



CANADA'S PERIODICAL ON REFUGEES

REFUGEE

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HUMANITARIAN INTERVENTION IN THE WAKE OF THE KOSOVO CRISIS

Introduction

Susanne Schmeidl

How often have we heard the name of this (formerly autonomous) region in Yugoslavia over the last months. In the past, many of us were maybe only vaguely aware of its existence, and policy makers, even if aware, seemed to not have focused on it much. Kosovo was not yet on the hot-list of bush-fires to put out, or not interesting or pressing enough politically, or maybe there were just too many conflicts with too little time to solve them. One could say, Kosovo was like the Kurdish problem in Turkey, or like East Timor in Indonesia or like wars fought in Sierra Leone and Sudan. This means, we know they exist, in some cases for a long time, but we never really do anything about it. Particularly Kosovo is such a classic case where all the early warning existed. Structurally even ten years ago the likelihood of conflict was clear—when Kosovo was stripped of its autonomy in March 1989.

In the fall of 1989, I was a Ph.D. student in sociology, not an area specialist of the Balkans, who wrote a paper on Yugoslavia. When asked what area was most likely to explode into conflict, my

answer was Kosovo, not Bosnia, but Kosovo. This means, we have known for a very long time that Kosovo was prone to conflict if no improvements to the rights of the Kosovo Albanians were

made. Maybe we did not know when or how, but we knew it could and would happen. Thus, in essence we had ten years to avert a disaster happening, and nevertheless it did happen.

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REFUGE

Centre for Refugee Studies
Suite 322, York Lanes
York University
4700 Keele Street, Toronto
Ontario, Canada M3J 1P3
Phone: (416) 736-5663
Fax: (416) 736-5837
Email: refuge@yorku.ca

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Editor

MICHAEL LANPHER

Guest Editor

SUSANNE SCHMEIDL

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MAREK SWINDER

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MARSHALL BECK

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French Translation

PAUL LAURENDEAU

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This issue of timing is a problem we face in early warning and conflict prevention. Ten years until a conflict breaks out is a very long horizon for policy makers. It is too long to do much about it, and policy makers will choose more pressing issues to work on. Even when Yugoslavia began falling apart, all international attention was on the ensuing conflict in Bosnia. In all this political cloud, Kosovo had no chance of being addressed internationally. The time was not ripe yet for the Kosovo problem to be heard. But one could say, at least it was heard, because for every conflict we address publicly, there are many more that fall between the cracks (just consider the Kurdish problem in Turkey).

The basic problem of linking early warning to early action seems to be the logic behind such a resolution. In early warning, we want to predict crisis symptoms as soon as possible in order to highlight the worst case scenario if actions are not taken. Early action, however, generally comes from politicians who have a tendency to only act when worst case scenarios have already materialized. It is easier to wait and react to conflict than to act preventively given it is easier to justify any type of action based on an actual conflict than merely on probabilities of conflict. The former is invariably associated with pictures of human suffering and masses in flight—hard evidence for action.

Furthermore, ten years ago, an active humanitarian intervention as it happened today was unthinkable. It took drastic political changes to get that far such as the ending of the Cold War, and the opening up of the East Block. Our understanding of sovereignty changed as well, albeit Schaub argues in this issue that Kosovo sets here an even further precedent. Nevertheless, the ending of the Cold War allowed countries to focus away from self-protection and political goals to begin considering the defense of human rights violations, such as Chapter 7 operation of the UN. So, in order to deal with Kosovo, or similar cases, time had to pass for the international community to accept a different role when it came to prevent human suffering.

As Howard Adelman argues in the article to follow, we learn more from one conflict to the other and are often willing to do more as we go along. So do we stay optimistic that one day we are able to “get it right,” or are we doomed in our work on early warning and conflict prevention? Some may say yes, and I myself have wondered whether we will be ever able to beat the odds of timing and political clout. But basically, I would like to remain optimistic and say, no, we are not doomed, we just need to find ways to get our message (warning signals) across to policy makers. In this we need to learn to speak their language and how to push the right buttons. The basic issues at hand, other than actual access to policy makers, are to deal with the dilemma of timing or the balance of short-term pay-off (or successes within the legislative period of politicians) and long-term durable solutions. Thus, early warning is not simply about sending out warning messages, but also about painting worst- and best-case scenarios based on type of action or non-action. In addition, it is important to discuss a set of options and their consequences with policy makers. We even need to show that even benevolent action can have problematic outcomes. Thus, basically, early warning should and must assist policy makers to think ahead. While these issues alone lend themselves to a separate paper, I discuss some of their implications in the example of Kosovo.

The NATO and its affiliates are joyous over their success in Kosovo. But was it really a success? Militarily and strategically maybe—but from a humanitarian stand point not really. Liam O'Hagan rightfully asks the question in this article what was so “humanitarian” about this war. Yes, NATO now controls Kosovo and can oversee the return of the refugees, but that is exactly the point—the return of the refugees. The goal was to prevent this from happening. For this goal, NATO clearly failed. In addition, Milosevic had planned ethnic separation by expelling all Kosovo Albanians. Was this halted or prevented with the NATO intervention? Not fully. Currently, many Serbs are fleeing Kosovo in fear of retribution from

Kosovo Albanians (or NATO troops), so in essence, an ethnic separation (even if not fully after the plans of Milosevic) is partially occurring. This could have been prevented if one would have prevented the expulsions of the Kosovo Albanians with connected atrocities (see Frances Pilch's paper on some of the atrocities committed) to begin with. This is one example of the importance to consider possible negative consequences of ones (even well-meant) actions.

There is also the question of the future of Kosovo and also Serbia, given NATO did not manage to dislodge Milosevic. If we ask the roughly 750,000 refugees and uncountable internally displaced people who lost their homes and loved ones, if the NATO operation was a clear victory, I am sure the answer is again no. It is estimated now that it will take four to five years to clear Kosovo of landmines. This will greatly impair refugee return and the rebuilding of Kosovo. This is one example of considering long-term consequences over short-term successes.

We could ask ourselves then, if preventive action came not soon enough or if we chose the wrong means? In other words, when should we do what and how? Again, timing and type of action are of essence. Some may argue it was wrong to over-emphasize the independence of Croatia and Slovenia in a fragile political environment. Maybe it would have been better to bargain with Yugoslavia and offer a fast integration into the EC in exchange for generous autonomy within the Yugoslav republics. After all, favouring new states shows a renewed thinking of the importance of states (or state sovereignty) vs. that of looser federations. Others may say, that it was a failure to exclude the Kosovo-question from the Dayton peace accords in November 1995. But politicians may counter that it would have been too complicated to get the Serbs to agree to anything at all if Kosovo was made an issue. Albeit, I wonder with a person such as Milosevic it would not have mattered in the long run. And for the sake of stability in the Balkans and the prevention of human suffering, it

may have been wise to consider the long-term costs over the short-term benefits. This shows, that a great part of early warning is not simply to say something will happen in the near (or distant) future, but also show the consequences of what certain action or non-action can mean for general regional stability. Thus, politicians need to realize that even benevolent action in the short-term can have dire consequences in the long run. Patience may not always be the highest political virtue since it is clearly better to show a success in ones electoral period, rather than have a subsequent politician harvest the benefits.

But then again, while we may not have persisted long enough during Dayton (or not on all the important issues), we may have persisted too long during the peace negotiations with Milosevic. It seems before a military strike could be justified, all peaceful means had to be explored, even if it seemed already apparent before and during Rambouillet that Milosevic was only buying time to prepare and continue his goal of ethnic cleansing. The patience of the international community meant that Milosevic was able to position his troops into Kosovo before air-strikes began, and thus, air strikes could not prevent the inevitable—forced expulsion. I admit it is difficult to do the right thing at the right time and maybe also for all the right reasons. It is also easier to criticize actions after the fact and from afar but criticism keeps us on our toes. Therefore, I find Valery Perry's piece an interesting approach to finding ways to potentially negotiate Serb and Kosovo Albanian identities.

For constructive criticism, let us consider the following. Our goal was to prevent ethnic cleansing and atrocities in Kosovo. This means, any action, or intervention, was meant to be for the protection of civilian lives. This means, if we have a situation where peaceful negotiations do not work due to the stubborn nature of a political leader (Milosevic), we have two general options: A) Get rid of said leader or B) Begin a war with the whole country. In my opinion, option A—the loss of one life

vs. option B—the loss of many lives, seems to be the better one. I mean, we could just have accidentally dropped a bomb on his head, or I am sure somebody could have been bribed to do the job. After all, the CIA and its like have many outfits that do not officially exist and have committed so many atrocities in, e.g., Latin America, that for once they could do good. But, of course, I forgot, this is a major no-no, because it is illegal and immoral. We are talking about the leader of a sovereign state. We cannot declare ourselves gods and decide which leaders we like and which we do not like and eliminate the ones we dislike—or we might in similar manner lose our own leader one day. So instead, we go with option B (the loss of many lives)—which is still on somewhat untested grounds, but at least not fully illegal. Yet, surely there are many peace scholars (see also article by David Dyck) who would disagree with violent options and continue the quest for finding more creative peaceful solutions. Nevertheless, while I work for a peace foundation myself, and many peace scholars may see me as a traitor if I see violence as an option, I have to admit, from a humanitarian point of view, there was only option B left (given nobody would go along with option A). I thus agree with Bill Frelick here "force needs to met by force" when it comes to the protection of human lives. Milosevic had long planned ethnic cleansing and forced exodus, he had begun to do it, and was continuing to do it shortly before the air-strikes (see also Howard Adelman's article). The NATO attack did accelerate his actions, but they *did not* cause them.

But I still question the inconsequence of how option B was played out. Within this option we have choices (limited air-strikes, air-strikes with ground troops against military targets only or full-scale war) and need to consider if our means justify the end or work toward our goals. As stated above, our goal was to protect civilians on the ground. Thus, from a humanitarian stance (and I would think from a military as well), it seemed utterly illogical that NATO began air-strikes *without* committing ground troops. It seems they misjudged

Milosevic (as he most likely misjudged the NATO). Maybe NATO really thought they could scare Milosevic off by beginning the bombing, but a week or so later, they should have noticed that he had strong nerves and would not back down. So NATO then should have re-evaluated their actions, and not have waited over two months until voting on ground troops. But here we are touching a sore spot, and that is how much politicians are willing to wager internationally without getting into trouble nationally, meaning with their electorate. After all, sending ground troops means risking the lives of our own (U.S., German, French, British etc.) citizens for defending the lives of citizens from another country. This is something many politicians are unwilling to do. But let me join the arguments of Bill Frelick, Peter Penz, Roberta Cohen and David Korn (and others in these pages) by admitting that it is shame that "it has been more acceptable to kill (as "collateral damage") Serbian non-combatants and Kosovo refugees than to risk soldiers in a war that does not serve the national interest of the intervenors in a way clearly evident to their electorates" (see Penz in this issue). We have played sad games here: How many Kosovo Albanian lives are equivalent to the life of one

of NATO soldier? So we protect our soldiers from what they are actually trained to do: fight in a ground war. Ironically enough, these days the safest job in a war appears that of being a soldier, because politicians will not send them out until it is safe. Humanitarian workers put themselves into more risks than soldiers do every day. So, I still wonder, what are all the soldiers for we continue to train if we never really use them. Yes, many countries have draft—so there are people who do not really want to be soldiers. But enough countries have a professional army with people who chose the job and the risk that comes along with it. So use them or ask for volunteers—but use the means you need to do your job right: the protection of human beings on the ground (not air). Yes, I know, a ground war would have meant the death of civilians as well, and I am not a military strategist either, but nevertheless, it is hard for me to imagine that more damage could have been done. For the least I believe more Kosovo Albanians could have been spared from the suffering they had to go through, and many could have remained in their homes.

In sum, I think the ultimate goal of preventing conflict is not political or economic, but human. It is expressed in

how many traumata we are able to prevent, not just in loss of human lives, but overall psychological damage. It might be costly to rebuild a country as destroyed as Yugoslavia (but Germany was rebuilt) but how easy will it be to rebuild trust and the ability to live side by side with the people who committed the atrocities? How many "normal" lives will never be the same because of what happened in Kosovo? Thus, if any intervention is dubbed "humanitarian", we should reconsider our strategy for the future. And all we can hope for is that we have learned (yet) another lesson, and may be found another piece to the great puzzle of conflict prevention.

This issue of *Refuge* contains a collection of articles (several of which I have already alluded to) viewing the conflict from a variety of angles. I invite you to read through them as food for thought and information on the crisis in Kosovo. ■

Dr. Susanne Schmeidl is a senior research analyst for a project on early warning at the Swiss Peace Foundation, Institute for Conflict Resolution. She expresses gratitude to comments received by her colleagues, particularly Heinz Krummenacher. This piece, however, reflects her personal opinion and not that of the Swiss Peace Foundation.

Asylum: A Moral Dilemma

By W. Gunther Plaut

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Every year the refugee landscape changes, but only in that more problems are added, fewer are solved, and all become constantly more urgent. Fuelled by the explosion of the world's population, the quest for asylum is one of the most pressing problems of our age. Refugee-receiving nations—located frequently, but by no means exclusively, in the Western world—have to respond to masses of humanity searching for new livable homes. Human compassion for these refugees can be found everywhere, but so can xenophobia and the desire to preserve one's nation, economic well being, and cultural integrity. The clash between these impulses represents one of the great dilemmas of our time and is the subject of Plaut's study. In exploring it, he provides a far-ranging inquiry into the human condition.

The book presents political, ethnic, philosophical, religious, and sociological arguments, and deals with some of the most troublesome and heartbreaking conflicts in the news.

Contents: *The Issues*; Questions Without Answers; Definitions; Religion, Natural Law, and Hospitality; A Look at History; Some Ethical Questions; Through the Lens of Sociobiology; Community and Individual; Contended Rights: To Leave, Return, Remain;

The Practice; Refugees in Africa; Four Asian Lands; Glimpses of Europe and Central America; The North American Experience; The Sanctuary Movement; A Final Look; Bibliography; Index.

Asylum—A Moral Dilemma is simultaneously published in the United States by Praeger Publishers, and in Canada by York Lanes Press.

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