

**The Responsibility to Protect: No More Rwandas**

**The International Community and Humanitarian  
Intervention in the 21<sup>st</sup> Century**

by

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**Submitted in fulfilment of the requirements**

**for the degree of**

**Doctor of Philosophy**

**University of Tasmania**

**November, 2006**

## **Statement of originality**

This thesis contains no material which has been accepted for the award of any higher degrees or graduate diploma in any tertiary institution. To the best of my knowledge and belief this thesis also contains no material that has been previously published or written by another person, except where due reference has been made.

Donald Wallace Potter

Hobart, 10 November, 2006

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## Acknowledgements

Writing a doctoral thesis is in many ways a solitary task but this work would not have been completed without the support and encouragement of:

My supervisor, Associate Professor Richard Herr who had the good judgment and patience to permit me to find my own feet in the intricacies of international relations. He challenged and inspired me throughout and for this I owe him my gratitude and thanks. But more than that he was a friend and colleague who has made what could have been a daunting task a pleasure. Richard, thank you.

My son, Cameron who was completing a PhD thesis at the same time and understood the sometimes overwhelming and all-consuming task that a thesis can become. His expertise in the intricacies of computers was also invaluable. My other son, Dale, whose irreverent approach to life and love of sport was always there to distract me when I needed a break. My daughter, Kimberley, who was patient when I was distracted and did not give her the attention she deserved.

My wife, Jasmine who first encouraged me to undertake the thesis and then supported me throughout; as she has done throughout the last thirty years and hopefully will do so for many more. She is my rock without whom this undertaking would have lost much of its importance.

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## Abstract

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Humanitarian intervention lies at the fault-line in international relations between the principles of international law and state sovereignty (pluralism) on the one hand, and morality and the protection of human rights (solidarism) on the other. Whereas the pluralist international-society theory defines humanitarian intervention as a violation of the cardinal rules of order, it is being challenged by the solidarist view, that seeks to strengthen the legitimacy of the international community by developing its commitment to justice. As a result, a solidarist international community is one in which states accept a moral responsibility to protect the security, not only of their own citizens, but of humanity everywhere.

The humanitarian tragedies in Somalia, Rwanda and Srebrenica in the 1990s and in Darfur currently, have highlighted to the international community the need for the notion of sovereignty to be re-defined, to permit intervention in support of the emerging norm of the responsibility to protect. In the 21<sup>st</sup> century, a state that violates the fundamental norms of human rights by failing to provide for the safety, security and well-being of its citizens creates a legal and moral burden on the international community to act.

This dissertation contends that the international community has a legal and moral responsibility to intervene to prevent humanitarian emergencies. To test the veracity of this thesis, it was assessed against a number of case studies that span India's intervention into East Pakistan in 1971 to the ongoing crisis in Darfur in 2006. While many aspects of humanitarian intervention remain contentious this dissertation found that there is a trend towards the solidarist approach that is reflected in the emerging international norm of the "responsibility to protect". Further, it confirmed that the most successful interventions involve a range of actors, usually, the United

Nations and/or a regional organisation, backed by a hegemonic power. Finally, it found that a successful humanitarian intervention is dependent upon the international community's commitment to understanding the gravity of the situation at hand and, if necessary, confronting the Westphalian tradition of sovereignty, to provide the appropriate institutional support and resources, and the political will to mobilise that capacity in the face of other priorities and preoccupations.



## Abbreviations

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AFDL	Alliance des forces Démocratique pour la Libération du Congo
AFRC	Armed Forces Revolutionary Council
ALIR	Armée de Liberation du Rwanda
ASEAN	Association of South East Asian Nations
AU	African Union
CAST	Conflict Assessment System Tool
DPKO	United Nations Department of Peacekeeping Operations
ECOMOG	ECOWAS Observation and Monitoring Group
ECOWAS	Economic Community of West Africans States
FSI	Failed States Index
HDI	Human Development Index
FAR	Forces Armées Rwandaise
FRY	Former Republic Of Yugoslavia
ICISS	The International Commission on Intervention and State Sovereignty
IFM	Istabu Freedom Movement Intergovernmental Organisation
IICK	Independent International Commission on Kosovo
IMF	International Monetary Fund
JEM	Justice and Equality Movement
JMC	Joint Military Committee
KLA	Kosovo Liberation Army
LDK	League for a Democratic Kosovo
LRA	Lord's Resistance Army
MEF	Malaitan Eagle Force
MICIVIH	International Mission in Haiti
MIF	Multinational Interim Force
MINUSTAH	United Nations Stabilisation Mission In Haiti
MNF	United Nations Multi-Nation Force
MONUC	United Nations Mission in the Democratic Republic of the Congo
NATO	North American Treaty Organisation
NGO	Non-Governmental Organisation
NPRC	National Provisional Ruling Council
OAS	Organisation of American States
OAU	Organisation of African Unity
OSCE	Organisation of Security And Co-Operation in Europe
OSCE-KVM	Organisation of Security And Co-Operation in Europe-Kosovo Verification Mission
RAMSI	Regional Assistance Mission in The Solomon Islands

RCD	Rassemblement Congolais pour la Démocratie
RPA	Rwandan Patriotic Army
RGF	Rwandanese Government Forces
RPF	Rwandan Patriot Front
RUF	Revolutionary United Front
SAP	Structural Adjustment Programme
SCI	State Capacity Index
SLA	Sudan Liberation Army
SLA/MM	Sudan Liberation Army/Minni Minawi
SLA/AW	Sudan Liberation Army/Abdel Wahid
SLA	Sierra Leone Army
UN	United Nations
UNAMIR	United Nations Assistance Mission for Rwanda
UNDP	United Nations Development Programme
UNMIH	United Nations Mission in Haiti
UNIOSIL	United Nations Integrated Office in Sierra Leone
UNITAF	Unified Task Force forming Operation Restore Hope
UNLF	Ugandan National Liberation Front
UNMIK	United Nations Mission In Kosovo
UNAMSIL	United Nations Mission in Sierra Leone
UNOMSIL	United Nations Observer Mission In Sierra Leone
UNOSOM	United Nations Operations In Somalia
UNSC	United Nations Security Council

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## Preface

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On October 3, 1993, attack helicopters dropped elite US soldiers into the centre of Mogadishu, Somalia; their mission, to abduct several top lieutenants of the Somali warlord Mohamed Farrah Aidid and return to base. However, the mission went horribly wrong and by the time the troops returned two Black Hawk attack helicopters were shot down, 18 US troops were dead and seventy-three wounded. The Somali toll was far worse with over five hundred dead including many women and children. This was not what the US envisioned when it joined a UN intervention in December 1992 to help avert widespread starvation.<sup>1</sup> Indeed, when the UN force left in 1995 it had failed to achieve its mission.

On April 6, 1994, President Juvénal Habyarimana of Rwanda was returning home from a conference in Tanzania when his Falcon executive jet was shot down as it was approaching Kigali airport to land. Within hours a genocide began. All over Rwanda the *Interhamwe*, a militia group supported and supplied by the Hutu dominated Rwandan government, began to kill not only Tutsis but also any Hutus that opposed this action. The government controlled radio kept calling for all good Hutus to kill the *inyenzi*, the “cockroaches”, who were polluting the Rwandan nation and preventing it from living in peace. The killing continued until rebel Tutsi forces (the Rwandan Patriot Front ) entered Rwanda from Uganda and seized control of all but the south-western part of the country. By the time the killing stopped over 800,000 men, women and children had been massacred.<sup>2</sup>

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<sup>1</sup> Mark Bowden, "Blackhawk Down; an American War Story," *Philadelphia Enquirer*, November 16 1997.

<sup>2</sup> David Rieff, *At the Point of a Gun: Democratic Dreams and Armed Intervention* (New York: Simon & Schuster, 2005), 71.

On July 11, 1995, a year after the Tutsi rebels finally halted the Rwandan genocide, Bosnian Serb forces overran the UN defences and seized control of the safe area of Srebrenica, which contained 40,000 Muslim men, women and children. Over the course of the following week, the commander of the Bosnian Serb army, Ratko Mladic, separated the men and boys of Srebrenica from the women. He announced on Bosnian Serb television, “ finally, after the rebuilding of the Dahijas, the time has come to take revenge on the [Muslims] in this region”.<sup>3</sup> All told, some 7000 Muslim men and boys were killed, the largest massacre in Europe since the Nazi atrocities in WWII.

The debacle of the intervention in Somalia, the disastrously inadequate response to the genocide in Rwanda, and the utter inability of the UN presence to prevent murderous ethnic cleansing in Srebrenica highlights the debate about the “right of humanitarian intervention” and in particular the question of when, if ever, it is appropriate for states to take coercive action, including, if necessary, military action against another state to protect people at risk in that other state. None of these cases were handled well by the international community. Even when intervention did occur it was often too little, or too late, or misconceived, or poorly resourced or poorly executed or a combination of these.

The UN Secretary-General Kofi Annan posed the issue in this way: “If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda.....to gross and systemic violations of human rights that affect every precept of our common humanity?”<sup>4</sup> Additionally, there is general acceptance by most states that there must be no more Rwandas; never again can the international

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<sup>3</sup> Samantha Power, *“A Problem from Hell” America and the Age of Genocide* (London: Flamingo, 2003), 392.

<sup>4</sup> Gareth Evans, *Banishing the Rwanda Nightmare: The Responsibility to Protect* (2004) available from; [www.pbs.org/wgbh/pages/frontline/shows/ghosts/etc/protect.html](http://www.pbs.org/wgbh/pages/frontline/shows/ghosts/etc/protect.html). (Accessed 30 October 2005).

community stand by in the face of gross breaches of human rights. The question was, how is this to be achieved?