

THE ROLE OF HUMANITARIAN INTERVENTION IN THE PEACEKEEPING PROCESS (THE NECESSITY OF HUMANITARIAN INTERVENTION IN THE SOUTH CAUCASUS REGION)

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Özet

Beşeri müdahale, bir devletin başka bir devlete karşı askeri güç kullanması olarak tanımlanır. Beşeri müdahalenin hiçbir yasal-insani tanımı yoktur. Analiz konusu (hukuk, ahlak, siyaset gibi), bazen seçilen tanımlamayı etkilemektedir. Tanımlamadaki farklılıklar, müdahale edilen devletin rızasının olup olmadığı, insani müdahalenin cezalandırma eylemleriyle sınırlandırılıp sınırlandırılmadığı ve insani müdahalenin sadece Birleşmiş Milletler Güvenlik Konseyi'nin otoritesi altında yürütülen vakalarla ilgili olup olmadığına bağlı değişkenleri içermektedir. Barış koruma, barışın devamı için gerekli şartları yaratmayı amaçlayan faaliyetlerdir. Hem barışı koruma hem de barışı oluşturma çabasından ayrılır.

Anahtar Kelimeler: Uluslararası müdahale, çatışma, enerji, bölgesel istikrar, diplomasi, statüko, toprak bütünlüğü, egemenlik, işgal.

Abstract

Humanitarian intervention refers to a state using military force against another state. There is no one standard or legal definition of humanitarian intervention; the field of analysis (such as law, ethics, or politics) often influences the definition that is chosen. Differences in definition include variations in whether humanitarian interventions is limited to instances where there is an absence of consent from the host state; whether humanitarian intervention is limited to punishment actions; and whether humanitarian intervention is limited to cases where there has been explicit UN Security Council authorization for action. Peacekeeping is an activity that aims to create the conditions for lasting peace. It is distinguished from both peacebuilding and peace-making.

Keywords: International intervention, conflict, energy, regional stability, diplomacy, status quo, territorial integrity, sovereignty, occupation.

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A generation ago, the terms «humanitarian intervention» and «conflict resolution» would almost never have been uttered in the same breath. The field of conflict resolution has its roots in the peace movements that dotted the last century, most of whose members found the use of force abhorrent. Militaries have intervened in the domestic affairs of other countries time and time again, but rarely have they done so in an attempt to end a complex emergency or intractable conflict - until recently. There are many forms of military intervention. Until the last decade or so, military force was used most often to achieve a state's geopolitical goals of protecting and enhancing its territory, population, and other critical resources. It was rare for states or international organizations (IOs) to use force for «humanitarian» purposes in the intractable conflicts that are often euphemistically called «complex emergencies». Even less common was the use of armed forces in operations that were intended to resolve the conflict once and for all. At most, lightly armed troops were used in peacekeeping operations once a ceasefire had already been reached. Since the close of the cold war, military intervention for humanitarian ends and conflict resolution has increased dramatically. This can include the use of troops in traditionally unconventional ways such as disaster relief, for example, when the United States sent troops to help Hondurans recover from a devastating hurricane in the 1990's (Sunga 2006: 41-79). Far more common and far more controversial is the use of combat troops to help end the fighting in an intractable conflict, troops which typically stay on in a far more active peacemaking capacity than traditional «blue helmet» peacekeepers did.

There is no doubt that the use of force by the international community in such places as Kosovo and Somalia was an important part of the development of peace building in the 1990's. There is also little doubt that the failure to intervene effectively in Rwanda, Chechnya, and elsewhere made intractable conflicts worse than they otherwise would have been. Finally, there is little doubt that the international community has a lot to learn about how to conduct such operations.

In short, there are four central questions here.

First, why does military intervention occur in some cases but not others? To begin with, intervention by outside forces is all but completely ruled out when one of the world's major powers opposes such intervention, as is the case with the Russians in Chechnya. At the same time, in order to intervene, the major powers -- whose military resources are almost always needed in any significant deployment -- have to agree either that there are overwhelming humanitarian needs or that intervention is necessary to protect their own interests. The United States, for example, decided against intervening on those grounds in most of the major sub-Saharan crises from 1993 on. Finally, the potential interveners have to conclude that their

interventions likely to succeed, especially following the debacle in Somalia in 1993 (Hoffman 2001).

That leads to the second question: what determines whether an intervention will succeed or fail? Success, of course, is relative. Most interventions, however, have at least one common goal -- ending the short-term crisis. Interventions in such different places as Kosovo and East Timor have helped end humanitarian disasters in which the stronger side in a dispute viciously abused the human rights (and worse) of their weaker adversaries.

Third, there is the very open question about whether an intervention can be turned into an operation that can later lead to stable peace. That is especially problematic when the intervention involves outsiders coming in to promote the interests of the weaker side of an asymmetrical conflict.

Implicit in the first three questions is a fourth, about the relationship between states whose military forces intervene and the non-governmental organizations (NGOs) who have long provided relief and other aid to civilians caught up in the fighting. Many of those NGOs have abandoned their traditional and vital political neutrality in order to get the funds and the influence that cooperation with states provide, thereby diluting their own long-term impact (van Loon and Marijnissen: 2003).

This is one of those aspects of intractable conflict that average citizens can contribute little to, at least directly. That said, there does need to be a debate about what intervention policy should be in the countries that provide the most foreign aid and that also provide the most troops for military intervention. Unfortunately, very few people currently pay much attention to foreign policy in general, let alone the politics of the third world, where many intractable conflicts occur these days.

The debate, of course, needs to be about far more than just military intervention. The world has seen two major upheavals in barely a decade -- the end of the cold war and the terrorist attacks of Sept. 11, 2001. Each should be leading us to question previously unquestioned assumptions about foreign policy, including the role of the military and the relationship between states and NGOs.

On one level, this is obvious. There can be no military intervention unless states commit their troops. On another level, what states can do and should do is anything but obvious. The states should realize that we have entered a new period in international relations in which national sovereignty matters less than it used to and it is harder to define what a state's national interests or humanitarian obligations are. One of the consequences of the rapid and sweeping change is that the handful of major powers have all had a hard time determining what their role should be in dealing with intractable conflicts. In some cases - as in Rwanda - their uncertainty has had tragic consequences (Haass 2001).

Humanitarian intervention is an effective mean in solving regional conflicts. That's why the problem of humanitarian intervention is very important and actual for Azerbaijan. The pressure in the South Caucasus is growing again. Two years after the Russian - Georgia war, Europe could face another war this time between Armenia and Azerbaijan over Nagorno-Karabakh. Azerbaijan is growing stronger and becoming increasingly impatient with international mediation efforts as its territory remains under Armenian occupation. At the same time, Yerevan is digging in and refuses to begin the process of comprehensive withdrawal of its forces from Azerbaijan. The problem is not new. Fifteen years of international mediation led by the OSCE Minsk Group has produced no results. Even the recent meeting of presidents sponsored by Mr. Medvedev on the margins on of the St. Petersburg economic forum produced no new breakthroughs. To the contrary, things are getting worse. A skirmish on the line of contact followed immediately after the St. Petersburg meeting, leaving a number of dead on the Armenian side. Azerbaijan also used this opportunity to increase its defense spending to surpass Armenia's state budget. This is telling of Baku's new attitude and Europe should take note as we move closer to the brink of war (Human Rights Watch/Helsinki: 1994).

To sum up, the peace process will certainly take long time. However, the revision and enhancement of the cease-fire measures is urgently needed in the short run for the smooth continuation of the peace process. Looking at the picture, micro-level conflicts have a potential to turn into a snowball that could damage the regional stability on a larger scale.

Meanwhile, there are three possible scenarios for the solution of Nagorno-Karabakh conflict. The first is that a sustainable status quo is maintained. The second is that a solution be negotiated. The third is the resumption of full-scale hostilities and the creation of a new situation on the ground (http://en.wikipedia.org/wiki/Nagorno-Karabakh_War).

Azerbaijan considers the first scenario unacceptable and unsustainable. The second scenario is the continuation of the current negotiations under the umbrella of the Organization for Security and Co-operation in Europe, or OSCE, Minsk Group. This is obviously the most desirable scenario, but Armenia is far from responding to the «renewed Madrid principles» which have been accepted by Azerbaijan. And finally, the third scenario, war, is difficult but becoming more and more possible (Kaufman 2001). This possible war would likely be a very quick affair, ending in the adoption of a conflict resolution plan proposed by international mediators. There are precedents of such «authorized» wars in recent history. For example, in the mid 1990's Croatia, with de facto, tacit agreement and behind-the-scenes support from great powers, solved the problem of Serbian Krajina in a kind of «blitzkrieg.»

Unfortunately, in Armenia the tendency has been toward resumption of the sword rather than acceptance of an unpalatable peace. In the increasingly bellicose rhetoric across much of the political spectrum, a significant detail is missing. Clearly, the greater burden of compromise is on Armenia, whose people must confront truths about diplomacy and war at odds with their hopes and expectations (<http://www.globalsecurity.org>).

First, diplomacy – even that of great powers – is not itself a force in international affairs, but a mechanism. Diplomacy can promulgate peace and avoid war, but Armenia uses this method to «keep» the occupied lands of Azerbaijan. Secondly, a military response – as Armenian politicians believe in any case – a «common response» of the member states of the Collective Security Treaty Organization (CSTO) against Azerbaijan is not real. The real potential of the CSTO was also demonstrated during the Kyrgyz events. There is no sense in making a fright of this organization, which will interfere with the Karabakh conflict and take Armenia's side. Indeed, some aspects of a resumed war may represent drawbacks also for Azerbaijan. New military operations may disrupt investment in the Azerbaijani economy and slow down successful economic development. On the other hand, a new war may create serious problems for the pipeline politics of Azerbaijan. Apart from dealing a blow to its energy projects, a war in the region could seriously damage the use of transit capabilities in the region supporting the continuing operations in Afghanistan, which are unlikely to conclude in the near future (Welsh 2004).

Given the importance of Azerbaijani energy resources, the mediators could still agree to the formula of the «high level of autonomy» for Nagorno-Karabakh within the framework of the territorial integrity of Azerbaijan. This principle could be reflected in the political agreement leaving room for future maneuvers for the Armenian side given the fact that all key players in global politics would act as guarantors of all the agreements. In such a case Azerbaijan would not be able to start a war in violation of its undertakings because this would result in serious international sanctions and pressure. That's why it needs humanitarian intervention.

In any case peace requires compromise, in an environment where both of these terms are spoken on both sides with revulsion. For the successful implementation of the «best scenario» it is important that a consensus be reached between the key players in global politics – the United States, NATO, European Union and Russia, which act as principal mediators in the Nagorno - Karabakh resolution process (where the EU is represented informally by France), with Turkey involved in the process as a regional power. Finally, the «no-war-no-peace» situation could be «unfrozen» in the long term, by which time both the economic and military potential of Azerbaijan would have increased (<http://www.nato.int/kosovo/history.htm>). The prospect of a military solution to the conflict on the part of

Azerbaijan would also grow because patience in Azerbaijani society towards the on-going occupation of the country would be wearing very thin.

It is easy to point fingers at Baku, calling President Aliyev a war-monger. But this is beside the point, and it will do nothing to avert a war. Azerbaijan's territory is under occupation. International law is on Azerbaijan's side. And a host of international agreements and treaties have been signed and passed, from UN Security Council resolutions, to OSCE documents, to more recently, the EU Parliament resolution, all calling for Armenians to withdraw its forces and respect Azerbaijan's territorial integrity and sovereignty. After investing fifteen years into an international peacekeeping process, which has yielded no results, Baku is naturally looking for alternative options to win back its lost territory (Hilpold, 2002: 437-467).

In terms of the peace process, there isn't a solution that hasn't been suggested and rejected by one or the other side. After so many years of mediation it is hard to imagine that there's a magic formula hiding under a rock, which will satisfy both sides equally. An occupation produces a zero-sum setting, making one side's gain the other's loss. To move beyond the status quo, and towards cooperation, external pressure is inevitable and necessary. Until the EU puts Armenia under sanctions – suspending its EU integration process – Yerevan will continue to stall over its withdrawal from Azerbaijan. They will continue to excuse their inaction with the difficulties of their domestic political process and the fear that the Armenian community living in Nagorno-Karabakh will not be adequately protected if Armenian forces are out (Gierycz 2010: 110-128).

These are convenient excuses, which are standing in the way of peace, and it's shameful that the EU is willing to tolerate them as legitimate political reality. Mechanisms of international nature exist to protect the Armenian population of Nagorno-Karabakh when the territory is returned to Azerbaijan. Kosovo is a good example of how an international mission can be organized to ensure the security of an ethnic minority. The Serbs living in an independent Kosovo today have objective security guarantees by the EU and NATO forces (Freedman 2001).

The payoffs are there for Europe and the region. Nagorno-Karabakh is the biggest obstacle to full regional integration and South Caucasus economic cooperation. Because of the conflict, the region's European perspective remains handicapped, Russia's regional presence is over-emphasized, and the economic market remains fragmented and, as such, less interesting for foreign investors. Second, the objective risk of conflict is high, which makes it difficult to convince European companies to invest capital into this region (<http://www.economist.com>). European energy security is compromised by the Nagorno-Karabakh conflict too. Caspian

energy could feed Armenia as well as flow through Armenia to Turkey. This route is shorter than the Georgia option. Multiple routes also ensure price competition, which is good for the European consumer, who will be better protected against price fixing.

Not least, European security will be enhanced. For one, Azerbaijan will gain full control over its border, which means it will be better able to monitor and avert trafficking, smuggling and terrorist threats originating in Afghanistan and moving through Central Asia and the South Caucasus towards Europe. Border security in the broader Caspian region is key for European security.

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