Master Thesis

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The effectiveness of NATO's humanitarian intervention in the cases of Kosovo (1999) and Libya (2011)

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Abstract:

This thesis examines the effectiveness of humanitarian intervention in the cases of NATO's air campaign in Kosovo which lasted from March 24, 1999 – June 10, 1999, and NATO's air campaign in Libya, which started on March 23, 2001 and continued to October 31, 2011. The challenges of each intervention were similar, with the victims of war in each case needing to feel secure in their homes, while at the same time requiring aid in areas suffering from extended periods of conflict. The debate whether humanitarian interventions are effective in resolving conflict and saving lives and are not purely based on national interest of intervening states, triggered the research question of this thesis: Was NATO's humanitarian military intervention effective in the cases of Kosovo (1999) and Libya (2011) in terms of achieving short and long-term humanitarian benefits? This question will be answered by looking at each scenario through the focus on the short and long-term effectiveness of NATO's missions. Each case study is analysed with regards to the number of saved lives as a result of intervention as an indicator of short-term effectiveness, and with regards of the elimination of the political cause of violence as the long-term factor. The results of this research aims to determine the effectiveness of NATO's future missions and to determine whether it is the right approach to undertake in the future.

Keywords: Humanitarian Military Intervention, NATO, Just War, Kosovo, Libya

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1. Introduction

The question of whether or not military intervention puts an end to massive violations of human rights committed by a state towards its citizens has become a compelling public policy issue in the world of international relations. It has gained ever more attention since in 2001 the International Commission on Intervention and State Sovereignty (ICISS) published a report on the Responsibility to Protect (R2P) (Focarelli, 2008). The report suggested that military intervention should become accepted as a legal action, if used as a last resort in order to save victims of oppression during a humanitarian crisis. Even though it became legally binding after the United Nations (UN) adopted the R2P concept, military intervention in the name of humanitarian causes still remains an ambiguous topic. While the question of legality remains highly debatable but internationally codified, scholars (Pattison 2010, Seybolt 2007, Wheeler 2000) raise the topic on whether intervention is actually an effective method for solving a humanitarian crisis.

In the 1990s, the North Atlantic Treaty Organisation (NATO) has emerged as an active international actor carrying out military interventions motivated by humanitarian purposes (Carati, 2017). Even when acting under the UN, NATO has been taking full control over the nature and scope of its military operations. The military operations of the late 1990's in the Balkans, and more recently in Libya, furthered NATO's role as an enabler of humanitarian interventions. There are several reasons for NATO's increasing role as the maintainer of peace. Mainly, UN's deficiencies in managing several humanitarian crises and lack of military personnel enabled NATO to use its military to support UN missions. Also, NATO's growing democratic character increased its status as a international peace keeping force (Carati, 2017). The emerging role of NATO as a key actor in fighting for humanitarian purposes has been accompanied by normative changes reinforcing that view. Arguably, by the end of the Cold War, NATO adopted a crisis-managing approach which undertook a position beyond a mere defence alliance (Carati, 2017). This approach enabled the Alliance to serve as a legitimate actor fostering the R2P doctrine. While the new image of NATO was emerging, the UN delegated various peacekeeping tasks to NATO which increased NATO's credibility and political prestige (Carati, 2017). The intervention in Bosnia and Herzegovina was the first military mission in NATO's history that served as a sort of "blue print" for future missions (Carati, 2017, p. 296). Three years later, the intervention in Kosovo confirmed NATO's image as the humanitarian intervention leader.

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Taking into account NATO's growing role as a legitimate actor in humanitarian intervention, this research paper will research the effectiveness of NATO's interventions in Kosovo (1999) and Libya (2011). The reason why these particular cases of NATO's humanitarian interventions were chosen is because both interventions provoked a wave of international criticisms in regards to their legitimacy and their effects, in comparison to other cases of NATO interventions, which did not receive such controversial responses. In both cases the intervened countries did not request assistance and in both operations NATO had the same objectives which were based on humanitarian grounds. Moreover, both interventions excluded the use of ground forces and relied exclusively on air-campaigns. Kosovo and Libya are particularly interesting cases since the Kosovo intervention occurred before the adoption of the R2P doctrine, whereas the intervention in Libya was based on the internationally accepted doctrine. Therefore, this paper seeks to answer the following research question: *Was NATO's humanitarian military intervention effective in the cases of Kosovo (1999) and Libya (2011) in terms of achieving short and long-term humanitarian benefits?* This paper will test the following hypothesis: while a military peace enforcement operation may terminate the conflict, but it will not necessarily create a stable economic and political situation and establish long-term peace. A non-military approach for conflict resolution may be more effective in the long-term.

While generally speaking the debate on humanitarian intervention tends to focus on its legitimacy, it is also important to estimate and measure its actual effectiveness. Especially since it hasn't received enough attention by scholars and policy makers. Dr Taylor B. Seybolt, a former senior program officer at the US Institute of Peace, and currently an assistant professor at the University of Pittsburgh Graduate School of Public and International Affairs, highlighted the need for a deeper analysis of humanitarian interventions. **"Evaluations of interventions in Somalia, Bosnia and Herzegovina, Rwanda, Kosovo and elsewhere have great value, but studies of single cases cannot easily provide generally applicable lessons. The few cross-case comparisons that delve deeply into the issue of effectiveness have looked at the question of legitimacy or the balance of costs and benefits but have not attempted to provide a set of criteria for judging the prospective effectiveness of future interventions,"** (Seybolt, 2007). Considering the lack of cross-case comparisons that focus on the effectiveness of humanitarian interventions, this paper aims to conduct an analysis that will contribute to the literature regarding the effectiveness of humanitarian intervention. Therefore, by measuring the effectiveness of an intervention, this paper aims to provide more insight on whether it is a suitable method in

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eliminating humanitarian offence and establishing peace. In comparison to most cross-case studies that have been conducted between events occurring in the 1990's or early 2000's, this paper will focus on a relatively recent example of humanitarian intervention in Libya that sparked a renewed interest in the doctrine of humanitarian intervention. Essentially, this paper aims to compile a larger comparative picture of the effects of humanitarian military interventions and the overall effectiveness of whether or not immediate conflict against civilian populations was prevented.

1.1 Method and approach

This paper will be based on the explanatory research method in order to highlight the issues that deserve more attention in the debate concerning humanitarian interventions. The explanatory method is an analysis of a situation done in order to explain the pattern of relationships between variables. In this study, the explanatory research will serve to gain a better understanding of the effectiveness of humanitarian interventions and to explore it with a varying level of depths rather than giving conclusive evidence. Essentially, this research is a comparative analysis of two examples of international military intervention into conflict zones for the purpose of protecting human life. It focuses on historical case studies of Kosovo and Libya which will be used to see whether humanitarian intervention was effective in ending humanitarian violence, eliminating the political causes of violence and bringing long-lasting peace to conflicted zones. The analysis of the cross case comparisons are divided into short and long-term effectiveness of interventions and are based on both quantitative and qualitative research.

The short-term effectiveness will be measured by looking at quantitative data of the number of saved lives due to intervention. For the purpose of conceptual clarity, this paper will rely on population-based surveys and multiple systems estimation (MSE). These are the two most used methods by the academic community to estimate direct deaths in conflict (Salama, 5). MSE uses the overlaps between several human rights violations and is known as one of the best approaches to measuring directs deaths. The multiple systems estimation is largely used by the Human Rights Watch, therefore the quantitative data for the analysis will be provided mainly by the Human Rights Watch, but also by the World Health Organisation and the World Bank. In addition, data will be used from Seybolt's (2007) cross-case comparison from his book *"Humanitarian Military Intervention: The Conditions For Success And Failure"*. Seybolt, as one of the few scholars who conducted a cross-case comparison of various interventions, attempted to analyse events while

heavily relying on quantitative data. Seybolt conducted a one of a kind analysis which serves as a informative and reliable source.

The measurement of long-term effectiveness will rely on how far the intervention addressed the underlying political causes that produced the human rights abuse and to what extent it created long-lasting peace in the troubled areas. Qualitative in nature, the long-term effectiveness of the interventions will look at historical empirical evidence and to what extent possible, the modern context as well. There are several major variables that are chosen to determine the long-term effectiveness of intervention. The first would be the security situation in the country. Since humanitarian wellbeing is highly dependent upon the degree of security, this is arguably the most important component that can contribute to or take away from the overall quality of life of individuals. The second major variable determining effectiveness, is political stability. The state of political affairs can shed insight into the state of security and human rights, which is key for understanding not only how far the country has come, but where it may be going. The third major aspect is the long-term state of humanitarian stability. While some may assert this as clearly the most important aspect in determining the success or failure of humanitarian missions, though oftentimes comparable data in terms of before and after effects are difficult to come by, especially in terms of what humanitarian situations were like during the reign of undemocratic regimes. Finally, a brief look at the economic situation will be considered as it reflects the standard of living and contributes to the overall peacefulness of a country. This comparative analysis should be able to provide an up to date insight on the situation in Libya and Kosovo filling the gap lacking in extremely current affairs. While examining these aspects of short and long-term success one would be able to assess the overall effectiveness of NATO's interventions, specifically in terms of measuring long-lasting results.

It should be noted that there are several limitations to this research. Establishing reliable statistics in an environment characterised by violence and lack of governance proved to be a challenging task. "All efforts to collect data on violent conflict and its effects are susceptible to uncertainty, as indicated by differences between data sets on conflict compiled by different researchers" (Seybolt, 2007, p. 34). Measuring conflict-related deaths is complicated in several ways. The diversity of actors, the various ways in which those deaths can be measured and even the notion of what constitutes an armed conflict may cause uncertainty. Thus, various methodologies differ in definitions, categorisation, and inclusion or exclusion criteria. Choosing one methodology over another could potentially limit the research but also provide more clarity and consistency. Additionally, the uncertain security situation particularly in Libya, made it more difficult to collect

data. Due to Libya's undemocratic nature, data and statistics is managed privately and is not available to the general public. Despite the limitation in data collection this research aims to provide a better understanding of the overall consequences of NATO's interventions, rather than give answers through conclusive numerical evidence.

This paper will begin with a literature review of what constitutes a humanitarian intervention, what are the conditions for a permissible intervention and methods of measuring its effectiveness. After setting theoretical grounds and providing the review of the literature, this paper will introduce the case studies of Kosovo (1999) and Libya (2011), followed by the analyses of the case studies. The conclusive remarks will answer the research question, test the hypothesis and provide suggestions for further research.

2. Literature review

Having outlined the debate surrounding humanitarian intervention, this section will provide the theory used to identify what a humanitarian intervention is, what conditions are necessary for an intervention to be permissible, and how to measure the effectiveness of an intervention.

2.1 What is a humanitarian intervention:

The term "humanitarian intervention" is frequently used to describe a wide range of actions, from the distribution of humanitarian aid to any form of military intervention. Even though there is no generally accepted definition of what a humanitarian intervention is, there are four primary defining conditions that identify a humanitarian intervention. Firstly, the act of an intervention has to be done through military means (Pattison, 2010). This factor distinguishes intervention from being diplomatic, economic, or any other type of intervention. Secondly, the intervention must be forceable. According to Simon Chesterman (2001), non-forcible intervention could be confused with humanitarian assistance. Thirdly, the intervention is conducted by an external actor to resolve another state's crisis, meaning that a state resolving its own humanitarian crisis is not an example of humanitarian intervention. Lastly, the humanitarian intervention must have the predominant purpose of "preventing, reducing, or halting actual or impending loss of life and human suffering," (Pattison, 2010). Accordingly, this paper will use the following definition of a humanitarian intervention, which is a, "Forcible military action by an external agent in the relevant

political community with the predominant purpose of preventing, reducing, or halting an ongoing or impending grievous suffering or loss of life," (Pattison, 2010). It is important to mention that the following definition does not define nor prejudge the legitimacy of an intervener, but simply defines what an intervention is. Therefore, it is necessary to examine the conditions under which an intervention is considered permissible and legitimate.

2.2 Conditions for a permissible humanitarian intervention:

At the risk of over-simplifying, the debate around humanitarian intervention could be broadly characterised as one between pluralists and solidarists (Bellamy, 2004). Pluralists insist that the rule of sovereign immunity, which in their view is the peremptory rule of international society, precludes humanitarian intervention. Pluralists argue that under no circumstances can any emergency legitimise intervention because sovereignty is often the only protection weak states have against the strong. They believe interventionism is illegal, illegitimate and ineffective and it offends the foundational norms of international society. Interventionist practices threaten international order, they argue, and reject the claim that such right should be developed.

In contrast, solidarists hold the view that the international community can reach an agreement about substantive moral standards and it is their obligation to uphold those standards (Bellamy, 2004). Hadley Bull (1966) suggests that a solidarist international society is one in which the states comprise a degree of solidarity enforce international law (p.52). Therefore, solidarists come to an understanding that the international society has come to an agreement about what constitutes a humanitarian emergency and a wide belief that in such recognised cases, intervention is legitimate even without the authority of the Security Council (Arend and Beck, 1993). In their view, extreme cases of human rights violation serve as a legitimate exception to the rule of non-intervention. Although this debate seems relatively recent, it has taken place long before contemporary times.

The classical origins of what became known as humanitarian intervention lie in the emergence of the Just War doctrine from the Middle Age period (Chesterman, 2001). It was largely developed by scholastics, but achieved its most widely published form in the work of the protestant Dutch thinker Hugo Grotius. This form of International Law as originally perceived by man, was based on a body of principles rooted in the laws of nature. Essentially, the Just War tradition is a series of criteria all of which should be met for a war to be considered just (Guthrie, 2007). It is

demanding and complex, aiming to simultaneously limit resort to arms and to respond to the requirements of justice (Elshtain, 2001). The rise of interventions based on humanitarian grounds pushed the international community to update the Just War doctrine. Ultimately, the Western intellectual tradition of Just War could be considered as the foundation for contemporary international law governing armed conflict. "It is grounded in natural law, which recognises the right of sovereigns to use force to uphold the good of the human community, particularly in cases where unjust injury is inflicted on innocents," (Seybolt, 2010, p.1).

In 2001, the International Commission on Intervention and State Sovereignty tried to articulate the relationship between sovereignty and human rights (Bellamy, 2004). The Commission disregarded the pluralist/solidarist debate by pointing out the wrong emphasis of it. Rather than focusing on the claims of intervening states, the focus, according to the commission, should be on those individuals and groups in need of protection. Consequently, the ICISS shifted the debate from "the right to intervene" to "the responsibility to protect", which emphasised on those in need of help. These recommendations pushed forward by the Commission were adapted by the UN and became accepted as a universal legal ground for third-party intervention. Accordingly, the Independent Commission on Intervention and State Sovereignty proposed a change in the Just War criteria to clarify the conditions under which military intervention in the case of humanitarian crisis is legal. It was achieved by providing a more precise definition of each criteria for when and on what grounds to intervene. The first principle is: *just cause*, which became justified in the case of self defence, large scale ethnic cleansing, and when large scale loss of life occurs (Bjola, 61). The second principle: *the right intention* must be avert to human suffering, and not to meet political means. As a guarantee of that, the intervention must take place on a multilateral basis and be supported by the people for whose benefit the intervention is intended (ICISS, 2001, p. 36). *Last resort*, proposed by Grotius, became an official section of the Just War principles. Last resort may take place under the conditions that all political and diplomatic initiatives failed to accomplish the desired goals. If the last resort does take place, the intensity of the military intervention should be proportional to the humanitarian objectives. This has been introduced in order to place a moral responsibility on the intervener and to percent aggressive measure from overshadowing the true principles of humanitarian intervention. In short, the application of these principles were aimed to place responsibility on the intervening party and to carefully consider the effectiveness of alternative solutions (Bjola, 61). Lastly, the Commission regarded the Security Council as the *right*

authority for being the most appropriate body for dealing with the issue of military intervention (ICISS, 2001, p 48).

In order to determine the results of an intervention, Hugo Grotius identified the principle of *reasonable hope of success* as an independent Just War criteria and is articulated when he says ,"to halt the suffering that prompted the intervention in the first place, and to avoid worse consequences, unclosing the possibility of triggering a larger conflict," (ICISS, 2001, p.37). This principle lies in the idea that war should not be undertaken unless the prospect of success are faint. Nevertheless, this Just War criteria of *reasonable hope of success* has several criticisms. Firstly, there is a problem of commensurability of moral values when stating, "can the issue of proportionality between moral values be reduced to a utilitarian calculation of material costs and benefits?" (Bjola, 60). Secondly, there is an issue with determining the consequences of the war. How can one determine the precise effects of the intervention? What should be the determining factors and could they be applied to different cases? Thirdly, there is a problem of the "equality of damage". Should the intervener calculate the costs and benefits of both conflicting sides or only take into consideration the outcome of the side they were fighting for? (Bjola, 60). Thus, *reasonable hope of success* proved to be problematic.

The introduction of R2P concept resulted in a significant impact on state practice. Nevertheless, several interventions were conducted without the authority of the Security Council but have been largely accepted as legitimate by the international society. They include the 2001 South African intervention in Burundi, the 2002 multinational intervention in the Central African Republic, the 2001 intervention in Afghanistan, the EU operation in Macedonia and the Australia-led intervention in the Solomon Islands. None of them were authorised, but all were considered legitimate by the large part of the international society (Bellamy, 2004). From this observation one can conclude that the international society recognises two types of legitimate humanitarian interventions. Firstly, they recognise the Security Council's ability to identify and authorise enforcement action. Secondly, the international community recognises a moral, but not legal, right to intervene in cases of human suffering. While many interventions did take place without authorisation and generally many Western states openly advocate such right if done with a good cause, many states are prepared to simply "tolerate" the interventions, or view them as acts of aggression (Bellamy, 2004). Thus, the next occupying question is: how do primary motives of an intervention affect their outcome.

At the beginning of the 1990s, a recognised scholar Will Verwey argued that interventions have always been motivated by non-humanitarian concerns. He argued that such interventions cannot be considered humanitarian because they were not triggered by humanitarian concern and were merely used to justify actions, whereas the primary purpose was self-seeking and power serving (Verwey, 1992). Verwey strongly believed that humanitarianism should be the sole legitimising factor for a state conducting an intervention in another state. In return, his strong views received criticism. Many argued that whilst motives are important they should not become the threshold condition (Wheeler 2000, Holzgrefe 2003, Murphy 1996). That is, when actions result in a humanitarian outcome they should not be stopped if they weren't inspired by humanitarian motives.

Although this outcome-oriented approach reflects how most interventions are conducted, it is flawed in several ways. On the one hand, it is impossible to know the outcomes of an intervention beforehand, so in itself the outcome-oriented approach does not offer a methodology that leaders can use to identify whether to proceed with an intervention. On the other hand, one could argue that an act which illegally violates the sovereignty of another country without a leading humanitarian purpose, should not be legitimised because of a possibly fortunate but unintended positive outcome. When questioning the intentions, one can address the problem that the outcome-oriented approach may overlook the danger of the military means chosen by the intervener of undermining the desired humanitarian outcome. If the primary intention is to address severe human right violations it is more likely that the the intervener will select appropriate means to do so. Whereas, in the cases where humanitarian concern is a secondary, the likelihood of not reaching humanitarian peace is higher. One way in which to assess an actors intentions is by paying close attention to his actions and what results they bring. Thus, it is necessary to establish means for measuring the effectiveness of an interveners actions.

2.3 Debate on whether humanitarian intervention is effective:

Measuring the effectiveness of an intervention is a challenging task. Much research has been conducted to highlight various factors that determine the effectiveness of interventions. This includes Regan's (2002) study of third party interventions, Sullivan and Karreth (2015) research on the conditional impact of military intervention on internal armed conflict outcomes, Kurth's (2006)

study of military intervention after Iraq, Wheeler's (2000) account on intervention, and Seybolt's (2007) cross-case comparison of the effectiveness of interventions. Nevertheless, a commonly accepted measurement of what determines a successful intervention is yet to be determined.

Fernando R. Teson, a contemporary international law scholar, characterised a positive humanitarian outcome by "whether the intervention has rescued the victims of oppression, and whether human rights have subsequently been restored" (1988, p. 69). This has been incorporated in Nicholas J. Wheeler's threshold conditions of a positive humanitarian outcome that were mentioned in his book entitled *Saving Strangers: Humanitarian Intervention in International Society* (2000, p. 37). Wheeler, a leading international relations scholar, used Teson's thresholds for estimating the success of an intervention and further distinguished the division of humanitarian outcomes into short and long-term. The short-term success would be ending the supreme humanitarian emergency, and the long-term success is defined in terms of how far the intervention addresses the underlying political causes that produced the human rights abuse. The general consensus among scholars is that success of a humanitarian intervention is defined by the number of saved lives. Saving lives is a clear and nonexclusive concept that is often used by policymakers and journalists as justification and measurement of an intervention (Seybolt, 2007). Both Wheeler and Seybolt measure short-term success according to how many people were saved from imminent death. It is a quantifiable approach and by looking at the death rate before and after the intervention their aim was to establish the immediate effects of an intervention. Nevertheless, this approach raises the question of accuracy. In his analysis, Seybolt focuses on the victims that did not perish due to foreign interventions. Measuring the probability of something that would have happened if an intervention did not occur could largely be seen as a hypothesis, rather than reliable data and therefore could not be seen as a singular measurement of effectiveness and success of an intervention.

In his book *Humanitarian Intervention and the Responsibility to Protect: Who Should Intervene?* James Pattison highlights three measurement of effectiveness (2010). First, "local external effectiveness", which depends on whether an intervener promotes or harms the enjoyment of human rights of those in the political community that is subject to its intervention. Second, "global external effectiveness" depends on whether an intervener promotes or harms the enjoyment of human rights in the world as a whole. Third, "internal effectiveness" depends on whether an intervener promotes or harms its own citizens' enjoyment of human rights" (2010, p.7). This approach expands the promotion of human rights to a global level, though raises a few questions regarding its feasibility. The "local external effectiveness" is directly related to the interveners

success in eliminating violence and promoting peace in the local community, which should be the primary intention of a humanitarian intervention and is logical to serve as a measurement of effectiveness. Though a third-party intervention doesn't necessarily relate to "global external effectiveness" and "internal effectiveness" since it focuses on a conflict within a certain territory, and even if it does challenge humanitarian issues on a global level, it is difficult to measure it.

The qualitative debate around interventions circles around the concept of neo-imperialism and the need for a stricter approach to dealing with crises. As Bigombe, Collier and Sambanis (2000) argue, the failure of previous interventions was due to inefficiency and incompletion of strategic objectives. Essentially, many would argue that interventions need a stronger military presence to ensure that new institutions were put in place that will create order in a post-convict zone. Others argue that the key to effective interventions lies in its accountability. Law (2006) points out that whichever country has had the lead in an intervention, it has not been able to make decisions in a transparent manner which makes it difficult to ensure accountability. In essence, this contributes to the need for a stricter approach to dealing with crises, however instead of promoting further intervention, Law (2006) points out the selective effort of interventions and calls for more accountability and transparency. With the increase in the transparency of the decision-making process, it is more likely for the responsible bodies to carry out operations with increased awareness of the consequences of failure. This is closely related to realistic planning prior to intervention, which is essential to avoid failure (Burg, 2004, p.188). Planning, according to Burg, should address the underlying causes of the conflict which are usually largely non-military in nature and include elements of nation building (2004, p.191). Thus, some degree of nation building is required to produce long-lasting peace. That entails economic and political infrastructure that can contribute to the overall well-being of citizens which can oftentimes lead down the path of ethnic, linguistic, or religious conflict. In return, this creates a necessary condition for reaching an effective intervention because it allows troops to be withdrawn without a resumption of civil conflict.

By reviewing the literature on humanitarian intervention one can acknowledge the general agreement amongst scholars that an effective humanitarian military intervention is largely based on whether the victims of abuse have been saved. Primarily, short-term effectiveness measures short-term responses to violence, though it does not present a wider perspective of the intervention and could potentially reveal inaccurate and incomplete results. As for the long-term effectiveness, the above-mentioned approaches suggest several methodologies all of which are difficult to quantify,

but are unified by the idea that interventions should eliminate the initial cause of violence and promote long-lasting peace.

3. Case studies

This chapter will introduce the case studies of Kosovo and Libya and mention what led to the wars and how the international community responded to the eruption of conflict through a humanitarian intervention. In both cases, NATO lunched an air campaign to prevent humanitarian catastrophe. The political objectives of NATO's air campaign in Kosovo were to bring about: "a verifiable stop to all military action, violence and repression" (Kosovo Air Campaign, 2016). In return, the political objectives in Libya were based on the commitment to protect the Libyan people (NATO and Libya, 2015). Both interventions were carried out for the same cause that set the grounds for a comparative analysis.

3.1 Kosovo

The Balkans, and Kosovo in particular have a history of diverse cultural and religious coexistence, though it has not always been peaceful (Reveron, 2013). The twentieth-century history of Kosovo has been violent, with episodes of mass expulsions and atrocities conducted both by Slavs and Albanians. Nevertheless, the latest round of mass violence of the 1990's cannot be explained merely by reference to this history (The Kosovo Report, 2000). The origin of the 1990's Balkan crisis has to be understood in terms of the new wave of nationalism, which occurred in the Balkans during the 1970s and 1980s. Even though Kosovo became populated predominantly by Albanians, it remained a symbol of nationalist aspirations for both Albanians and Serbs living in Kosovo. For the Serbs, Kosovo represents the holy place of the Serb nation, the place where the Serbian Army was defeated by the Turks in the famous battle of Kosovo Polje ("Field of the Blackbirds") in June 1389 and the site of many of Serbia's historic churches (The Kosovo Report, 2000, p 33). For the Albanians, the nationalist movements began in Prizren in 1878, and escalated after the incorporation of Kosovo into Serbia in 1912.

In the late 90's the conflict developed to become a threat to the disintegration of Yugoslavia as a whole (The Kosovo Report, 2000, p. 34). While being a part of the Federal Republic of Yugoslavia (FRY), the Kosovar society has become increasingly divided between ethnic Muslim Albanians and Orthodox Serbs. The conflict escalated and inspired Albanians living in the Balkan countries to begin action for Kosovo's independence (Reveron, 2013). It resulted in a violent

Albanian militancy in the shape of the Kosovo Liberation Army (KLA) coupled with the countermeasures on the part of the Special Forces of the Serbian Interior (Webber, 2009). Especially since the rise of the Serbian leader Slobodan Milosevic, who then became the president of Yugoslavia, KLA felt unrecognised and demanded greater recognition and more autonomy. Since the violence occurred on the sovereign territory of Serbia and against Serbian civilians, the Serbian government saw KLA as a terrorist organisation and by fighting back, Milosevic wished to bring possible separatism to an end (Moran, 2006).

Before 1998, Kosovo was not a priority for the international community. With the ongoing wars in Croatia, Slovenia, and Bosnia, Kosovo was regarded as secondary to these conflicts in terms of urgency and status (The Kosovo Report, 2000). Moreover, the quantitatively low level of violence in Kosovo during the early 1990's before the escalation of the conflict was underestimated by the international community. Eventually, Kosovo did receive attention in the 1992-3 period when intergovernmental organisations feared that the war in Bosnia would spill-over into Kosovo (The Kosovo Report, 2000). The 1991 Conference on Yugoslavia which was held in The Hague, set the tone by defining Kosovo as an internal problem for Yugoslavia, thus discouraging international involvement. Meanwhile, the Kosovo-Albanian political leader Ibrahim Rugova managed to get attention from the international NGO community and arranged several diplomatic meetings with foreign governments, though it wasn't translated to a concrete support. In 1992, under the International Conference on Former Yugoslavia (ICFY), a Working Group on Ethnic and National Communities and Minorities was established. The group stated the importance of normalising the situation in Kosovo and suggested to focus on negotiation about education, but very little was achieved (The Kosovo Report, 2000, p. 57). In 1992 Missions of Long Duration to Kosovo were established to open a dialogue on the ground, however in 1993 Milosevic did not renew visas for the members of the Missions, which could have possibly been a response to the suspension of the Yugoslav membership in the OSCE (The Kosovo Report). Most of the efforts were concentrated in the early 1990's and the intransigence of the Milosevic led regime delayed any international attempts to stabilise the situation in Kosovo. However, little was done until 1997. Kosovo was not included in the Dayton agreement out of fear of jeopardising the chances of reaching an agreement with Milosevic who has refused to consider Kosovo. While excluding Kosovo from the Dayton agreement and placing it off the international agenda, it arguably resulted in indirectly legitimising Milosevic's role in Kosovo. After Dayton, the EU formally recognised the Federal Republic of Yugoslavia as including Kosovo, which did not help the situation. Although, it was unlikely that Dayton would have been able to provide a solution for Kosovo, it would have been helpful if the

process had included a discussion of possible solutions for Kosovo. Even though the West attempted to suppress violence in Kosovo through NGO's and peace missions, there were no solid commitments. A general lesson can be drawn from this period, mainly that early response through stricter diplomatic solutions prior to the escalation of the conflict, could have potentially prevented its eruption in the late 1990's.

The 1990's saw a growth of separatist movement amongst the Albanian majority in Kosovo. As the situation deteriorated in 1999, the US envoy Richard Holbrook proposed an agreement to Slobodan Milosevic to withdraw Yugoslav forces from Kosovo and if Milosevic failed to comply with the demands, NATO would start air strikes against Serbia. Violence in Kosovo intensified and the number of Kosovars becoming refugees within the FRY increased to 230,000 (The Kosovo Report, 2000). The gravity of the situation was beginning to transform into a humanitarian catastrophe. On January 15th, 1999 the OSCE reported that the Serbian police had been responsible for a massacre at a village in Kosovo in which 45 Albanians were killed. After several attempts of negotiation and Milosevic's disregard of Holbrook's proposition, NATO launched its Operation Allied Force which resulted in a 11-week bombing of Belgrade with the purpose of stopping a humanitarian catastrophe and ending violence. Operation Allied Force began on March 24, 1999. Two more actions were included at the same time, defined also as humanitarian operations with the aim to address the needs of refugees providing logistical assistance and direct aid: Operation Allied Harbor in Albania and Operation Joint Guardian in the Former Yugoslav Republic of Macedonia (FYROM) (Seybolt, 2007, p. 81). From the beginning, the legitimacy of the interventions was questioned since the UN Security Council did not authorise the action. Nevertheless, NATO forces stated that the intervention took place in order to stop the ethnic cleansing of the Kosovo Muslims by Serbs (Seybolt, 2007).

As mentioned earlier, humanitarian intervention is meant to protect fundamental human rights in extreme circumstances. Specifically, "when large numbers of people were being killed or were in imminent danger and unable to protect themselves" (Seybolt, 2007, p. 6). Nevertheless, the potential politicisation of an intervention can lead to fulfilling a political objective without serving the humanitarian cause (Seybolt, 2007, p. 133). It is arguable that in the case of Kosovo, humanitarian and political interests were brought together, justified with preventing and punishing severe human right abuses (Seybolt, 2007, p. 252). Though it is necessary to mention a contradiction regarding this intervention. Violations of human rights in Kosovo did happen, but as a response to secessionism and violence at the sovereign territory of FRY and even though third-party

intervention occurred on the grounds of protecting civilians, international law categorically prohibited the threat or use of force in a sovereign state. (United Nations Charter, Article 2(4). NATO articulated a number of objectives: although some of them were humanitarian – human rights violations and return of refugees - majority were strictly political: the withdrawal of Serbian military, the deployment of an international military force and achieving a political framework for Kosovo (Seybolt, 2007, p. 246). Going back to Seybolt's (2007) cross-case comparison of the effectiveness of interventions, he stated that a number of NATO governments openly acknowledged the importance of political objectives while undergoing the humanitarian intervention. Many NATO members saw this intervention as a way to make Kosovo a US protectorate (Seybolt, 2007, p. 250). The expectations were that Milosevic would have to negotiate, but the duration of the intervention, as well as the civilian casualties proved that it was an enormous mistake. Quite the opposite happened: the conflict between the Serbian forces and the Kosovar's escalated from ethnic tensions into genocide. After Belgrade was first bombed, the maintaining of alliance cohesion became more difficult for NATO, since they could not justify the attacks on Belgrade Interior Ministry, National Television or seven destroyed bridges.

After it became clear that NATO was preparing for a ground war with Russia as Serbia's main ally, Milosevic agreed to a deal and gave UN political authority in Kosovo which officially ended the war in June 1999 (The Kosovo Report, 2000, p. 97). On June 10, the UN Security Council passed on a *Resolution 1244*, establishing a comprehensive framework for reconstructing Kosovo (The Kosovo Report, 2000, p. 99). The resolution stressed the territorial integrity and sovereignty of the FRY. But, at the same time, it left room for its substantial autonomy. UN Security Council stated that the resolution directed the international civil presence to facilitate a political process to settle Kosovo's future status, call for the safe return of refugees, and call for the demilitarisation of the KLA. It included UNHCR (humanitarian assistance) and the new United Nations Mission in Kosovo (UNMIK) regarding civil administration. Additionally, NATO contributed by sending the military intervention force called the Kosovo Force (KFOR) with headquarters in Pristina, designed to protect civilians and aid operations. KFOR divided Kosovo into five sectors under the control of different NATO states (Seybolt, 2007, p. 215). Because of this intervention, Serbian forces were prevented from their onslaught in Kosovo and were driven out of the territory.

The actions in Kosovo have disapproved the argument that has emerged in the second half of the 1990's that governments would no longer intervene on the behalf of oppressed citizens. NATO's possible politicisation of the intervention raised even more questions regarding the use of military force in the name of humanitarianism. The debate concerning intervention has been raised numerous times after Kosovo, but one of the most debatable interventions conducted by NATO was the intervention in Libya.

3.2 Libya

The second case study focuses on Libya, a country in the North of Africa which was under the dictatorial rule of Muammar Gaddafi for almost five decades. Ever since the tragedies of Rwanda and Kosovo, where Western governments failed to respond timely, there have been efforts to further justify foreign intervention when genocidal events or massive violations of human rights took place within a country, as was the case in Libya (Igwe, 2017, p. 1). Libya was part of a wave of protests over authoritarian-ruled North African and Middle East countries between 2010 and 2011 known as the "Arab Spring". The movement began on December 17, 2010, in Tunisia, continuing similarly in Egypt, Libya, Syria, Yemen and Bahrain (Igwe, 2017, p. 2). When these revolts reached Libya, Gaddafi did not have the intention of relinquishing power and instead responded with the use of force. The violence conducted by Gaddafi resulted in numerous civilian deaths and suffering, which enabled the international community to act upon it. On March 17, 2011, the United Nations Security Council initiated the Resolution 1973, which presented the authorisation of the Council to use all measures necessary to protect the Libyan citizens from the violence initiating by the Libyan government. The operation started by neutralising the Libyan Air Force and later by helping rebels in the armed conflict which seemingly ended when Gaddafi was caught by rebels and assassinated on October 20, 2011 in the town of Sirte (Gartenstein-Ross, 2015).

NATO's campaign to overthrow Qaddafi radically transformed the country both politically and in terms of security. Libyan's hoped that the revolution would provide a new era of democratic governance. However, the post-Qaddafi era has been characterised by civil conflict and sub-state violence (Gartenstein-Ross, 2015, p. 9). At the World Summit of 2005, the General Assembly of the United Nations unanimously committed itself to the principles of humanitarian protection in which R2P was prioritised over Westphalian sovereignty norms (Fermor, 2012, p. 335). The actions of Western leaders have shown that R2P was ready to be implemented in practice. British Prime

Minister David Cameron, and the French president Nicholas Sarkozy, were frontrunners among NATO leaders in calling for intervention (Fermor, 2012, p. 332). NATO's campaign in Libya - first to protect anti-Qaddafi protesters and later to overthrow Qaddafi - was largely prompted by European allies (Gartenstein-Ross, 2015, p. 12). The Obama administration was quite skeptical at first, though Qaddafi himself helped in justifying the Western intervention with his brutal acts of violence. The first argument of the intervention was humanitarian, specifically the concern that the number of Libyan citizens killed would increase. The second argument was related to the political transformations in the entire region and how to deter other authoritarian regimes from performing similar violent actions. Additionally, a third argument concerned the potential mortal blow to al Qaeda and global jihadism (Gartenstein-Ross, 2015, p. 13).

As Libya descended into chaos, the United Nations Security Council authorised all necessary measures to protect the people of Libya from suffering. The Security Council 1973 was adopted on March 17, 2011. NATO airstrikes began on March 19. Responsibility to Protect was evident in actions of Obama, Cameron and Sarkozy, clearly justifying the intervention in terms of basic human rights protection (Fermor, 2012, p. 335). As defined in the NATO Media Update (2011), NATO forces took control of all military operations for Libya under United Nations Security Council Resolutions 1970 and 1973 from March 31, 2011. The main aim of *Operation Unified Protector* (OUP) was to protect civilians and civilian populated areas under attack or threat of attack. It consisted of an arms embargo, a no-fly-zone and actions to protect civilians (NATO Media Update, 2011). The conflict in Libya has been characterised by a myriad of armed groups and actors who are divided across different ideological, national, regional, ethnic and tribal lines, including regional, tribal and ethnic tensions between the historical provinces of the country. (The War Report, 2017, p. 1). Among the main actors were: General National Council (GNC) as Libya's first democratically-elected parliament after the fall of the Gaddafi regime in July 2012; House of Representatives (HoR) as Libya's elected and internationally recognised parliament, which came into being following the 2014 June elections; Presidential Council (PC) functioning as a head of state and Supreme Commander of the Libyan Army, born out of the UN brokered LPA in December 2015, which will be discuss later in detail; Libyan National Army (LNA) with its leader General Khalifa Haftar, representing a mixture of military units, former police officers and tribal or regional-based armed groups; Islamic State in Libya (ISIL) that first emerged in Libya in early October 2014, but currently, the group's presence in Libya is limited to desert areas in the south and some cells around the country (The War Report, 2017).

There are two important actions that have to be mentioned: *Operation Dignity* led by already mentioned General Khalifa Hifter against Islamist militias in Benghazi in May 2014 and *Operation Dawn* against Zintani militias in Tripoli in July 2014. General Hifter was a former officer in the Libyan military under Qaddafi who defected and lived in the United States, with returning to Libya to take part in removing Qaddafi in 2011. After Dignity and Dawn campaigns, the factors underpinning the civil war became more complex, involving regional, tribal, political, and religious fault lines and the conflict can be seen through several different lenses: revolutionaries against members of the ancien régime, political Islamists against secular nationalists, and ethnic Arabs against Berbers and other non-Arabs (Gartenstein-Ross, 2015, p. 7).

Going forward, the year of 2015 was marked by UN negotiations to reach a power-sharing deal between all conflicting parties. They eventually led to the adoption of the Libyan Political Agreement (LPA) on December 17, 2015. The agreement established the Presidency Council of the Council of Ministers, which functions as a head of state and Supreme Commander of the Libyan Army. "The implementation of this agreement in good faith will provide the tools needed to address the challenges of fighting terrorism, reforming and building state institutions, stimulating economic growth, confronting the phenomenon of illegal migration and consolidating the rule of law and human rights throughout the country." (Libyan Political Agreement, p. 2). On December 23, 2015, the UN Security Council adopted Resolution 2259, welcoming the formation of the PC and calling upon states to support it. It further expressed concern at the grave humanitarian situation in Libya and encouraging Member States to react. It states the following: "Reaffirming the importance of holding accountable those responsible for violations or abuses of human rights or violations of international humanitarian law, including those involved in attacks targeting civilians" (UN Security Council, Resolution 2259, p.3).

After the victory in the city of Sirte, the United States announced that it had ended its military campaign against ISIS targets in Libya. In September 2017, the US conducted what it called "precision airstrikes" against purported ISIS targets south of Sirte. There were no reports of civilian casualties (Human Rights Watch Report, 2018).

4. Analysis

At a legal level, the main difference between the intervention in Kosovo and Libya was the UN authorisation. In Libya, the use of "all necessary measure to protect civilians from attacks by

force led by Mummer Gaddafi" was approved (NATO and Libya, 2015). Unlike the intervention in Kosovo, this resolution added international legitimacy to the humanitarian intervention in Libya. The implementation of the "Responsibility to Protect" (R2P) also added to the legalisation of action in Libya since it diminished the idea of state sovereignty in cases of crimes against humanity within their borders. Keeping that in mind, the following section will analyse the effectiveness of interventions in Kosovo and Libya through a comparative analysis of the short and long-term consequences. Its main purpose is to highlight international military actions and mortality outcomes rather than to explain the unfolding of events.

4.1 Short-term effectiveness

Kosovo

While looking at the short-term success of the intervention, the Operation Allied Force was a political and military success for NATO, but a humanitarian failure (Seybolt, 2007, p. 249). It accelerated violent attacks and precipitated a humanitarian catastrophe. Looking at the facts: the number of people killed was 20 times higher after the intervention, and more than 90 per cent of the Kosovo population had been forced to flee their homes (The Kosovo Report, 2000). One could argue that Milosevic was intending to eradicate Albanians out of Kosovo and there is no denying that Serbs deliberately targeted Kosovar Albanians with cruel and degrading treatment (Seybolt, 2007, p. 250). As a result, Operation Allied Force may have ended the supreme humanitarian emergency, at the same time creating the worst refugee crisis in Europe since the end of World War II. According to Seybolt (2007), the impact of intervention was the following: during the bombing lives saved were 0, while lost approximately 17, 000 (p. 80). In response to NATO attacks, the FRY dramatically stepped up its military assault on the ethnic-Albanian population in Kosovo. Also, due to Serbian aircraft jamming, during the bombing NATO aircraft flew at altitudes of at least 4600 meters, making it difficult to identify targets, which led to increased endangering of civilians. Human Rights Watch claims that the short-term humanitarian outcome was negative. NATO air strikes caused between 600 and 5000 Serbian military deaths. One of the worst incidents of civilian deaths goes up to 500 Serbian civilians who died in bombed headquarters of Serbian Radio and Television in the center of Belgrade. On the other side, Yugoslav use of Kosovar civilians for "human shields" happened as an act of revenge. Another controversy is regarding the use of cluster

bombs, where the US ceased their further use in the conflict, after 150 civilians were killed by NATO cluster bombs in the Serbian city of Niš, on May 7. According to Pattison (2009) this dramatically weakened the humanitarian credentials of this intervention. After the bombing, it is assumed that Serbian forces killed 10 000 – 12 000 Kosovar Albanians, greatly exceeding the number killed in the previous year, with 863 000 people becoming refugees and 590 000 internally displaced (Seybolt, 2007, p. 84). Unfortunately, KFOR failed to protect Serbs from a deadly revenge attacks in the aftermath. Humanitarian and political objectives can and must be clearly separated so that local actors do not see humanitarian relief as a tool for political objectives (Seybolt, 2007, p. 16). Humanitarian theorists argue that a lack of political impartiality will lead to situations in which humanitarian action is corrupted, emergency relief is politicised, relief delivery efforts are inhibited, and aid workers' lives are endangered (Seybolt, 2007, p. 16). When looking at the statistics, the death rate in Kosovo grew from 6.10 (per 1,000) in 1996 to 7,20 in 1999 (Mundi Index). Therefore not showing any evidence of a decline in the death rate after the intervention. As mentioned earlier, the post conflict casualty reports vary, but coincide in estimating a civilian death toll of at least some 1,200 and as many as 5,700 civilians. The international community has not yet reached agreement on the exact number of people killed during the Kosovo conflict. Chief Prosecutor Carla Del Ponte, the chief prosecutor, reported to the UN Security Council an estimate of 11,000 people killed, with exhumations of 2108 bodies as of November 1999 (The Kosovo Report, 2000).

To prove the hypothesis in the case of Kosovo: the short-term effects were negative. This catastrophic process cost over 200,000 lives and drove millions from their homes (The Kosovo Report, 2000, p. 283). The assumption stays that if the Western governments had given the same level of support to the peaceful solution on time, war might have been avoided completely.

Libya

When analysing the effectiveness of the intervention in the short-term, many authors believe that the US policy prioritised short-term defence over long-term success in Libya (Estelle, 2017, p. 2). The strategy called for a heavy diplomatic effort paired with limited military engagement. It is, in a way, an appeal for the US to not retreat from Libya because it is in the interest of the US to demonstrate that peace is possible (Estelle, 2017, p. 27). Before the intervention the mortality rate in Libya was 16.60 (per 1,000) in 2010 and grew to 17.50 in 2001 (Index Mundi). After the Human Rights Watch visited western Libya in early August 2011, just before the Gaddafi government fell,

officials claimed that NATO strikes had killed 1,108 civilians and wounded 6,362. Of the wounded, 717 were critically wounded and 4,537 had light wounds (NATO and Libya, 2015). Though considering the violent regime prior to the intervention, NATO's involvement cannot be blamed for the chaos, insecurity and fragility of post-Gaddafi Libya (Isaac, 2012). It is a country in transition with a specific demographic characteristics and political culture, weak institutions, and long history of misrule and repression (Isaac, 2012). The conflict on its own resulted in more than 30 000 deaths, 50 000 injured and 4 000 missing (Igwe, 2017, p. 4). Since the collapse of the central authority in 2014, key institutions, most notably law enforcement and the judiciary, have been dysfunctional in most parts of the country. Prosecutors, judges and lawyers risk attacks, threats and harassment (Human Rights Watch 2012). It is argued that during the conflict the Gaddafi government speculated the number of civilian deaths caused by NATO (NATO and Libya, 2015). Despite repeated requests to obtain data the government officials failed to provide details. At the time, international journalists noted the government's exaggeration of the number of lives lost due to NATO, including empty coffins at funerals and even the use of fake blood (NATO and Libya, 2015).

NATO's Operation Unified Protector in Libya has been seen as a testament to how far the integration of humanitarian assistance and peacekeeping has gone (Igwe, 2017, p. 3). While the statistics remain vague and largely controlled by the Libyan government, the statistics prove the short-term hypothesis. In terms of saving human lives, the short-term effects were negative. Although some critics write about Western hypocrisy and colonialism, some argue that the choice not to intervene would have carried more moral than not intervening (Shaw, 2014). Facts are showing that the intervention did lead to the loss of human life but also potentially offered Libya an opportunity to be free of a tyrannical ruler (Fermor, 2012, p. 354). The question whether such freedom was embraced in the following years will be analysed in the next section.

4.2 Long-term effectiveness

Kosovo

Since the intervention in Kosovo in 1999 by US and NATO forces, the tiny landlocked territory of Kosovo has maintained itself as somewhat of an international hotspot, though to a much less degree. While it only enjoys international recognition by only 111 countries, most of which are

aligned with US foreign policy priorities such as Western Europe, Australia, Japan, South Korea, Saudi Arabia, and Canada. While the civil war ceased with the bombing of Serbia and the halting of Slobodan Milosevic's war march towards Pristina, the political situation is still quite volatile. Ethnic and religious tensions are still quite strong between Kosovars and Serbians while Albania continues to eyeball annexing Kosovo into its own territory as a majority of Kosovars are Muslim like in Albania. Interestingly enough, the Albanian flag was waved during the 2008 independence celebrations almost if not more than what the new Kosovo flag was. In terms of the humanitarian situation, Kosovo is still struggling, but is in a much better off situation than what they were in the run up to the war. Economically, Kosovo has a lot to improve. Violent and organised crime is now rampant. Furthermore, some have speculated war could again break out between Serbia and Kosovo in a Serbian attempt to recapture Kosovo, but such theory is questionable. Overall, Kosovo should be seen to be in a better situation now than what it was in 1999 when Serbia was on the cusp of invasion on the scale of which they perpetrated in Bosnia and Croatia, two of the bloodiest wars in the post-Cold War era.

In terms of geopolitical security, Kosovo is now a safe part of the world, albeit still a geopolitical flashpoint that could potentially erupt. While the days of ethnic cleansing, genocide, and war are ten years removed, divisions within the countries still exist. Although the country is 95 percent Muslim, the remaining 5 percent Christian Serbians are mostly concentrated together, mostly in the town of Mitricova (Nielsen, 2018). Some have speculated that Serbia is still eying to annex the area as it would be highly supported by Serbia (and in turn Russia) and Europe is preoccupied with its own internal political struggles without a history of multilateral military conflict without the United States. Even so, this is merely speculative, but should probably not be considered completely out of the question as Serbian politicians, think tanks, and policymakers oftentimes demonise the Kosovar government as led by terrorists while claiming that the entire territory is still rightfully part of Serbia (Nikolic-Ristanovic, 2013). In short, it can be said that Kosovo is long since removed from the days of open conflict and militias roaming the countryside.

Although the security situation has greatly stabilised, the political situation is somewhat more volatile. The people of Kosovo are greatly divided politically. Potential conflict reigniting with Serbia (backed by Russia), accusations of the current Prime Minister's role in war crimes against Serbians, and Islamic extremist terrorist groups are the primary political issues of the day. This can obviously make for a toxic mix of thuggery, brute force politics, and strong-arm authoritarianism. That said, the Prime Minister's current party is quite popular despite this and

enjoys touting his close relationship with the United States as he had during the 10th anniversary of Kosovar independence. Regardless, he was the first sitting leader who turned himself into the international criminal court and had all litigation against him dropped twice (House, 2017). Because of this, he walks with an air of moral high ground that is above the political fray and not a part of the problem of past ethnic conflict. Nonetheless, he may be the exception. Many political leaders are still under investigation by the International Criminal Court, some of whom are accused by Serbia of being war criminals as well CITE. Political assassinations also still occur including the murder of Oliver Ivanovic, a Kosovo Serb in the previously mentioned Serbian dominated area of Mitricova (Nielsen, 2018).

In terms of its humanitarian situation, Kosovar's have not witnessed severe human rights violations as they did in the late 90's. Though this history will forever be engrained into the national mindset of the people. Nonetheless, the spectre of this conflict still remains omnipresent throughout the society as can be seen with the political and economic situation. As for the humanitarian relief effort, nearly all of the international organisations that entered the country are still in the country operating, but with somewhat different mandates (Eckhard and Dijkstra, 2017). In terms of refugees and the United Nation's effort to coordinate an international response to these internally displaced individuals, the United Nation's camps have been liquidated as individuals have either reintegrated into society or fled to other countries. The refugee crisis really hit a peak during and after the war in 1999. Nevertheless, refugee communities in Serbia are oftentimes targets of deportation, discrimination, and sometimes acts of violence. Kosovar refugee communities in Albian are treated better because of the national, religious, and ethnic ties, but are still sometimes targeted for deportation. Overall, the refugee crisis of 1999 has really been replaced by the refugee crisis from the Middle East, but Kosovo merely acts as a transit area where refugees attempt to use as a route to get to more developed parts of Europe.

As for the human rights situation in Kosovo, much progress can still be made on this front. Kosovo still requires more inroads in the development of strong democratic institutions in the government. Furthermore, different ethnic communities in Kosovo such as the Roma, Egyptian, and Ashkali peoples are oftentimes subjugated to discrimination, deportation and sometimes are victims of violence just as the Kosovar groups in Serbia are (Stojanovski et. al., 2017). This is likely a result of the linger nationalist sentiments that are rife throughout the region which really started the wars in the aftermath of the breakup of Yugoslavia in the first place. Regardless, any country cannot be a true democracy without pluralism and acceptance of outside groups of individuals. This is

especially true of ethnic minorities of which Kosovo has few nominally and in terms of a percentage of the overall population, but who still should be granted human rights and protection from discrimination and violence.

Economically, Kosovo is facing a number of problems as well. The country is extremely young (70 percent of the entire population is under 35) and has an extremely high unemployment rate (around 20 percent) (Hoti, 2015). Although the World Bank pointed out that Kosovo's economy was growing by 4.4 percent, this growth is mostly driven by cheap labor of services as wages are some of the lowest in Europe (Hoti, 2015). Kosovo's nominal GDP per capita (or the average annual wages each citizen takes) is just under $4000 USD (Hoti, 2015). In terms of global rankings of average annual wages, this makes Kosovo wages just above Indonesia an below Swaziland (Hoti, 2015). While taking this figure in consideration for local prices as compared to the relative weight of the US dollar (oftentimes referred to as GDP purchasing power parity), Kosovo is still one of the poorest countries in the world with a GDP purchasing power parity of only at $12,000 US dollars per year or just after the tiny island nation of Nauru and mostly poor Caribbean island nation of Dominica (Hoti, 2015). The economy will likely remain small as it is only around $7 billion US dollars supported by a small population of less than two million individuals. But even though this is the case and that the economy is mostly in poor shape, perhaps it is easier to say that the economy is at least functioning despite how dire the situation is.

In sum, it should be relatively easy to deduce that the situation in Kosovo has improved but is still going through the process of recovery. NATO has eliminated the initial cause of conflict by subsequently ending Milosevic's regime and creating peace. The country has a functioning economy to a certain extent despite high unemployment rate and low wages. The humanitarian mission is not over completely, but gone are the days of massive amounts of refugees flowing out of Kosovo or held in refugee camps around the country. Kosovo is not a failed state as the political functioning of government to be able to provide security and services is concerned. The domestic politics are wrought with ethnic tensions and some degree of corruption, but the tiny breakaway state is not currently engaged in a war against Serbia or against itself. Geopolitical tensions are high, but few indications appear to suggest that this could flare into open conflict in the immediate future. This overview has shown that Kosovo is going through a long process of recovery, nevertheless NATO was effective in addressing the underlying causes of conflict that produced the human rights abuse.

Libya

In the nearly seven years after the humanitarian intervention of Libya by Western powers, it is safe to say that Libya is still in a political and economic unsafe state of chaos. Libya has effectively been a mess ever since the intervention and has undergone a prolonged civil war since 2011. The security situation in the country is also blossoming into a proxy war between Russia and Western powers that perpetrated the intervention and help to prop up the provisional government along with the United Nations (Henneberg, 2017). The propped-up government has little control over the various political factions either backed by or controlling militias. Libya can aptly be characterised as a failed state (Engel, 2014).

Because of this, terrorist groups have taken advantage of the dilapidated security situation. Several armed groups have at one point or another freely operated within the country. They include, but are not limited to, the Islamic State, al-Qaeda, Ansar al-Sharia, Libya Shield 1, 17 February Brigade, and the Rahallah Safati Brigade (Blanchard, 2016). In fact, there were so many competing terrorist organisations that a number of them were concerned of being left out or merely pushed out of the political processes that a number of them united together under the guise of the Shura Council of Bengazhi Revolutionaries (Fitzgerald, 2016). This group does not consist of all major terrorist organisations such as the Islamic State but is mostly controlled and ran by the organisation which committed the 2012 attack on the United States consulate in Benghazi, Ansar al-Sharia (Gratrud and Skretting, 2017).

This leads to several problems. Ir provides terrorist organisations a large area to operate freely in and plan terrorist attacks. Also, these terrorist organisations should be considered to hold little value on human life. While they may sometimes provide goods selectively to advance political objectives, they are far from humanitarian. Quite the contrary. In fact, they exacerbate the humanitarian situation and can act as radicalised, almost violently nihilistic, organised crime syndicates. They hoard resources and do not freely provide them to the general population, but use their human and material resources as pawns for their own radicalised political objectives. Additionally, the human rights abuses they commit under the false justification of religion is in violation of various human rights abuses. For example, the punishment for homosexual behaviour by these groups is oftentimes a public execution as a show of force.

Organised crime has also become a major problem for the country. While many terrorist organisations are committing illegal operations in human trafficking, drug trafficking, prostitution, and other financial crimes, other organised crime syndicates not related to radical ideology have

also taken advantage of the dire situation in Libya as well (Shaw, 2014). These organised groups, while sometimes working in tandem with the various terrorist organisations which have essentially become pseudo-criminal organisations themselves, are sometimes in direct competition with these terrorist organisations that use criminal activities as a way to increase their influence politically and also themselves financially. The remaining crime syndicates that are not associated with any particular forwarding of radical Islamic ideology are actually less powerful than the terrorist organisations themselves which operate as organised crime syndicate (Shaw, 2014). In some cases the lower level organised crime syndicates act as de facto street thugs for various terrorist organisations, powerful political actors that are not involved with the terrorist ideology, powerful figures in the military, and other rebels who survived the 2011 invasion and subsequent civil war (Boeke, 2016). The humanitarian situation in the country has become extremely bleak because of the political infighting, terrorist organisations, organised crime, and continued de facto civil war. It is known that 1.3 million people are in need of humanitarian assistance in one way or another whether they need access to clean drinking water or food (Christie, 2018). Furthermore, around 500,000 children are in need of these same necessities (Christie, 2018). This is not even to mention that around 400,000 individuals are at risk of being trafficked either to Europe as refugees, as prostitutes in brothels spread throughout the country, or as human slaves, the latter of which maintains itself as an unthinkable situation yet still persists today (Christie, 2018). A direct causal relationship between the war, collapse of power by the central government, and the collapse of the economy may be difficult to outline between this incredibly dire humanitarian, economic, and security situation.

As for the political processes that occur in the country, there is little evidence Libya is anywhere close to an actual democracy that was attempted to be established in the aftermath of the intervention. Such is the nature of failed states effectively undergoing violent civil wars. While politically motivated murders, torture, and assassinations were rampant during the pre-2011 years, such tactics are still used today to intimate individual players in powerful position around the country, but also regular citizens as well. After Gadaffi fell, many came forward to testify to the torture that Gadaffi perpetrated on his civilians such as political tortures. Today, there are less systematic political torture to make civilians adhere to a central authority's ideological or political line. That said, it is impossible to quantify this and this may in fact not be true, but on the face of it this appears to be the case. Such is the problem of having no accurate on these types of problems. Regardless, it seems from the evidence that Libya's political rights are just as bad as they were

before. While elections do occur, they arguably are not free nor fair. For the most part, only the powerful in the country have any real political rights if one could even refer to them as such. Regardless, the political situation is toxic just like it was before.

The violence which occurs between different factions, militia groups, warlords, terrorist organisations, and the provisional government is not as deadly as other comparable civil wars that have roots in the 2011 Arab Spring such as Yemen or Syria. Because the security situation is not as dire for civilians as it is for civilian populations in Syria or Yemen, that also means that the humanitarian situation in terms of providing basic services such as access to water and food. Furthermore, the state of affair in Libya from 2011 to 2017 can more accurately be characterised or broken down into two main conflicts including the initial civil war in 2011 (the First Libyan Civil War) and a second civil war which really began in 2014 (the Second Libyan Civil War).

In sum, while Libya is considered to be a failed state, it is not as chaotic in terms of economic, political, and security situations in other countries with similar circumstances. Perhaps a more accurate comparison for Libya would be a country like Mali or Somalia where insurgencies and terrorist organisations thrive, but one which is not undergoing such an incredibly bloody civil war such as Syria or Yemen. That said, it is important to reiterate that Libya is effectively a failed state. If the Western powers that invaded Libya in 2011 were motivated, as they claimed to be, by humanitarian intervention, it is nearly impossible to argue that the humanitarian situation now is good. As mentioned earlier, a deterministic observation of the humanitarian situation before the invasion compared to it afterwards is difficult to obtain. Nonetheless, a few questions can be asked if situations were the same before compared to afterwards. For example, what were individual's human rights before the invasion poor and were they poor afterwards. Invariably, the answer to this must be yes. While the government held a monopoly on the use of force before the invasion and the government holds no control over the security situation in the aftermath of the invasion, very few radical Islamist terrorist organisations were in the country despite the country's support for terrorism and no terrorist organisations operated in the political processes which was dominated by the single authoritarian rule of Gadaffi (Liolos, 2012). Figures on the humanitarian situation are non-existent during the many decades that Gadaffi ruled. Because of this making a comparison before and after between these two periods is impossible for this mere fact. Nevertheless, it is clear to see that the situation in Libya after NATO's intervention and the fall of Gadaffi has not been improving and there is little evidence to suggest things will get better any time soon. Though it is not out of the realm of possibility that things could quickly turn around the country. Based on the

abovementioned, the long-term effectiveness of NATO's intervention was not as optimistic as in Kosovo and failed to establish long-lasting peace.

5. Conclusion

This study has comparatively examined the short-term and long-term consequences of humanitarian interventions in Kosovo and Libya. This was done via the lens of several qualitative categorical variables including political, economic, humanitarian, and other atmospheres of analytical frameworks through which a country could be judged in terms of its status as a successful or unsuccessful humanitarian mission. The study also relied on quantitative data provided mainly by the Human Rights Watch and T.B Seybolt. The literature review gave an insight on the historical and theoretical foundations of the Just War theory, the right to protect (R2P), and of how to measure whether or not a humanitarian mission is actually successful or not. A debate exists between the abovementioned issues and the question whether or not any humanitarian mission can ever be effective or successful if it is an inherent violation of sovereignty.

This research then used two case studies to comparatively analyse whether or not the humanitarian interventions in Kosovo and Libya were effective in the short-term and the long-term. Inherently, the causes of the conflict were dissimilar, though the way in which the intervention was undertaken was alike. In the short-term analysis of Kosovo and Libya the results showed that in terms of saving lives, both operations failed. In Kosovo, during the bombing of Belgrade the number of lives saved were 0, wile lost approximately 17,000 were killed (Seybolt, 2007). In Libya, NATO strikes killed 1,108 civilians and wounded 6,362 (NATO and Libya, 2015). It is impossible to estimate what the figure would have been if NATO did not intervene, but it is safe to say that NATO did not meet its objective of saving lives in the short-term. Whereas looking at the long-term effects, one can acknowledge NATO's success in terminating the initial political cause of conflict in Kosovo. The intervention put an end to genocide and violence and Kosovo has not undergone the same violence as it had in the late 1990's. Nevertheless, one must keep in mind that Kosovo is still divided politically and that all the international organisations that entered the country remain at place. Libya, on the other hand, remains unsafe and politically unstable. Libya's post-conflict transition has been disrupted by armed non-state groups and threatened by the infighting of interim leaders. At present, divisive political, economic, and social issues are being debated by rival groups in the absence of credible state security. Effectively, NATO's humanitarian military intervention

failed to establish long-term humanitarian peace and did not succeed in stabilising the country. Libya is on the brink of becoming a totally failed state.

While it could be argued that a successful humanitarian mission is that in which a narrow set of goals were achieved or not achieved, this short-sighted perspective should be avoided so as to mitigate the problematic nature that narrow humanitarian interventions pose. In other words, if one is only to judge if initial military actions to prevent violence were successful, this is admitting that humanitarian missions are only responsible for the immediate task of security and not the long-term stability of a country. It should be clear to see that the ease in which one can compare the humanitarian intervention cases of Libya and Kosovo is striking. In spite of that, they both in fact may be too close to the present to determine if they were successful or not, especially Libya. Perhaps Kosovo could break down again into sectarian conflict based on the outcome of the intervention. As for Libya, it has still yet to recover fully from the war to develop into a functioning state.

Returning to the research question: *Was NATO's humanitarian military intervention effective in the cases of Kosovo (1999) and Libya (2011) in terms of achieving short and long-term humanitarian benefits?* This research concludes that a military approach is not necessarily an effective method of eliminating humanitarian crisis. Both short and long-term consequences showed a number of issues and failure in terms of saving lives and creating long lasting stability. In both case studies, the short-term effects of intervention caused the loss of civilian lives. In the long term, only Kosovo proved to be on the road to recovery, whereas Libya remains in a political and humanitarian state of chaos.

While a current update on the situation remains an important task in regard to gap-filling research, such studies will likely need to be continuously undertaken in the future since the role of history in humanitarian interventions will likely remain a strong component of analysis. Further research concerning what constitutes an effective and successful intervention could be suggested as further or additional research in the aftermath of this study.

The humanitarian issues in our world are by no means independent, however before intervening, the best solution seems to be staying out of internal conflicts. Until there is a universally accepted way of estimating and measuring the effectiveness of third-party involvement, interventions do not promise an effective result. Moreover, a set of criteria for judging the prospective effectiveness of future interventions are necessary to achieve humanitarian success. By simply using "human rights" or "morality" to justify military actions there is a risk of pursuing a political agenda rather than meeting humanitarian means. Such opportunitism, together with the

lack of accountability and restrictions is a dangerous formula for destabilisation. Thus, in order for NATO interventions to take place and be successful in the future it is necessary to create a strict evaluation form that would guarantee discipline and results and a set of criteria for judging the prospective effectiveness. Otherwise, the international community should aim to proceed with non-military efforts for achieving peace. As the Chinese general, military strategist and philosopher Sun Tzu said: "The supreme art of war is to subdue the enemy without fighting" (Ball, 1993).

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