that humanitarian activism encouraged was a pull out, from Kosovo itself, of all humanitarian agencies and NGOs during the bombing campaign, thus abandoning the Kosovo population and the local humanitarian NGOs with whom many had worked for years to their fate. The only “eyes and ears” of human rights violations, atrocities, and civilian casualties (caused by NATO as well as by the brutal response to the bombing by Yugoslav security forces and paramilitary gangs) were those of the International Committee of the Red Cross (ICRC) and a few intrepid foreign journalists who remained.

The humanitarian criterion used as the basis for overriding Yugoslav sovereignty had also now to apply to the entire theatre of military operations, not just Yugoslav territory. As mentioned above, in order to assist the Kosovo residents who fled from fear at the bombing and the actions of Yugoslav security forces into neighboring Macedonia, UNHCR employed the universal principles as leverage against Macedonian objections. While this was not necessary in the case of Montenegro and Albania, which also served as havens for Kosovo refugees, the Macedonian government and population understandably saw the flow as a monumental threat to the country’s very existence. Nonetheless, the right of first asylum took precedence against the right of a country to self-defense and self-preservation. When the Macedonian authorities did not at first appear willing to accept this priority and denial of their security concerns, international
condemnation came fast, furious, and nearly universal. One immediate consequence was a sharp reduction in the aid that Macedonia had expected to receive at a donors’ conference called to assist it.

The case of Macedonia raises a third set of issues that requires separate treatment to do them justice, but which should at least be mentioned here. These issues are not an operational question for humanitarians, but are rather consequences arising from operational choices made by humanitarian organisations that have humanitarian implications. Three are particularly striking. First, NATO’s “humanitarian war” against Yugoslavia created conditions that did more to threaten the very viability of Macedonia than all other ex-Yugoslav conflicts together since 1990. By the spring of 2001, Albanian radicals shifted their base of nationalist aspirations and violence toward Macedonia. They did so, apparently, out of fear that events were moving against their cause -- local elections in Kosovo in October 2000 showed far greater support for their rivals, Ibrahim Rugova’s LDK; NATO decided in March 2001 to interrupt the violent insurgency they had been waging since June 1999 in Serbia proper over the eastern border of Kosovo by allowing Yugoslav security forces to return gradually to the Ground Security Zone established by NATO between Kosovo and Serbia in the area of insurgency; and in September 2000, elections in Yugoslavia defeated Slobodan Milosevic and in December, brought his party to defeat as well, with the result that international opinion began to turn toward support for democratic forces in Belgrade. Armed and trained by NATO powers for Operation Allied Force, and not demilitarised as agreed in the Undertaking between NATO and the UCK (KLA) in September 1999, with weapons freely flowing across the Kosovo and Macedonian border despite the massive presence of
NATO forces, the Albanian National Liberation army (a new name for the same guerrilla core, with the same substantial funding and volunteers from the Albanian diaspora) began to wage a war against Macedonia, with growing civilian casualties on both sides of the border. A new humanitarian catastrophe loomed, in other words, as a result of the Kosovo operation.

The case of Kosovo thus reinforces one of the lessons of the 1990s, that not only can sovereignty be violated in support of humanitarian principles but also that no particular territory and political contest can be isolated from its neighborhood. The political economy of such conflicts is necessarily transnational and regional. It remains to be seen at this writing whether the potential bloodshed, which could exceed that of the war in Bosnia and Herzegovina 1992-95, will be prevented.

A second consequence was the humanitarian catastrophe that resulted from the bombing and the deliberate targeting of civilians, at an accelerating rate, over the course of the bombing campaign, on the argument that pressure needed to be brought on the Yugoslav government (president Slobodan Milosevic) to capitulate. Even the simplest understanding of the Milosevic regime would have shown the logic of this argument to be fatally flawed, whereas the refugee crisis and brutal expulsions were fully knowable in advance of NATO’s war, indeed were known and were openly discussed before the operation. Once a military operation begins, whatever its justification and goal, however, military logic takes over. Humanitarian principles did not, and probably could not, constrain the bombing campaign.

A third consequence was the fate of non-Albanians in Kosovo after the NATO operation ended. Violence by members of the Albanian majority in Kosovo against Serb,
Roma, Turk, Goran, and other minority civilians, has been severe [give numbers] since
the United Nations mission and NATO’s “protection force” (KFOR) entered the territory
to provide transitional administration and security. It was as if the rights and lives of one
group had been exchanged for another, except that in the first case the source of the
violations and violence was seen to be in Belgrade, with the Milosevic government,
whereas the second case was taking place under the heavy presence of NATO and the
UN-led civilian operation (shared with OSCE, UNHCR, and the EU). For many
outsiders, the universality of human rights and humanitarian principles appeared to be
forgotten.

Fourth, as many other studies of humanitarian operations that do not take the
political economy of the context in which they operate directly into account have shown,
emergency responses that focus on short-term saving of lives do nonetheless have long
term consequences. For example, by focusing the logistics of aid delivery on the capital
city, however necessary such a choice is, the relief operation introduces clear biases into
coverage, providing far less coverage to people outside the city. The effect is often to
exacerbate one of the primary elements fuelling such conflicts themselves, urban-rural
tensions and a perceived urban bias to government policy before the crisis. In all
instances the effect is to stimulate or intensify a rural exodus into the city that transforms
its demography permanently. Yet ruralisation of the city not only strains urban
infrastructure but also can overwhelm numerically those elements that are commonly the
social basis of more moderate and peaceful approaches to conflict – the independent,
educated middle class. It also makes the political support base of politicians who have
chosen communal (“ethnic”) appeals far easier to mobilise.
Similarly, operational choices in the peacebuilding phase will have an influence on the conditions that are needed for peace to hold. In Kosovo, UNHCR decisions to repair first those houses that had been partially destroyed, providing sheeting and roofing -- a standard approach – and to rebuild houses as they had been before the war meant a perpetuation of the traditional extended family housing of the rural population and the patriarchal society these large houses sustained. The opportunity to break the physical pattern sustaining such a culture (and even re-traditionalisation in the previous twenty years) and to accompany the changes in women’s rights and education that had been taking place in the 1980s-1990s under political action was thus lost. According to Kosovo Albanians who supported a human rights, civic approach to the national question and who hoped, with the retreat of Yugoslav security forces and restoration of autonomy, to regain the upper hand in civic and political life through elections over those elements (largely outsiders) who had chosen violence in 1996-97, this was a major blow. The reinforcement of traditional social organisation by relief agencies made their task much harder, both in the short and especially in the long run. Moreover, the path of violence had won out against their decade of passive resistance and dual power (in the parallel structures of Albanian governance created when Belgrade assumed direct rule in 1991) when rural authorities and the village-based militias chose during 1998 to join forces with the KLA rebels in the hills and across the border in northern Albania. To begin a process of democratic self-governance after the war, including a commitment to human rights of all Kosovo’s citizens, regardless of ethnic identity, required a reversal in that process. The social basis for such a reversal, which was being built throughout the 1990s, was now also being slowed by the internationally led transitional administration, the stalemate
on political status that resulted from a definition of the conflict in humanitarian terms, and the myriad “quick impact projects” in the first year of relief that could only reproduce the past, not assist transformation.

Conclusion

The decisive impact of NATO’s “humanitarian war” in cementing an ideological shift in favor of the use of military force and heightened “robustness” in all international interventions where civilians’ lives are at risk ignores the actual consequences of that operation. Did it have the deterrent effect it claimed? The answer must surely be no.

Did it solve the Bosnian or Albanian questions? The apparent necessity of international protectorates with no end in sight for both Bosnia and Herzegovina and Kosovo, and the threat of a new war in 2001 provoked by Albanian nationalists against Macedonia are clear evidence in the negative. Did it reverse or prevent a humanitarian crisis? Whatever side one takes on the cause of the humanitarian catastrophe that occurred during the NATO operation, it clearly did not reverse or prevent such a crisis. Did it provide the force necessary to secure a diplomatic settlement to the Yugoslav conflict? On the contrary, it produced a long-term, but unstable stalemate in Kosovo, provoked a move for independence by Montenegro (that appears irreversible), and created the conditions for a new war over Macedonia. Should we then draw the lessons that the consensus on Kosovo appears now to have accepted?

Although the Kosovo operation erased definitively the divide between humanitarian principles and war, with the general consensus that Operation Allied Force was “regrettable” but there was “no alternative,” its anti-humanitarian consequences
suggest two challenges to the humanitarian community. First, is it time for the humanitarian community to acknowledge its political role but retain its principles—moving from advocacy for coercive action to advocacy for debate about alternatives? Should the options for addressing real or threatening humanitarian catastrophes, including but not limited to military intervention, be openly debated and far more in advance than is usually the practice? Should humanitarians generate such debate if it is not forthcoming from other quarters, particularly if there is an imposed silence from major powers for reasons of interest and realpolitik? Second, should that acknowledgment and discussion of options extend to humanitarian operations as well? Should the relief community examine the operational consequences of its interventions, not for the effectiveness of aid delivery and for ways to improve operational techniques, but for ways that operational aspects may contribute to violence and violent forms of addressing human conflict. The post-cold-war strategic environment is likely to generate an increase in contests over sovereignty and territory and in civilian casualties and humanitarian crises resulting from the new tactics of such warfare based on humanitarian principles. The growing body of knowledge and experience delivering relief in the midst of civil wars, in supporting ceasefire agreements and peace agreements, and in post-war nation-building provides lessons of their own that can now be assessed.