

### A Humanitarian Milestone? NATO's 1999 intervention in Kosovo and trends in military responses to mass violence

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Veröffentlichungsversion / Published Version

Arbeitspapier / working paper

**Zur Verfügung gestellt in Kooperation mit / provided in cooperation with:**

Hessische Stiftung Friedens- und Konfliktforschung (HSFK)

#### Empfohlene Zitierung / Suggested Citation:

Gromes, T. (2019). *A Humanitarian Milestone? NATO's 1999 intervention in Kosovo and trends in military responses to mass violence*. (PRIF Reports, 2). Frankfurt am Main: Hessische Stiftung Friedens- und Konfliktforschung. <https://nbn-resolving.org/urn:nbn:de:0168-ssoar-63298-1>

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# PRIF REPORT

PEACE RESEARCH INSTITUTE FRANKFURT / LEIBNIZ-INSTITUT HESSISCHE STIFTUNG FRIEDENS- UND KONFLIKTFORSCHUNG



THORSTEN GROMES //

**A HUMANITARIAN MILESTONE?**

**NATO'S 1999 INTERVENTION IN KOSOVO  
AND TRENDS IN MILITARY RESPONSES TO  
MASS VIOLENCE**



PRIF Report 2/2019

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*Thanks to the German Foundation for Peace Research for supporting the construction (FP 02/14 – PS 01/12-2013) and presentation (VTP 03/2017-02/04-2017) of the PRIF Dataset on Humanitarian Military Interventions since the Second World War.*

LEIBNIZ-INSTITUT HESSISCHE STIFTUNG FRIEDENS- UND KONFLIKTFORSCHUNG (HSFK)  
PEACE RESEARCH INSTITUTE FRANKFURT (PRIF)

**Cover:**

Refugees from Kosovo on their way to the then former Yugoslav Republic of Macedonia in April 1999. © picture alliance - Fotoreport

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**ISBN: 978-3-946459-44-6**

NATO's intervention in the conflict over Kosovo was perceived as a "humanitarian milestone," a "precedent for the future," and as a turning point in international responses to mass crimes and consequently in the global order. As a result of these expectations and the intervention's formative influence on political and academic debates, many conferences, plenary discussions, newspaper articles, and other publications remembered and reassessed NATO's Operation Allied Force on the occasion of its 20<sup>th</sup> anniversary. This report sets itself apart from other contributions that revisit Operation Allied Force by making use of a new dataset on so-called "humanitarian military interventions." It explores the extent to which Operation Allied Force did indeed initiate new trends in military reactions to armed conflicts and mass violence. A comprehensive comparison with other humanitarian military interventions shows that Operation Allied Force exhibits extraordinary characteristics. But the particular prominence of NATO's intervention in Kosovo gives a false picture of the wide field of humanitarian military interventions.

On 24 March 1999, NATO started its intervention, with the declared aim of preventing more human suffering in Kosovo. NATO relied totally on air power to make Yugoslavia's government accept a draft peace agreement that demanded an international security presence and the introduction of institutions of democratic self-government in Kosovo. In the eleven weeks of Operation Allied Force, NATO airstrikes killed 758 people. While 2,652 people had been killed or had disappeared in the course of the violent conflict prior to the intervention, 9,426 people were killed or disappeared during Operation Allied Force. After Belgrade had given in, NATO stopped its airstrikes on 10 June 1999. Thereafter, Yugoslavia's security forces left Kosovo and a United Nations interim administration was established. In February 2008, Kosovo declared its independence from Serbia.

While NATO's Kosovo intervention was, and still is, highly contested in political terms, the academic literature broadly accepts its categorization as a humanitarian military intervention. According to a widely shared core definition, a humanitarian military intervention is the use of force abroad with the declared objective of saving citizens of the target state who are threatened by a violent emergency.

One of the conspicuous characteristics of the Kosovo intervention is its illegality. It was neither authorized by the United Nations Security Council nor permitted by Yugoslavia's government. Contrary to the assumption that it set a precedent, Operation Allied Force is the last illegal humanitarian military intervention in the dataset. This fact could be related to at least two trends: In 1999, the Security Council broadened the possibility of military interventions with humanitarian purposes. Since then, the protection of civilians has become a central task of peace missions with a mandate to use force. Additionally, almost all humanitarian military interventions since 1999 have occurred in a multilateral setting that decreased the likelihood that the participating states would breach international law.

Another conspicuous feature of Operation Allied Force was its total reliance on air power and its successful attempt to avoid fatalities on its own side. While there were only three other humanitarian military interventions that did not deploy any ground troops, seven further interventions managed to prevent losses, including four which took place after Operation Allied Force. Among these eight cases, NATO's Kosovo intervention was the most intensive operation.

Proponents of the intervention refer to the fact that the violent emergency ended two and a half months after Operation Allied Force had begun. This is remarkable, as more than two-thirds of the violent emergencies continued even one year after the beginning of the humanitarian military intervention. Critics, however, can cite the escalation of deadly violence mentioned above. Even if more conservative data are used for analyzing terminated interventions, Kosovo is the case with the worst increase in the death rate. Both the duration of and the change in the death rate imperfectly indicate a humanitarian military intervention's success or failure. An ideal assessment would compare the observed number of fatalities with the number of people who would have been killed in the same case if the intervention had not taken place. This is obviously impossible. The report discusses the extent to which similar cases which did not involve an intervention can be used to estimate the number of deaths that might have been expected in an intervention case had humanitarian military intervention not occurred.

To investigate whether military responses to mass violence have become more frequent since 1999, the report relates the number of humanitarian military interventions to the number of violent emergencies. The data show an increase in the proportion of such emergencies that triggered a humanitarian military intervention. Nevertheless, these interventions have continued to be conducted selectively. This selectivity can be explained by the limited interest and resources of potential interveners as well as by different levels of information and varying perceptions of the chance of succeeding.

Since 1999, humanitarian military interventions have shifted their geographical focus to Africa. As a result, they have tended to take place in larger target countries and with lower troop density. While the United Nations had led only two humanitarian military interventions until 1999, it was the most important actor in 12 humanitarian military interventions since then. The growing proportion of UN operations is associated with the shift towards the "protection of civilians." The strong role of Western states and organizations has not changed.

Other trends become visible when different types of humanitarian military intervention are considered. The typology introduced in this report assumes that it makes a difference whether interveners act impartially or take sides. However, this distinction is not sufficient to cope with the diversity of humanitarian military interventions. Consequently, the typology also considers the interveners' activities and different levels of ambition and confrontation. The first type of humanitarian military intervention is confined to the impartial containment of an armed conflict or diffuse violence. Here, the interveners try to make the parties to the conflict refrain from using violence. The next two types operate in the mode of compellence. In the second type, the interveners enforce peace in an impartial way. The third type is characterized by peace enforcement directed against one party to the conflict or by the attempt to weaken it. All parties to the conflict, however, are still seen as a part of the future political order. This is no longer the case in the fourth type, in which the interveners try to defeat one side. The fourth and thereby the most confrontational type of humanitarian military intervention has become more frequent since 1999. However, the same applies to the least confrontational type of containment. The proposed typology provides a way of dealing with the heterogeneity of humanitarian military interventions. It is based on the assumption that patterns of interaction and thus conflict dynamics vary with the type of intervention. This can contribute to addressing the lack of theory development in connection with the effects of humanitarian military interventions.

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## 1. KOSOVO AS A TURNING POINT<sup>1</sup>

On 24 March 1999, the North Atlantic Treaty Organization (NATO) started its military intervention in the war over Kosovo, and declared its objective of preventing more human suffering. NATO relied exclusively on airstrikes to compel Yugoslavia's government to cease its repression and expulsion of the Albanian majority and to accept an international security presence as well as democratic self-government in Kosovo. After Belgrade had given in, NATO ceased its airstrikes on 10 June 1999. The intervention lacked authorization by the United Nations (UN) Security Council.

Already during and shortly after the intervention, many comments categorized NATO's Operation Allied Force as a turning point for international reactions to grave human rights violations and for using military means. "Humanitarian campaigners rejoiced at this 'humanitarian milestone,'" Hehir reports (2008: 5). The Kosovo intervention gave rise to the hope that it marked a new era of enforcement of human rights (Hehir 2008: 47). Václav Havel (2000: 244–245) said: "[T]his is probably the first war ever fought [...] in the name of certain principles and values. [...] I see this as an important precedent for the future." Not all comments welcomed NATO's intervention. Chomsky (1999), for instance, criticized "The New Military Humanism". With regard to the military conduct of Operation Allied Force, Edward Luttwak (1999: 40) highlighted NATO's efforts to avoid fatalities on its side and named the Kosovo intervention the "first post-heroic war".

As the Kosovo intervention was seen as a break with the past<sup>2</sup>, it became formative for political and academic debates. It "brought the controversy to its most intense head," as the International Commission on Intervention and State Sovereignty commented (ICISS 2001: vii). This assessment holds for debates on the international stage as well as in Germany. The Kosovo intervention was neither the first out-of-area operation of the armed forces of the Federal Republic of Germany nor their first combat mission. However, as it lacked UN approval and was the most intensive operation until then, it shook the coalition government of the Social Democrats and the Green Party. In response to NATO's illegal intervention, then UN Secretary-General Kofi Annan called for a new consensus on the question of how to respond to mass crimes. Following this, ICISS coined the notion of a "responsibility to protect" (R2P) to replace "humanitarian intervention" (ICISS 2001: 11). The 2005 World Summit

1 For constructive comments on previous versions I thank Hande Abay Gaspar, Matthias Dembinski, Matthias Edelmann, Sam Forsythe, Eva Neukirchner, Bruno Schoch, and Jens Stappenbeck.

Moreover, I am grateful for the work of the following research assistants and interns at PRIF: Charlotte Felbinger, Delina Goxho, Xenija Grusha, Julia Haase, Raphael Haines, Joshua Marinescu-Pasoi, Heinrich Nachtsheim, Sofie Röhrig, Chris Ross, Julia Schaefermeyer, Anna Schwarz, Lisa Weis, Theresa Werner, and Svenja Windisch.

The following students completed the research seminar 'Humanitarian Military Interventions' at the University of Frankfurt. All of them drafted one or two case descriptions: Hande Abay Gaspar, Mira Ballmaier, Charlotte Brandes, Jan Dannheisig, Christian Diegelmann, Lena Diekmann, Markus Drews, Felix Haeckel, Fionn Harnischfeger, Lara Heckmann, Katharina Hemming, Kevin Horbach, Tanja Jacob, Svenja Jandrasits, Teresa Leiendecker, Lela Lindena, Vanessa Müller, Edina Pasztor, Christian Pogies, Alexander Quint, Julia Schaefermeyer, Paul Scherer, Laura Schelenz, Karolina Schmid, Anja Siegel, Jens Stappenbeck, Maximilian Stoll, Aurélie Wallaschkowski, and Marie Wittenius.

I presented an earlier, much shorter version of this report at a congress on the NATO intervention in Yugoslavia (Gromes 2019).

2 Recent publications too assess it as a "turning point" (e.g., Murray/Keating 2018: 190).

endorsed this concept, although in a weakened form (Deitelhoff 2019: 153–154). Its Outcome Document stated:

“We [heads of states and government] are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis [...] should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity” (UN General Assembly 2005: para. 139).”

According to Alan J. Kuperman (2008: 50–51), this declaration has raised the prospect of military intervention in ongoing conflicts. Weak organizations may risk starting or continuing an armed conflict, since they expect a humanitarian military intervention on their side in response to civilian suffering caused by their enemy. Kuperman describes such dynamics as a “moral hazard of humanitarian intervention,” and illustrates them by referring to developments in Kosovo.

Because of its prominence, Operation Allied Force has shaped how humanitarian military interventions are perceived. While obviously the air war was not representative of such endeavors, other aspects of the Kosovo intervention were hastily generalized and even used by some scholars for the purpose of defining humanitarian military interventions. Thus, a distorted conception of humanitarian military interventions is widespread.<sup>3</sup> Until recently, research lacked a systematic mapping of the universe of cases to correct biased perceptions of humanitarian military interventions.

On the occasion of its 20<sup>th</sup> anniversary, conferences, panel discussions, newspaper articles, and other formats revisited the Kosovo intervention. In hindsight, they reevaluated whether Operation Allied Force was a “perfect failure” (Mandelbaum 1999) or a “success” (Solana 1999), and discussed how the intervention is remembered and assessed in Serbia, Kosovo, and NATO member states, or how it has influenced relationships among the great powers and respect for the norm of non-aggression. This report sets itself apart from these efforts by using a new dataset on humanitarian military interventions. Its particular contribution is to reassess the course and consequences of Operation Allied Force by comparing it with other humanitarian military interventions.

The report addresses two questions: 1) Which aspects qualify the Kosovo intervention as an outlier and in which regards is it more representative of humanitarian military interventions? 2) Did Kosovo really mark a turning point as often claimed? To answer this second question, I explore trends by comparing humanitarian military interventions prior to and since Operation Allied Force. In this way, the report contributes to charting the field of humanitarian military interventions and to providing a basis for much-needed analyses. The level of research on humanitarian military interventions does not correspond to the political importance of these endeavors. The state of the art is characterized

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3 For instance, Kivimäki (2019: 31) restricts humanitarian military interventions to endeavors by the USA, the United Kingdom, and France since Kosovo.

by conceptual confusion (Dembinski et al. 2018) and by a lack both of theorizing and comparative empirical analyses of the interventions' effects (Dembinski/Gromes 2017: 6).

The report is organized as follows: At first, it summarizes the background, course, and outcome of NATO's intervention in Kosovo. It then briefly introduces the PRIF Dataset on Humanitarian Military Interventions since the Second World War. Subsequently, the bulk of the report compares Operation Allied Force with other humanitarian military interventions. It considers the characteristics of the conflicts that triggered the intervention, the interveners, their authorization, approaches, and activities, and the development of deadly violence in the target states. With regard to all these aspects the report compares developments before and since the Kosovo intervention. Moreover, it proposes a new measurement procedure for ascertaining an intervention's outcome, and introduces a typology of humanitarian military interventions. While this report mainly uses the typology to examine whether the profile of humanitarian military interventions has changed since 1999, other applications are possible, e.g., with regard to the outcome of interventions. The conclusion summarizes the extent to which Operation Allied Force was indeed an outlier and marked a turning point, and presents some expectations for the future of humanitarian military interventions.

## 2. NATO'S KOSOVO INTERVENTION IN OVERVIEW

For a considerable period, Yugoslavia consisted of six republics and the two autonomous provinces Vojvodina and Kosovo. In 1989, the government in Belgrade imposed severe constraints on Kosovo's autonomy. A key figure behind this decision was Slobodan Milošević, then President of Serbia, one of the six republics. Milošević had claimed that the Serbs in Kosovo, allegedly the cradle of the Serb nation, were threatened by the Albanians, who comprised the vast majority there. After the province had lost its autonomous status, the Albanians were widely excluded from positions in public institutions and also marginalized economically (Marko 1999: 235). Many Albanians engaged in non-violent resistance that yielded them a great deal of international admiration but no significant political support.<sup>4</sup>

In 1996, the Kosovo Liberation Army (abbreviated KLA in English and UÇK in Albanian) entered the scene (Pettifer 2012: 83). Following intensified attacks by the KLA, Yugoslavia's security forces started an offensive at the end of February 1998. The escalation attracted international attention. The so-called international community and particularly Western states and organizations presented as their leitmotiv "to prevent a second Bosnia" (Caplan 1998: 745). There, for more than three years, they had proved unable to terminate the war. The international community was neither able to stop atrocities, euphemistically called "ethnic cleansing," nor to prevent the genocidal massacre in Srebrenica in July 1995. Because Milošević and notorious militias, important actors in the war in Bosnia-Herzegovina, also played a role in Kosovo, considerable parts of the international community feared a repetition of events.

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4 On the background and course of the conflict see inter alia Judah 2002; Petritsch et al. 1999; Reuter/Clewing 2000; Weller 2009. On post-war developments in Kosovo see Schoch 2012 and 2016.

Through the international Contact Group, the USA, Russia, the United Kingdom, France, Germany, and Italy, tried to coordinate their diplomatic efforts with regard to the former Yugoslavia. At the beginning of the war over Kosovo it condemned the violence on both sides. The Contact Group stated that the far-reaching exclusion of the Albanians had to be eliminated, but rejected Kosovo's secession. Instead, the Contact Group (1998: para. 9) demanded autonomy within Yugoslavia. While the members of the Contact Group agreed on the desired political status of Kosovo, they disagreed on the means to apply in order to make the conflict parties willing to accept the new order.

From summer 1998 onwards, despite Russia's opposition, NATO started to prepare a military intervention against Yugoslavia's security forces. In October 1998, lacking a UN mandate, NATO activated a large number of planes and demanded concessions from Belgrade within 96 hours (Weller 2009: 98). At this, US special envoy Richard Holbrooke reached agreement with Milošević, then President of Yugoslavia. Their arrangement led to a number of statements and accords: A significant part of Yugoslavia's security forces would withdraw from Kosovo, verified by unarmed NATO aircraft. The Organization for Security and Cooperation in Europe (OSCE) would deploy unarmed observers. Kosovo would obtain democratic self-government within Yugoslavia and there would be equality of all citizens and national communities (Weller 1999: 279–282, 293–294). The KLA was not party to these arrangements and did not perceive them as binding. It used the partial withdrawal of Yugoslavia's forces to expand the area under its control. Consequently, by the end of 1998 this attempt at conflict management had failed (Troebst 1999: 788–790).

In February and March 1999, the last major effort at finding a diplomatic solution before NATO's intervention took place in Rambouillet and Paris. The parties to the conflict were to discuss a draft agreement for Kosovo that demanded a transition period with democratic self-government within Yugoslavia. After that period, a new attempt at a negotiated settlement would also consider the will of the population. During the transition period, NATO would lead a peacekeeping mission and the OSCE would take responsibility for its civilian implementation (Rambouillet Accords 1999). Only the Albanian delegation signed the draft agreement.

When NATO initiated its intervention named "Operation Allied Force" on 24 March 1999, Secretary General Javier Solana declared:

"This military action is intended to support the political aims of the international community. It will be directed towards disrupting the violent attacks being committed by the Serb Army and Special Police Forces and weakening their ability to cause further humanitarian catastrophe. [...] Our objective is to prevent more human suffering and more repression and violence against the civilian population of Kosovo. [...] We must halt the violence and bring an end to the humanitarian catastrophe now unfolding in Kosovo."<sup>5</sup>

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5 See <https://www.nato.int/docu/pr/1999/p99-040e.htm>.

US President Bill Clinton said on the same occasion:

“We act to protect thousands of innocent people in Kosovo from a mounting military offensive. [...] Our mission is clear: to demonstrate the seriousness of NATO’s purpose so that the Serbian leaders understand the imperative of reversing course; to deter an even bloodier offensive against innocent civilians in Kosovo and, if necessary, to seriously damage the Serbian military’s capacity to harm the people of Kosovo.”<sup>6</sup>

NATO’s intervention did not obtain authorization by the UN Security Council. NATO members did not seek a supportive vote of the General Assembly within the framework “Uniting for Peace” as established by its Resolution 377 that states:

“if the Security Council, because of lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to Members for collective measures, including [...] the use of armed force when necessary”.<sup>7</sup>

When NATO started its intervention, many of its leaders believed it would last only a few days (Lambeth 2001: 232). At first, NATO attacked Yugoslavia’s air defense, airfields, surveillance systems, and military headquarters (Clark 2001: 193–196). Later, it also targeted troops and military facilities in Kosovo and South Serbia (Arkin 2001: 4–18). NATO’s airstrikes, however, failed “to damage the [...] capacity to harm the people of Kosovo”. Yugoslavia’s forces reinforced their presence and expelled hundreds of thousands to Albania and the Former Yugoslav Republic of Macedonia (Byman/Waxman 2000: 22–25; Clark 2001: 267; Nardulli et al. 2002: 49–56).

Since its initial campaign did not yield the desired effects, NATO targeted Yugoslavia’s oil industry, vehicle factories, the electricity supply, and important bridges (Lambeth 2001: 38–43). NATO also started to prepare a ground offensive with up to 100,000 soldiers for combat in Kosovo (Clark 2001: 302). Moreover, NATO member states renewed diplomatic efforts by bringing Russia back in via the G8, the group of the seven most important Western industrial countries plus Russia.

At the end of May 1999, Belgrade signaled willingness to give in. On 9 June, Yugoslavia’s government and the planned International Security Force (“KFOR”) signed the Military-Technical Agreement (1999) that provided that all Yugoslav forces should withdraw from Kosovo within 11 days (Art. II.2). Belgrade accepted that KFOR “will deploy and operate without hindrance within Kosovo and with the authority to take all necessary action to establish and maintain a secure environment for all citizens”

6 See <https://millercenter.org/the-presidency/presidential-speeches/march-24-1999-statement-kosovo>.

7 See [https://www.un.org/en/sc/repertoire/otherdocs/GAres377A\(v\).pdf](https://www.un.org/en/sc/repertoire/otherdocs/GAres377A(v).pdf).

(Appendix B: 1). On 10 June 1999, NATO stopped its airstrikes and the UN Security Council adopted Resolution 1244. It thus authorized an international security presence in Kosovo (para. 5) and a UN

“interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, and which will provide transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions (UN Security Council 1999a: para. 10).”

On 20 June, the “Undertaking of demilitarization and transformation by the UCK” was signed. The KLA agreed to the deployment of KFOR (para. 3) and declared its willingness to comply with Resolution 1244 (para. 25).

The Uppsala Conflict Data Program (UCDP) codes the war as terminated through a peace agreement. This is justified, although there was no agreement signed by all warring parties, i.e., by Yugoslavia’s government, the KLA, and NATO. However, the documents mentioned can be seen in combination as equivalent to a peace agreement. The Military-Technical Agreement and the Undertaking of Demilitarization focused on military aspects, while Resolution 1244 addressed the political issues underlying the conflict.

Politically, Yugoslavia’s government lost the war: It had to give up control over Kosovo. The KLA, by contrast, won the war in political terms, even though it had been unable to withstand Yugoslavia’s security forces. Its political success was partial at first, since Resolution 1244 provided autonomy within Yugoslavia but no secession. The Albanian side extended its success by proclaiming independence in February 2008. By 2018, 116 countries had recognized Kosovo as an independent state, among them most member states of NATO and the European Union.<sup>8</sup>

Wesley K. Clark (2001: xxv), at the time of the intervention NATO’s supreme commander in Europe, assessed Operation Allied Force as a success. A comprehensive study of NATO’s air war concedes that the Alliance clearly prevailed in the end but also stresses that: “Allied air attacks against dispersed and hidden enemy forces were largely ineffective [...]. Hence, Serb atrocities against the Kosovar Albanians increased even as NATO air operations intensified” (Lambeth 2001: 225).

NATO flew more than 10,000 strike sorties and dropped and fired more than 28,000 bombs and missiles (Lambeth 2001: 62). Among the more than 900 targets attacked by NATO were 421 fixed installations. Of these installations, 149 were destroyed, 83 heavily damaged, 84 modestly damaged, and 51 lightly damaged (Arkin 2001: 22–23). A US assessment team ascertained successful attacks on 93 tanks, 153 armored personnel vehicles, and 389 artillery pieces (Lambeth 2001: 133). However, for the year 2000, Yugoslavia reported possessing only 9 fewer tanks, 20 fewer fighting vehicles, and 15 fewer artillery pieces than in 1999 (Nardulli et al. 2002: 54–55).

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8 See <http://www.kosovothanksyou.com>.

Operation Allied Force cost more than US\$ 3 billion. NATO lost two planes but not a single pilot in combat over Yugoslavia (Lambeth 2001: 219, 246). The pilots were ordered to fly above 5,000 meters to be beyond the reach of Yugoslavia's air defense (Arkin 2001: 17; Clark 2001: 225). Avoiding losses was NATO's priority.

According to Human Rights Watch, between 498 and 528 civilians were killed by NATO airstrikes.<sup>9</sup> On the 20<sup>th</sup> anniversary of the intervention, Serbia's President Aleksandar Vučić claimed that the bombing led to the deaths of 2,500 civilians.<sup>10</sup>

The most detailed documentation of fatalities is the Kosovo Memory Book compiled by the Humanitarian Law Centre. As of 10 April 2019, it presents the personal data of 13,548 people "as having died or disappeared in connection with the war in Kosovo". From 1 January 1998 to 23 March 1999, 2,652 people had died or disappeared in the war. During Operation Allied Force, 9,426 people died or disappeared.<sup>11</sup> Table 1 presents details of the distribution.<sup>12</sup>

"During the period between March 24<sup>th</sup> and June 9<sup>th</sup> 1999, 758 people lost their lives to shells, shrapnel and bombs dropped by NATO: (...) The victims number 453 civilians, including 220 Albanians, 205 Serbs, 28 Roma and others, and 305 members of armed formations, including 276 members of the VJ [Yugoslav Army]/Serbian MUP [Ministry of Interior] and 29 members of the KLA (Kosovo Memory Book Database 2015: 2)."

Table 1: Victims documented by the Kosovo Memory Book.

	Total number of people killed or disappeared	Status		Ethnicity		
		Civilians	Members of armed formations	Albansians	Serbs	Others
Prior to the intervention: 1 Jan. 1998–23 March 1999	2,652	1,611	1,041	2,225	350	77
During the intervention: 24 March–10 June 1999	9,426	7,412	2,014	8,204	1,036	186
After the intervention: 11 June 1999–31 Dec. 2000	1,470	1,310	160	391	812	267
<i>Sum</i>	<i>13,548</i>	<i>10,333</i>	<i>3,215</i>	<i>10,820</i>	<i>2,198</i>	<i>530</i>

9 See <https://www.hrw.org/reports/2000/nato/Natbm200-01.htm>.

10 See <https://www.rferl.org/a/serbia-kosovo-mark-anniversary-nato-bombing-raids/29840205.html>.

11 These numbers are confirmed by a mortality study based on a survey of 1,197 households that estimates 12,000 "deaths from war-related trauma" and reports: "Mortality rates were highest between the months of March and June 1999" (Spiegel/Salama 2000: 2206).

12 See <http://www.kosovskaknjigapamcenja.org/wp-content/uploads/2015/02/eng.xls>.

The data on fatalities provided by UCDP Georeferenced Event Dataset (Sundberg/Melander 2013), which rely on press accounts, report lower absolute numbers but show a similar trend: 1,649 people were killed between 6 March 1998 and 23 March 1999 but 1,965 during the much shorter period of the intervention.

As these figures demonstrate, NATO succeeded in ousting Yugoslavia's forces from Kosovo but failed "to prevent more human suffering" (Solana) or "to deter an even bloodier offensive against innocent civilians" (Clinton). However, it is fair to say that it is unknown what would have happened without the intervention. Lambeth (2001: 226) assumes that in spring 1999 Yugoslavia's security forces would have intensified the expulsion of Albanians anyway, as indicated by the troop reinforcements during the conference in Rambouillet. Proponents of the intervention do not necessarily concede that the numbers cited are proof of failure, as they believe that violence would have been even worse without Operation Allied Force. This consideration illustrates how difficult it is to assess the outcome of an intervention unambiguously. Below (in section 4.3), I will return to this problem.

While for UCDP the state-based conflict (Gleditsch et al. 2002; Pettersson/Eck 2018) and one-sided violence (Eck/Hultman 2007) ended on 10 June 1999, the Kosovo Memory Book reports 1,470 deaths or disappearances between 11 June 1999 and 31 December 2000. Of these, 1,150 occurred during the first three months. After the intervention, Albanians took revenge against Serbs and people with other ethnic affiliations: Prior to and during NATO's intervention, Serbs and others constituted fewer than 14% of all victims, but after Operation Allied Force 73% of the victims were Serbs and others.

### **3. HUMANITARIAN MILITARY INTERVENTIONS SINCE THE SECOND WORLD WAR**

"Humanitarian military intervention" is a highly contested notion. According to critics, "humanitarian military intervention" is a contradiction in itself. Even if the declared humanitarian ends are sincere, the military means applied to achieve them stand in inextricable opposition to these ends (Kreide 2009: 96). The notion "humanitarian military intervention" assigns legitimacy to violating the international norm of non-aggression and thus undermines international peace. Despite these concerns, the notion is still widely used. Alternative terms such as "military intervention under the R2P" have failed to completely replace "humanitarian military intervention." Thus, to contribute to the analyses of military interventions with declared humanitarian purposes it is impossible to avoid using the controversial notion of "humanitarian military intervention".

Authors who do not totally reject this notion voice dissent over its proper definition. An extensive review of numerous definitions representing different disciplines and normative positions reveals a widely uncontested core definition. According to this consensus, humanitarian military intervention is the use or threat of force in another state with the declared purpose of saving citizens of the target country from a violent emergency. Controversies arise as to whether this definition should include further elements, namely that humanitarian military interventions lack the permission of the target country's government, that they are not authorized by the UN Security Council, that the declared hu-



humanitarian purpose must be the sole or primary one, that such interventions are in response to mass crimes on a certain scale, or that military interventions should only be categorized as humanitarian if they stop or contain atrocities. In a paper with Matthias Dembinski and Theresa Werner (2018), I comprehensively discuss the pros and cons of including one or more further elements. We concluded that comparative research is better served by confining discussion to the uncontested core definition. The inclusion of one or more further elements would subordinate the specificity of this type of military intervention, i.e., the declared humanitarian purpose, to considerations of sovereignty and legality. Moreover, it would be biased against early interventions and interventions in small countries and it would ignore interventions that worsen the situation or have no impact at all. Finally, it would almost empty the universe of cases and discard interventions that shaped debates.

The PRIF Dataset on Humanitarian Military Interventions since the Second World War does not use the further elements for the definition, but includes them as variables. In a first step of dataset construction a project team at PRIF ascertained the total number of military interventions after the Second World War. For this purpose, we drew from the dataset International Military Interventions<sup>13</sup> whose current version covers events until 2005. We assessed press accounts to consider more recent interventions.

In the next step, we examined whether a violent emergency and a declared humanitarian purpose existed. With regard to the violent emergency, we relied on the datasets provided by UCDP on state-based conflicts, non-state conflicts (Sundberg et al. 2012), and one-sided violence against civilians. For each of these forms of organized violence UCDP uses a threshold of 25 fatalities in one calendar year.<sup>14</sup> As this threshold suggests a low bar, it is important to add that in most cases UCDP reports fatality numbers conservatively. The presence of one of the conflicts mentioned indicates a violent emergency.

To assess the declaration of humanitarian purposes we analyzed statements by highest-ranking decision makers shortly before or at the beginning of the intervention. Phrases such as “to stop violence,” “to protect civilians,” or “to protect the delivery of humanitarian assistance” indicate humanitarian objectives. We did not accept such statements at face value, but checked whether the interveners actively pursued their declared objectives. More importantly, we defined counteracting actions and motives that prevented categorization as a humanitarian military intervention: The intervening power denied the target state’s right to exist, had territorial demands against the target state, stressed that the people to be saved belonged to its people or nation, or declared its intention to prevent a rival assuming control over the target state. Moreover, an intervention was not categorized as humanitarian when the intervening party could not be distinguished from the parties to the conflict in the target state or when the troops intervened without orders from their government.

The dataset includes six borderline cases for which it remains uncertain whether all defining criteria were fulfilled. We defined the interventions by India in East Pakistan in 1971, by Tanzania in Uganda in 1979, and by NATO and others in Afghanistan 2003–2014 as borderline cases, because

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13 Pearson/Baumann 1993; Pickering/Kisangani 2009.

14 See <https://www.pcr.uu.se/research/ucdp/definitions/#Active>.

it is uncertain whether they would have taken place without the preceding self-defense. The 2006 Lebanon intervention is a borderline case, as a violent emergency was ongoing when the intervention was authorized, but it was about to end when the troop deployment began. Uncertainty about counteracting motives also justifies coding a case as borderline, which applies to Syria in the 1976–1979 Lebanon intervention and Russia in the 1992 Moldova-Transnistria intervention.

The dataset consists of data matrices and case descriptions. We provide two versions of the tabulated data: one treats the entire intervention as the unit of analysis, the other uses intervention years as the unit of analysis. The case descriptions document all coding decisions. They resulted from the following standard process: At first, using a detailed coding manual, two coders drafted a version independently of one another. They then addressed discrepancies and prepared a consolidated version which was sent to external case experts for review. The data matrices, all case descriptions, and the codebook will be available at: [www.humanitarian-military-interventions.com](http://www.humanitarian-military-interventions.com) (Gromes/Dembinski 2019).

Table 2 lists 41 interventions after the Second World War. The dataset's current version considers humanitarian military interventions that started up to 2016. Updated versions will also cover more recent and coming developments.

A humanitarian military intervention ends with the termination of the violent emergency, with the withdrawal of the intervening troops, or with revocation of the humanitarian purpose. This list does not mean that we assess all these interventions as legal, legitimate, or effective.

When several interveners pursue similar objectives in the same target country, we code a single intervention. When interveners are succeeded by others with a similar approach, we also code a single intervention. If, however, an initially impartial intervention chooses a side or a partisan intervention turns into an impartial one, we code separate interventions, as in Bosnia-Herzegovina and in Sierra Leone.

*Table 2: Humanitarian military interventions initiated between 1946 and 2015 (borderline cases italicized).*

Target country	Principal intervener	Start	End
Congo	UN	15.07.1960	30.06.1964
<i>Pakistan</i>	<i>India</i>	<i>04.12.1971</i>	<i>16.12.1971</i>
<i>Lebanon</i>	<i>Arab League</i>	<i>21.10.1976</i>	<i>30.04.1979</i>
<i>Uganda</i>	<i>Tanzania</i>	<i>21.01.1979</i>	<i>03.06.1979</i>
Lebanon	USA	24.09.1982	31.03.1984
Sri Lanka	India	30.07.1987	20.03.1990
Liberia	ECOWAS	24.08.1990	28.12.1996
Iraq (Kurds)	USA	07.04.1991	10.11.1997
<i>Moldova</i>	<i>Russia</i>	<i>21.06.1992</i>	<i>21.07.1992</i>
Georgia (Abkhazia)	Russia	14.08.1992	01.12.1993

Target country	Principal intervener	Start	End
Iraq (South)	USA	27.08.1992	31.12.1996
Somalia	USA	09.12.1992	31.03.1995
Bosnia-Herzegovina	UN	12.04.1993	29.08.1995
Tajikistan	Commonwealth of Indep. States	01.10.1993	23.12.1996
Rwanda	France	23.06.1994	21.08.1994
Haiti	USA	19.09.1994	15.10.1994
Bosnia-Herzegovina	NATO	30.08.1995	21.11.1995
Albania	Italy	15.04.1997	11.08.1997
Sierra Leone	Nigeria	31.05.1997	24.05.1999
Yugoslavia (Kosovo)	NATO	24.03.1999	10.06.1999
Sierra Leone	UN	08.07.1999	06.05.2000
East Timor	Australia	20.09.1999	22.11.1999
Sierra Leone	UN	06.05.2000	20.12.2001
DR Congo	UN	31.10.2000	28.03.2013
Burundi	UN	29.10.2001	04.12.2008
Côte d'Ivoire	France	22.09.2002	06.04.2005
DR Congo	EU	06.06.2003	01.09.2003
Solomon Islands	Australia	24.07.2003	13.08.2003
<i>Afghanistan</i>	<i>NATO</i>	<i>11.08.2003</i>	<i>31.12.2014</i>
Haiti	UN	29.02.2004	31.12.2005
<i>Lebanon</i>	<i>UN</i>	<i>11.08.2006</i>	<i>14.08.2006</i>
Somalia	African Union	01.03.2007	ongoing
Sudan (Darfur)	UN	31.12.2007	ongoing
Chad	EU	28.01.2008	28.04.2010
Libya	NATO	19.03.2011	23.10.2011
Côte d'Ivoire	UN	01.04.2011	11.07.2011
South Sudan	UN	09.07.2011	ongoing
Mali	UN	11.01.2013	ongoing
Central African Republic	UN	11.01.2013	ongoing
DR Congo	UN	28.03.2013	ongoing
Iraq (IS)	USA	08.08.2014	ongoing

## **4. HUMANITARIAN MILITARY INTERVENTIONS PRIOR TO AND SINCE OPERATION ALLIED FORCE**

To show in which aspects NATO's intervention in Kosovo was unusual and to chart how the field of humanitarian military interventions has changed since 1999, the following comparison considers a large number of aspects than can be assigned to some analytical dimensions. The data imply that properties of the violent emergency influence whether a humanitarian military intervention takes place at all, how it proceeds, and how deadly violence develops. With regard to most characteristics, the conflict over Kosovo was not out of the ordinary. The second dimension focuses on the intervention itself: its authorization, the most important interveners, their deployments and activities. Commentators consider these aspects when assessing an intervention's legitimacy and chances of stopping or reducing violence. In this dimension, several properties that set Operation Allied Force apart from most other humanitarian military interventions are found. The third dimension focuses on how the violent emergency develops during the intervention. For Kosovo, the outcome criteria exhibit unusual values that seem to point in opposite directions. The last part of this section looks at the entirety of humanitarian military interventions to explore whether they have become more or less frequent in relation to the number of violent emergencies. Moreover, it introduces a typology for investigating the extent to which humanitarian military interventions have changed their approach. In some of these aspects, Operation Allied Force indeed marked a turning point.

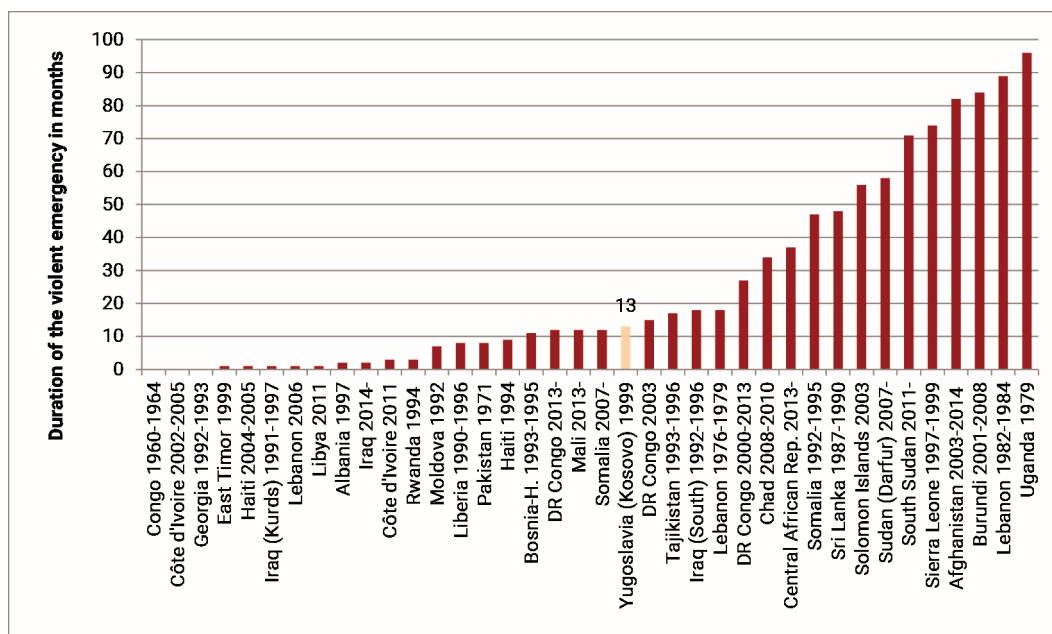
### **4.1 PROPERTIES OF THE VIOLENT EMERGENCIES AND TARGET STATES OF INTERVENTION**

The more conflict parties are involved, the less likelihood there is of getting to the point where all sides are willing to stop fighting and accept a negotiated settlement. Furthermore, under such circumstances, external actors find it more difficult to make sense of the conflict and to agree on a common reaction. Kosovo was among the 23 conflicts fought mainly between two sides; the remaining 18 conflicts included more parties. While the bipolar conflicts are almost evenly distributed across periods (12 before 1999, 11 since then), the proportion of interventions in more complex conflict constellations has increased (seven before 1999, 11 since then).

It can be discussed whether and how the intervention's timing shapes the course and extent of the violent emergency. One can assume that early interventions tend to be more effective, as the longer the violent emergency lasts the stronger are cleavages and hatred and the more entrenched is interest in continuing the violence. From another perspective, a longer duration allows the parties to the conflict to collect more information on their relative strength, thus correcting misperceptions and furthering their willingness to compromise. This can increase the intervention's chances of stopping or reducing the violence. Figure 1 shows how long the violent emergency had been going on when the intervention started. It sorts the humanitarian military interventions in ascending order, with each bar representing one intervention. Figure 1 excludes the second intervention in Bosnia-Herzegovina (in 1995) and the second and third interventions in Sierra Leone (1999–2000 and 2000–2001). Statements about wishing to "prevent a second Bosnia" might raise the expectation that Operation Allied

Force was an early reaction. However, with an intervention after 13 months of violent conflict it occupied a middle ground.

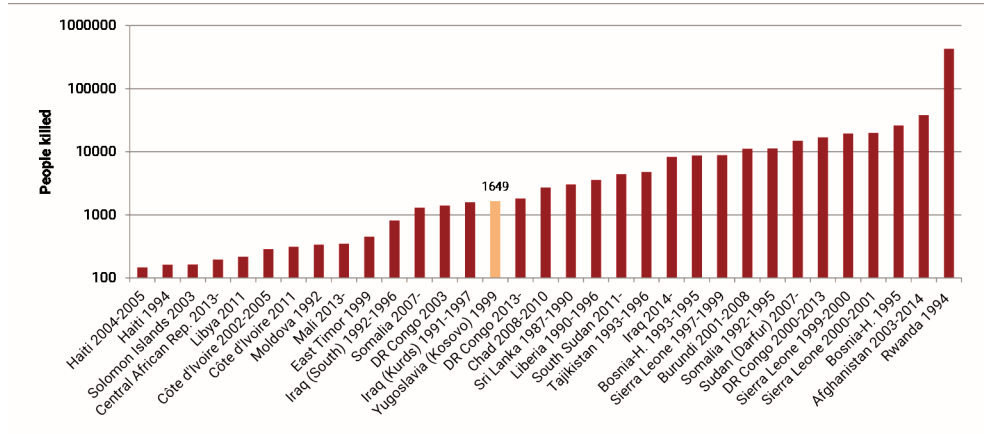
Figure 1: Duration of the violent emergency (in months) prior to the humanitarian military intervention (Kosovo highlighted).



The duration of the violent emergency prior to the humanitarian military interventions is a metrically scaled variable. To examine trends prior to and since 1999 with regard to such variables I employ rank sum tests. These tests rank all values and calculate for the different groups (here interventions before and since 1999) the sums of ranks that are to be expected if the groups do not differ from one another with respect to the duration of the violent emergency. Additionally, they calculate the observed rank sums and compare them to the expected rank sums. In Table A1 (in the Appendix), the expected rank sum for humanitarian military interventions before 1999 is 399. The observed rank sum is only 380, showing that before 1999 interventions tended to occur earlier in violent emergencies than interventions since then. The difference, however, is not statistically significant, as indicated by “prob > |z|” larger than 0.1. The results of all further rank sum tests are presented in the Appendix.

What has been said on the duration of the violent emergency also applies to its intensity. The violent emergency’s intensity can influence the outcome of the intervention. The direction of impact, however, is not clear. On the one hand, high intensity can harden the intransigence of the parties to the conflict. On the other hand, it can imply more advanced exhaustion of their resources for continuing violence and resisting the intervening forces. With respect to the number of people killed prior to the intervention, Kosovo was located in the middle of the spectrum, as Figure 2 shows. Because detailed data as documented by the Kosovo Memory Book are unavailable for most cases, I rely on fatality data provided by UCDP that cover 33 of 41 cases.

Figure 2: Absolute number of people killed by the violent emergency prior to the humanitarian military intervention (Kosovo highlighted)<sup>15</sup>.



Obviously, conflicts in small areas affect fewer people than violent emergencies in larger territories. If the number of fatalities is placed in relation to the number of inhabitants in the area affected by the violent emergency prior to the humanitarian military intervention, Kosovo moves four places to the right (from 15<sup>th</sup> to 19<sup>th</sup>) but remains in the middle sector (see Figure A1 in the Appendix).

The absolute numbers of fatalities prior to the interventions since 1999 did not differ considerably from the corresponding numbers before 1999 (see Table A2). However, there is a difference when the number of fatalities is related to the population in the area affected by the violent emergency. The pre-intervention death rates were somewhat higher in the period before Operation Allied Force. Since 1999, the proportion of less intense violent emergencies among those triggering a humanitarian military intervention has been higher. These figures should be interpreted cautiously, not only because of the small number of cases. The trend described does not necessarily indicate increased willingness to intervene. Other explanations include the possibility that intervening parties more often deliberately selected cases with less intense violence or that conflicts after 1999 resulted in fewer fatalities than previously.<sup>16</sup>

The size of the target country is discussed as a factor that influences the extent to which a humanitarian military intervention can achieve its objectives (see, e.g., Seybolt 2016: 567). With the same absolute number of troops deployed, the troops-to-space ratio is higher in smaller target countries. A higher troop density facilitates monitoring or controlling an area. Yugoslavia was a relatively small target country. However, 18 interventions occurred in target states even smaller than 100,000km<sup>2</sup>. With regard to the population, 22 countries were smaller than Yugoslavia. The picture changes a little when not the entire target country but the areas affected by the violent emergency are considered.

15 If the average number of fatalities per day is calculated and the results arranged in ascending order, Kosovo (with 5.02 fatalities per day) rises from the 15<sup>th</sup> to the 14<sup>th</sup> place.

16 The timing of the intervention does not matter here. As shown in Table A1, interventions since 1999 have not tended to occur earlier than previously in violent emergencies.

With about 11,000km<sup>2</sup> Kosovo was the seventh smallest area, and with fewer than two millions people it also had the seventh smallest population.

As Table A3 shows, humanitarian military interventions since Kosovo have tended to take place in larger areas affected by a violent emergency than earlier interventions. As an intervention in a small target state Operation Allied Force does not mark a turning point. With regard to the size of the population affected by the violent emergency, the difference between the periods is not statistically significant.

Kosovo was one of six humanitarian military interventions in Europe; conflicts in Africa triggered more than half (21) of all interventions. The geographical focus of humanitarian military interventions has changed since 1999. Operation Allied Force was the last of six interventions in Europe; 15 out of 22 interventions since 1999 have taken place in Africa. In that sense, the Kosovo intervention was more a final point than a turning point. The switch to Africa partly explains why interventions since 1999 have been carried out in larger areas.

#### **4.2 AUTHORIZATION, INTERVENERS, DEPLOYMENTS, AND ACTIVITIES**

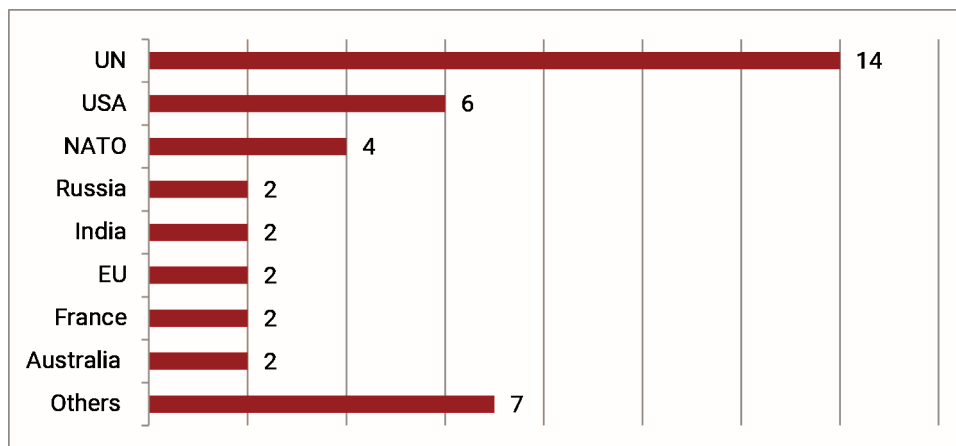
Some scholars (e.g., Arend/Beck 1993: 113) argue that the notion “humanitarian military intervention” only applies when there is no authorization by the UN Security Council. The question can also be considered whether humanitarian military interventions with a UN mandate have better chances of succeeding, as they are seen as more legitimate and therefore provoke less resistance by actors within and outside the target country. The Kosovo intervention belongs to the minority of 12 cases without approval by the UN Security Council. After Operation Allied Force, only one further intervention in the current version of the dataset (Iraq 2014–) lacked such a UN mandate. However, this intervention was permitted by Iraq’s government.

As Operation Allied Force had neither UN approval nor permission from Yugoslavia’s government, it was illegal. This state of affairs is shared by only five other cases: Pakistan 1971, Uganda 1979, Iraq (Kurds) 1991–1997, Iraq (South) 1992–1996, and Moldova 1992. Contrary to what was widely believed in 1999, Kosovo was the last illegal humanitarian military intervention, not the forerunner of a new trend. Note that only humanitarian military interventions are considered here. Thus, cases such as the invasion of Iraq in 2003 or the annexation of Crimea in 2014 are not considered. The fact that Operation Allied Force did not start a strong trend towards illegal humanitarian military interventions seems to be related to a decision by the UN Security Council that has enlarged the possibilities for military interventions with humanitarian purposes. In September 1999, Resolution 1265 (para. 11) expressed the “willingness to consider how peacekeeping mandates might better address the negative impact of armed conflict on civilians”. Some weeks later, in its first application acting under Chapter VII, this willingness called for the UN mission in Sierra Leone “to afford protection to civilians under imminent threat of physical violence” (UN Security Council 1999c: para. 14). Since then, the protection of civilians in robust peace missions in ongoing conflicts has expanded within the field of humanitarian military interventions. Additionally, almost all humanitarian military interventions after the Second

World War and all such interventions since 1999 have not been conducted by a single state, but in a multilateral framework. The need for a broad consensus for multilateral interventions makes it more likely that the participating states will respect international law. A final reason for the trend towards legal humanitarian military intervention is discussed in the light of global power relations. For some, NATO's Kosovo intervention despite the objections by Russia and China marked the "unrivaled power" of the West at that time. Its relative decline since then is indicated by its greater reluctance to conduct illegal humanitarian military interventions (Hehir 2019).

At least in Europe, it is often assumed that humanitarian military interventions are mainly conducted by Western states or organizations. Moreover, many commentators believe that such interventions can only succeed, if at all, when led by Western superpowers or great powers that apply their military superiority. Kosovo was one of four cases where NATO was the most important intervener. Regional organizations were the principal intervener in ten cases; Western states (including Australia) or organizations had this status in 17 cases. Western interventions represent a significant share of all cases, but the West has no monopoly on humanitarian military interventions. Figure 3 shows that the UN is the most important actor in this field, leading 14 interventions.

Figure 3: How often actors were identified as the most important intervener.



The proportion of Western humanitarian military interventions has not changed significantly since the Kosovo War. Until 1999, eight out of 19 interventions (47%) were mainly conducted by Western states or organizations. Since then, nine out of 22 interventions (41%) have been led by them. By contrast, the number of humanitarian military interventions led by the UN has increased strongly from two up to 1999 to 12 since then. The UN's growing importance has resulted from mandates that authorize force for the protection of civilians.

One of the most striking properties of NATO's intervention was its total reliance on air power. Only three other humanitarian military interventions did not deploy any ground troops in the target country: One of them (Iraq (South) 1992–1996) took place before 1999, the remainder (Libya 2011, Iraq 2014) have occurred since then. The absolute number of ground troops deployed in the other cases ranges from 1,000 (Democratic Republic of the Congo 2003) to 950,000 (Pakistan 1971). Figure A2 in the



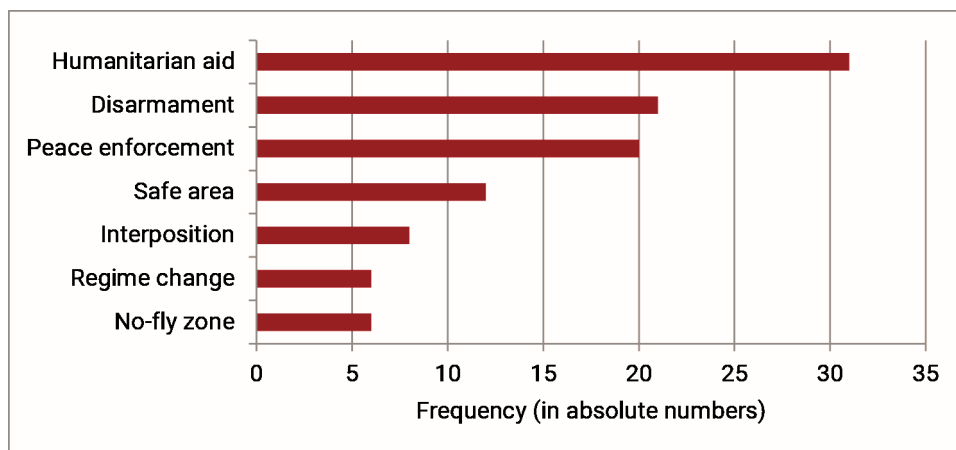
Appendix summarizes data on ground troops deployed. As Table A4 shows, humanitarian military interventions before 1999 tended to deploy more ground troops than interventions since then.

Table A5 compares the troop density of humanitarian military interventions. Both the troop-to-population ratio and the troop-to-space ratio tended to be higher in interventions before 1999. The Kosovo case represents an odd combination: It took place in a small area which is more typical for the first period and gives an extreme example of hesitating to deploy ground troops which matches the lower troop ratios in the second period.

Scholars disagree over whether military interventions have to be impartial (Kathman/Wood 2011: 747; Wood et al. 2012: 656–658) or must take sides (Krain 2005: 379) in order to stop or reduce mass violence. The list presented in Table 3 consists almost evenly of impartial (20) and partisan interventions (21). Thus, the partisan intervention in Kosovo was no outlier. As in Kosovo, eight other partisan interventions were directed against the government of the target state. While 12 out of 19 interventions before 1999 were partisan, 9 out of 22 interventions since then took sides.<sup>17</sup> Thus, NATO's intervention against Yugoslavia's government did not initiate a strong trend towards partisan humanitarian military interventions.

Interventions differ from one another in terms of their activities. In addition to the “protection of civilians” that can relate to several activities, our dataset considers seven further activities. While most of them can be conducted in both impartial and partisan interventions, regime change is necessarily partisan. Only interposition and disarming the parties to the conflict require ground troops. Enforcing a peace or ceasefire agreement, a safe area or a no-fly zone, as well as delivering humanitarian aid and striving for regime change, can be conducted with or without ground troops. Figure 4 shows how often these activities were carried out in humanitarian military interventions.

Figure 4: Frequency of activities in the humanitarian military interventions.



17 This difference does not reach statistical significance in a Fisher Test ( $p$  one-tailed=0.13).

According to Solana, NATO took action to bring about Yugoslavia's "[a]cceptance of the interim political settlement which has been negotiated at Rambouillet."<sup>18</sup> In short, it carried out "peace enforcement." The agreement drafted in Rambouillet and Paris (Rambouillet Accords 1999: chapter 1, preamble, art. I.1) demanded "in respect for the territorial integrity and sovereignty" of Yugoslavia that "Kosovo shall govern itself democratically through the legislative, executive, judicial, and other organs and institutions". An assembly and a government should be established (chapter 1, art. II.–IV.). For these institutions the draft agreement's preamble postulated "full participation of the members of all national communities". Looking at these provisions, enforcing the draft agreement implied regime change in Kosovo.

No other humanitarian military intervention exhibited the same profile of activities as NATO's intervention in Kosovo. The interventions in Haiti in 1994 and in Sierra Leone in 1997–1999 also pursued peace enforcement and regime change, but did not confine it to these two activities.

If we look at the frequency of activities prior to and since the Kosovo intervention, a mixed picture emerges. Six out of eight interposition missions took place before 1999 and five out of six no-fly zones were established prior to the Kosovo intervention. Activities that have become more frequent since 1999 encompass disarming (13 out of 21) and protecting the delivery of humanitarian aid (20 out of 31). The remaining activities (safe area, peace enforcement, regime change) were evenly distributed over both periods.

Even in military interventions with the declared purpose of saving citizens of the target state, democratically elected governments have a strong incentive to prevent harm to the troops they deploy. Beyond the general responsibility to protect the life and health of those they put in harm's way, these governments try to minimize losses in order to sustain domestic support for the intervention. Kosovo was not the first humanitarian military intervention without fatalities on the side of the interveners. While (definite) data are lacking for 18 cases, four interventions prior to 1999 suffered no losses at all (Iraq (Kurds) 1991–1997, Haiti 1994, Rwanda 1994) or a single fatality (Albania 1997). Luttwak's assessment of Operation Allied Force as the "first post-heroic war" is correct inasmuch as Kosovo was the most intense military operation until then. After this operation, four interventions had no losses (East Timor 1999, Solomon Islands 2003, Democratic Republic of the Congo 2003, Lebanon 2006) or a single fatality (Libya 2011). All these interventions except the one in Libya were clearly less intense than Operation Allied Force. With one exception, Western states or organization were the main interveners in cases with no or a single fatality on the side of the intervening power.

Humanitarian military interventions are not without risks for the troops deployed. In Lebanon 1982–1984, Liberia 1990–1996, or Somalia 1992–1995 interveners' lost several hundred soldiers. In Sri Lanka, almost 1,200 and in Afghanistan more than 3,300 troops died. As Table A6 illustrates, humanitarian military interventions since 1999 have tended to suffer fewer fatalities than earlier interventions. This difference, however, is not statistically significant.

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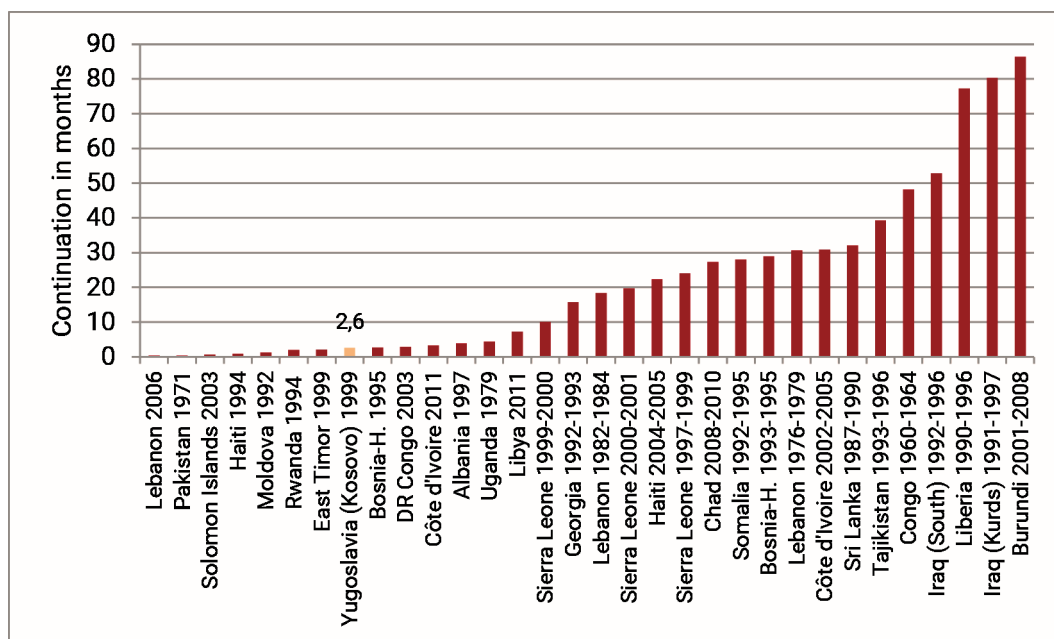
18 See <https://www.nato.int/docu/pr/1999/p99-040e.htm>.

### 4.3 OUTCOMES

One criterion for assessing the outcome of humanitarian military interventions is whether the violent emergency ends as soon as possible. In 28 cases the violence continued one year after the intervention had started. Only in 13 cases did the violent emergency end within twelve months after the intervention’s beginning. Kosovo belongs to this minority. In this regard, nothing has changed from the first period to the second. The years before 1999 include 13 of 28 cases (46%) with a violent emergency still existing one year after the intervention’s beginning. The same period also includes six of 13 interventions (again 46%) in which the violence did end within this time.

In 2016, the violent emergency was ongoing in nine cases and these are excluded from Figure 5, which depicts how long the violence continued after the beginning of the humanitarian military intervention. In seven cases, it was terminated earlier than in Kosovo. As nine violent emergencies continued, it would be misleading to compare the periods before and since 1999.

Figure 5: For how many months did the violent emergency continue after the beginning of the intervention (Kosovo highlighted, ongoing violent emergencies excluded)?



Looking at the duration of the violent emergency, Kosovo seems to belong to the group of successful interventions. However, a different picture emerges when the intensity of the deadly violence is taken into account. Figure A3 in the Appendix presents the average number of fatalities per day during the humanitarian military interventions. For interventions before 1989, no data are available. Ongoing interventions are not considered, either. Except for the outlier Rwanda, which is not considered, Kosovo exhibits the highest death rate of all interventions. Remember that, with respect to the

absolute number of fatalities or people killed per 100,000 inhabitants prior to the intervention, Kosovo ranked in the middle range.

The unparalleled escalation of violence is shown in Figure 6 which compares the death rates before and during the interventions. In Kosovo, deadly violence increased by almost 500%. According to the Kosovo Memory Book, the multiplication of deadly violence was even worse (+1,937%).

Figure 6: Development of the average death rate in percent (Kosovo highlighted, interventions before 1989, Rwanda, and ongoing interventions excluded).

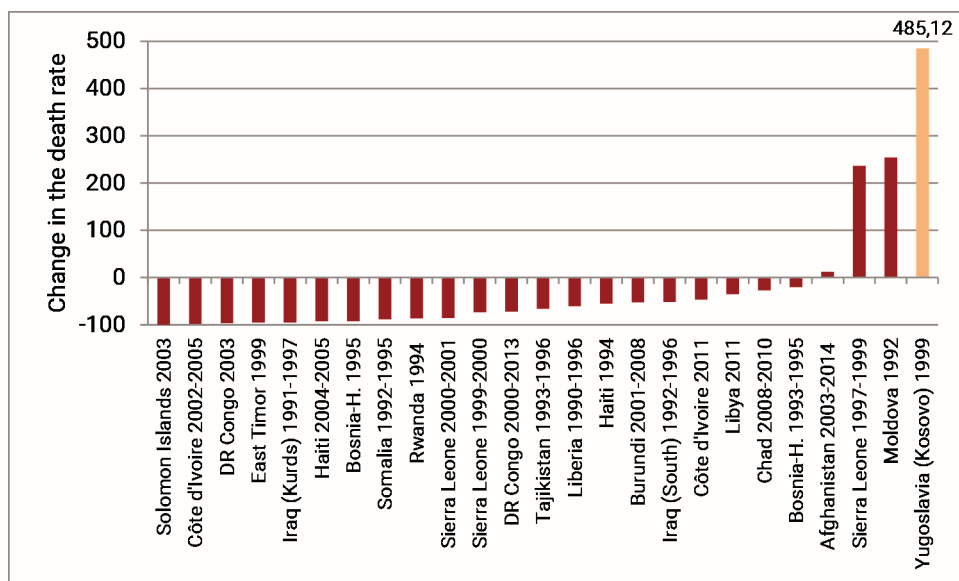


Table A7 considers the changes in the average death rate from the period prior to the intervention to the period during the intervention. Focusing on these changes, it compares interventions until 1999 with those since then. Cases before 1989 are excluded, as UCDP provides no data for them. Ongoing interventions are also discarded. The differences between the expected and observed rank sums do not reach statistical significance.<sup>19</sup>

<sup>19</sup> If preliminary fatality data until 31 December 2017 are used for ongoing interventions, the differences between expected and observed rank sums are even smaller.

**Excursus: Counterfactual estimation of the intervention's effect on deadly violence**

The average death rate during the intervention and the drastic increase in this rate show that Operation Allied Force did not prevent more suffering. However, it may be argued that comparison of the death tolls before and after the beginning of an intervention does not appropriately measure the outcome of a humanitarian military intervention. The violence during the intervention should not be compared with the pre-intervention death toll but with the violence that would have occurred without the intervention. In other words: To assess whether the humanitarian military intervention succeeded, the observed death toll should be compared with the expected death toll. As history cannot be re-run, the question of what would have happened if the intervention had not taken place cannot be answered as long as the analysis is confined to the observed case.

I propose a procedure that considers the development of deadly violence in other cases without an intervention to estimate the expected death toll in a case where an intervention occurred. At first, one or more cases must be found that are as similar to the intervention case as possible, but in which no humanitarian military intervention took place. The relevant similarities relate to aspects commonly identified as influencing the duration and intensity of violent conflicts.

Next, the intervention's timing (in Kosovo 13 months after the violent emergency's beginning) must be applied to the similar cases without intervention in order to define two periods: one before and one after this length of time since the violent emergency's beginning. This makes it possible to ascertain how long the violent emergency went on in the second period. Moreover, it is possible to calculate for the non-intervention case the extent to which the intensity of deadly violence changed from the first to the second period.

Following this, the duration and the relative change of intensity in the second period of the non-intervention case can be used to estimate the expected number of people killed in the intervention case. Finally, this projected number can be compared with the actual observed number of people killed.

Any report on the use of the expected numbers must clearly communicate the underlying assumptions of the procedure and the related level of uncertainty. The estimated expected number of people killed could be introduced as follows: "If in the intervention case the duration and the change of intensity of the violent emergency were the same as in the most similar non-intervention cases, the number of fatalities would be expected to be between A and B." Additionally, the degree of similarity between the intervention case and the non-intervention cases should be stated.

It is beyond the scope of this report to estimate the expected number of fatalities for Kosovo and even further beyond it to take account of all humanitarian military interventions. Such estimates require combination of the PRIF Dataset on Humanitarian Military Interventions and conflict data.

Because many civil wars recur within a few years (World Bank 2011: 57–58), the question arises whether humanitarian military interventions merely interrupt the violence and do not contribute to a lasting de-escalation. In Kosovo, armed conflict or one-sided violence with at least 25 fatalities in a calendar year did not recur. This is not unusual, at least when the first five post-conflict years are considered. In 18 of 25 cases that could be evaluated a violent emergency did not recur.<sup>20</sup> With regard to this outcome, Kosovo is not out of the ordinary. The opposite holds for the extent of efforts to stabilize peace. Both the high troop density of the peacekeeping forces and the comprehensive civilian presence, including the UN interim administration, mark Kosovo as an outlier (Gromes 2016: 159–160).

#### 4.4 SHIFTS IN THE RELATIVE FREQUENCY AND TYPES OF HUMANITARIAN MILITARY INTERVENTIONS

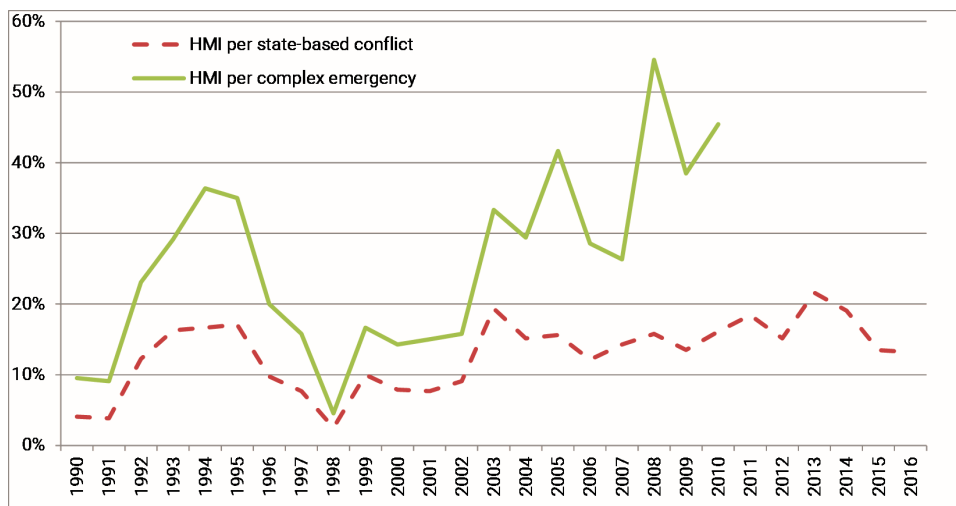
As Table 2 shows, humanitarian military interventions have become more frequent since Operation Allied Force. A more meaningful picture emerges when the number of humanitarian military interventions is related to the number of violent emergencies. Figure 7 presents ratios for the period since 1990, in which 35 of the 41 humanitarian military interventions since the Second World War occurred. The dashed graph relates ongoing humanitarian military interventions to state-based conflicts and runs consistently below the other graphs. This could be expected, as UCDP uses a low threshold (25 fatalities per calendar year) and accordingly reports a large number of conflicts. The solid graph in Figure 7 considers “complex humanitarian emergencies” that are generated by political violence and either kill at least 20,000 civilians or displace at least 500,000 within five years (Everett 2016: 315–316).

Both graphs show that the mid-1990s were a first heyday of humanitarian military interventions. After a sharp decrease, 1999 marked the start of an upward trend that continued at least until 2003. Seen in relation to state-based conflicts, humanitarian military interventions since then have remained at a level comparable with the mid-1990s. With regard to complex emergencies, the peak of 1994 was exceeded in four different years after 2003. In sum, both graphs support the claim that the Kosovo intervention was a turning point. However, states and international organizations continued to intervene selectively. This selectivity persisted because information on and common assessments of violent emergencies as well as the interests and resources of potential interveners remained limited. Moreover, states and organizations see different chances of success in different cases.

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<sup>20</sup> 16 cases cannot be assessed because the humanitarian military intervention or the violent emergency was still ongoing.

Figure 7: Humanitarian military interventions (HMI) in relation to violent emergencies.



Like other military endeavors such as peacekeeping, humanitarian military interventions are a heterogeneous phenomenon. They take place in small and large countries, occur early and late in a conflict, are in response to violent emergencies of widely varying intensity, deploy many ground troops or none at all, and involve different activities. To cope with this diversity and to track changes before and since the Kosovo intervention I will introduce a typology of humanitarian military interventions.

It seems self-evident that the courses of impartial interventions deviate from those of partisan interventions. Thus, the PRIF dataset uses the aspect of impartiality to distinguish between ongoing and new deployments related to the same violent emergency. This juxtaposition of impartial and partisan interventions contributes to defining types, but remains insufficient, as there is still significant diversity within both categories. Consequently, the typology additionally considers the interveners' most far-reaching goal. This goal is shown by their activities and the way they cope with violent groups.

The combination of the intervention's direction with its most-far reaching goal results in the four types shown in Table 3. In the first type, the interveners try to contain an armed conflict or diffuse violence. They use force or threaten to in order to make the violent groups refrain from engaging in battle or carrying out assaults on civilians. Their activities exclude efforts to enforce a ceasefire or peace deal. While in this first type interveners operate under the mode of deterrence, the mode of compellence dominates in the second and third types. In the second type, impartial peace enforcement is the most far-reaching activity. The third type includes partisan peace enforcement and interventions that try to weaken a party to the conflict. The targeted side, however, is still seen as a part of the prospective political order. This is the crucial difference from the fourth type that tries to stop or reduce deadly violence by defeating one side. Operation Allied Force is assigned to the fourth type, because peace enforcement was closely connected with regime change and thus with the defeat of Yugoslavia's government in Kosovo. While attempts at regime change are strongly associated with the fourth type, the activity of interposition usually indicates that the interveners do not maximize confrontation.

The typology is necessarily based on reducing complexity. It does not track an intervention's development, but considers it at the time of its most far-reaching objective. India's intervention in Sri Lanka, for instance, was not planned to turn into the war against the Liberation Tigers of Tamil Eelam that evolved from the Indian peacekeeping mission.

Some qualifications have to be added: The goals assessed as most far-reaching were actively pursued during the intervention and were not isolated events. The typology is preliminary, as the classification of ongoing interventions can change after assessing a terminated deployment.

The case of Kosovo did not mark a shift from impartial to partisan humanitarian military interventions. However, there has been a shift within the category of partisan interventions from peace enforcement or weakening one side to the more confrontational type of seeking to defeat one actor.<sup>21</sup> Since 1999, not only have interventions with most far-reaching goals become more frequent, but during that period interventions having the most modest ambitions have also been overrepresented. Humanitarian military interventions at both ends of the spectrum have gained in importance, whereas interventions of the third type have lost importance.

The UN-led interventions after Kosovo concentrated on impartial approaches (8 of 12) that were evenly distributed across the containment and peace enforcement types. Thus, the increased importance of the UN explains why the least confrontational type of humanitarian military intervention has become more frequent since 1999. The trend towards the most confrontational type is related to the fact that partisan interventions by Western states and organizations have shifted their focus. While before 1999 there had been no Western intervention that tried to defeat one side, four Western interventions have been of this type since then. The Global War on Terror may have contributed to this shift.

On average, interveners with the goal of defeating one side deployed more ground troops than intervening powers of all other types. This applies to the absolute numbers as well as to the troop-to-population ratio and the troop-to-space ratio, even though three of these interventions relied exclusively on air power. NATO's intervention in Kosovo was the first one with far-reaching goals but no deployment of ground forces. However, 12 years had to pass before the intervention in Libya continued the approach that had started with Operation Allied Force.

The typology just introduced illustrates the extent to which humanitarian military interventions have changed their profile since Operation Allied Force. It can also help cope with the heterogeneity of humanitarian military interventions. Its underlying assumption is that patterns of interaction between the interveners and the parties to the conflict vary with the type of intervention. To exemplify this assumption, I present descriptive data on deadly violence. If the available fatality data on terminated interventions are used and preliminary numbers that cover developments until 31 December 2017 for ongoing interventions are employed, it can be seen that humanitarian military interventions with the most far-reaching goals seem to involve the smallest likelihood of de-escalation. 89% of the interventions that contained armed conflict or diffuse violence led to a decreased death rate. The

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21 In a Fisher Test  $p$  is 0.057\* (one-tailed) respectively 0.07\* (two-tailed).



same applies to 86% of impartial peace enforcement operations and to 71% of partisan peace enforcement or missions that tried to weaken one side. However, deadly violence was reduced only in 56% of humanitarian military interventions that attempted to defeat one side. These numbers are far from sufficient to prove that more confrontational interventions are less successful. Nevertheless, they encourage exploring the extent to which the typology can facilitate comparative research on humanitarian military interventions.

Table 3: Types of humanitarian military intervention (*borderline cases in italics*).

		before 1999	since 1999
<b>impartial</b>	Type 1: Containing the conflict or diffuse violence	Georgia (Abkhazia) 1992–1993 Bosnia-Herzegovina 1993–1995 Haiti 1994 Albania 1997	East Timor 1999 DR Congo 2003 Solomon Islands 2003 Haiti 2004–2005 <sup>22</sup> <i>Lebanon 2006</i> Sudan (Darfur) 2007– Chad 2008–2010 Central African Republic 2013–
	Type 2: Enforcing peace	<i>Lebanon 1976–1979</i> Lebanon 1982–1984 Somalia 1992–1995 Rwanda 1994	Sierra Leone 1999–2000 DR Congo 2000–2013 Burundi 2001–2008 Côte d'Ivoire 2002–2005 South Sudan 2011–
<b>partisan</b>	Type 3: Enforcing peace or weakening one side	Liberia 1990–1996 Iraq (Kurds) 1991–1997 <i>Moldova 1992</i> Iraq (South) 1992–1996 Tajikistan 1993–1996 Bosnia-Herzegovina 1995	Mali 2013–
	Type 4: Defeating one side	Congo 1960–1964 <i>Pakistan 1971</i> <i>Uganda 1979</i> Sri Lanka 1987–1990 Sierra Leone 1997–1999	<b>Yugoslavia (Kosovo) 1999</b> Sierra Leone 2000–2001 Afghanistan 2003–2014 Somalia 2007– Libya 2011 Côte d'Ivoire 2011 DR Congo 2013– Iraq 2014–

22 Toppling the junta and reinstalling the elected president were declared goals. However, as the military leaders agreed to resign when the intervention started, its activities were confined to restoring order and containing violence. Thus, this intervention is not assigned to the fourth type.

## 5. CONCLUSIONS

While Operation Allied Force is still politically controversial, there is a broad academic consensus that it falls into the group of humanitarian military interventions.<sup>23</sup> The first aim of this report was to identify the aspects in which the Kosovo intervention was atypical or an outlier in this group. Only a minority of cases resemble Kosovo in being an intervention without a mandate by the UN Security Council. An even smaller minority of humanitarian military interventions did not deploy any ground troops.

With regard to the outcome, Operation Allied Force combines two unusual properties. It belongs to the minority of cases in which the violent emergency ended within one year of the beginning of the intervention. It is also an outlier, since deadly violence escalated sharply during the intervention as compared with its intensity prior to Operation Allied Force. It cannot be said with certainty whether this intervention cost more lives than it saved or whether in this aspect it was better or worse than other humanitarian military interventions. Such assessments would require comparing the observed death toll with the death toll had the intervention not taken place. Such a comparison is impossible. Due to this methodological problem, research lacks data on the politically most meaningful outcome of humanitarian military interventions. This is one reason why comparative research on these interventions' effects is underdeveloped. Consequently, strong assumptions remain empirically untested. One example is the claim that "for every story about an intervention working out for the better, many more can be told where things turned out for the worse" (Van der Vossen 2017: 171). The dataset introduced in this report, the proposed procedure for estimating the difference between the expected and the observed number of people killed in a violent emergency, and the typology discussed above can facilitate comparative research on humanitarian military interventions.

In Operation Allied Force, NATO did not lose a single pilot. Thus, the Kosovo intervention belongs to the 10 of 32 cases capable of being evaluated in which the interveners suffered no or almost no fatalities.

Only a few humanitarian military interventions pursued the activity of regime change as NATO did in Kosovo. The related activity of peace enforcement, however, is relatively common in the field of such endeavors.

The Kosovo intervention was atypical only in some aspects. With regard to its duration and intensity the violent emergency prior to NATO's intervention ranked in the middle of the spectrum. Its occurrence in a relatively small target country and its conduct by a Western organization are further properties shared by a considerable number of other humanitarian military interventions. Operation Allied Force belonged to the interventions that took sides which have constituted almost half of all humanitarian military interventions since the Second World War. As in Kosovo, most of those violent emergencies that could be terminated did not recur within five years.

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<sup>23</sup> In the general literature on humanitarian military interventions or the Responsibility to Protect, more than 90% of the contributions reviewed assess Operation Allied Force as such an intervention. Cohn (2004: 130) summarizes dissenting views: "The bombing was about oil and world domination, not ethnic cleansing."

The question of typical and atypical characteristics of Operation Allied Force is related to the question of whether it initiated new trends, given that only unusual properties can mark a turning point. When it took place, the intervention was deemed to be a “milestone,” a “precedent,” or the “start of a new era.” As has been shown, only some of these expectations have been fulfilled.

NATO’s Kosovo intervention did indeed mark the beginning of an upward trend in the ratio of humanitarian military interventions to violent emergencies. This trend refutes the more recent claim that such interventions are on the wane (e.g., by Hopgood 2014). However, the increase mentioned was not due to humanitarian military interventions following the approach of Operation Allied Force. Instead, the trend can primarily be attributed to UN missions in ongoing conflicts with the mandate to use force to protect civilians. This development started in 1999, not in Kosovo but in the less prominent case of Sierra Leone.

While there has been a relative increase in humanitarian military interventions, there was still no consistent response to such violence. States continued to intervene “on a case-by-case basis” as laid down in the World Summit Outcome document (UN General Assembly 2005: para. 139). Limited interests and resources of potential interveners as well as varying perceptions of the chance of success explain this persisting selectivity of humanitarian military interventions.

Operation Allied Force did not herald an era of illegal humanitarian military interventions that lack authorization by the UN Security Council and permission by the target state’s government. Instead, it turned out to be the last illegal humanitarian military intervention in the current version of the dataset. The greater reluctance to carry out illegal humanitarian military interventions can be attributed to new legal forms of military interventions with humanitarian purposes under the keyword “protection of civilians,” to a trend towards multilateral humanitarian military interventions, and to global power shifts.

Since 1999, both the least and the most confrontational type of humanitarian military intervention have gained in importance. Within the sub-category of partisan humanitarian military interventions, Operation Allied Force marked a shift towards interventions that tried to defeat one party to the conflict. This shift was mainly driven by Western states and organizations.

Kosovo was neither the first nor the only “post-heroic humanitarian military intervention”. Loss avoidance seems to be a function of limited interests, the desire to acquire or maintain domestic support for the intervention, the equipment and training of the troops deployed, and the military asymmetry between the intervening powers and the parties to the conflict.

The report has also identified some trends that were not the subject of discussion in 1999. Cases before the Kosovo intervention exhibited a higher pre-intervention death rate per 100,000 residents in the area affected by the violent emergency than cases since then. It could not be ascertained whether this trend was due to increased willingness to intervene, to interveners selecting cases of lower intensity, or to a general trend towards less deadly conflicts.

Associated with the shift of focus to Africa, humanitarian military interventions have tended to occur in larger areas since 1999. This at least partly explains why interventions since then have been carried out with fewer troops and lower troop densities. The fact that three out of four air wars took place after 1998 is not decisive. The trend to fewer ground troops also holds if these cases are disregarded.<sup>24</sup> What also seems to contribute to this trend is the growing role of the UN. 12 out of the 14 UN-led humanitarian military interventions took place after Operation Allied Force. UN missions find it particularly difficult to mobilize a large number of troops.

All in all, in some aspects humanitarian military interventions have changed since 1999. Nevertheless, it is advisable to think twice before proclaiming a turning point or a new era. Such declarations attract attention, but often reveal a lack of perspective. Even if something is really new, it can turn out to be an exception rather than the start of a new trend.

I conclude with three expectations concerning military responses to mass violence:

1. There will be further humanitarian military interventions, as there were and probably will continue to be not only a few actors but a considerable number of states and international organizations that support and conduct such endeavors. Because humanitarian military interventions have not decreased despite the fact that Western actors faced new priorities and although the global distribution of power has shifted, it can be assumed that there will be more of them despite further changes in international politics.
2. As up to now, only some violent emergencies will lead to responses in the form of humanitarian military interventions. Some violent emergencies will be ignored because they do not attract public attention in states which are able to intervene. Others will not provoke a military response as they occur in states that are allied with potential intervening powers. In still other violent emergencies, no-one will dare to intervene because the target state is too powerful or other factors indicate that the prospect of stopping or reducing violence is small.
3. Compared with most humanitarian military interventions in the future, Operation Allied Force will remain an outlier. In most cases, interveners will successfully seek authorization by the UN Security Council. Illegal humanitarian military interventions, however, are not ruled out. If actors have strong interest in a conflict and believe they possess the capabilities for intervening despite widespread opposition, in at least some cases they will act accordingly. Another striking feature of the Kosovo intervention was its total reliance on air power. Most future humanitarian military interventions will not pursue this strategy, because only a few actors have the military and financial capabilities to conduct such an operation, at least when it is not limited to symbolic action. Consequently, it can be expected that NATO's intervention in Kosovo will still be remembered as an atypical use of force on its 25th and perhaps even on its 50th anniversary.

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24 Then,  $z=1.898$  and  $p=0.0577^*$ .

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## RANK SUM TESTS AND FURTHER FIGURES

Table A1: Duration of the violent emergency prior to the intervention.

	Observations	Rank sum	Expected
Before 1999	19	380	399
Since 1999	22	481	462
Combined	41	861	861
	$z = -0.497$	$\text{prob} >  z  = 0.6189$	

Table A2: Death tolls prior to the intervention.

	Number of fatalities prior to the intervention			Deaths per 100,000 residents in the area affected by the violent emergency prior to the intervention		
	Observations	Rank sum	Expected	Observations	Rank sum	Expected
Before 1999	11	205	181.5	10	208	165
Since 1999	21	323	346.5	22	320	363
Combined	32	528	528	32	528	528
	$z = 0.932$	$\text{prob} >  z  = 0.3511$		$z = -1.748$	$\text{prob} >  z  = 0.0804^*$	

Table A3: The size of the area and population affected by a violent emergency that triggered an intervention.

	Size of the area affected by the violent emergency			Size of the population affected by the violent emergency		
	Observations	Rank sum	Expected	Observations	Rank sum	Expected
Before 1999	19	322	399	19	359	399
Since 1999	22	539	462	22	502	462
Combined	41	861	861	41	861	861
	$z = -2.016$	$\text{prob} >  z  = 0.0438^{**}$		$z = 1.046$	$\text{prob} >  z  = 0.2956$	

Table A4: Numbers of ground troops deployed.

	Observations	Rank sum	Expected
Before 1999	19	467.5	389.5
Since 1999	21	352.5	430.5
Combined	40	820	820
	$z = 2.114$	$\text{prob} >  z  = 0.0346^{**}$	

Table A5: Two measures of troop density (rank sum test).

	Troop-to-population ratio in the area affected by the violent emergency			Troop-to-space ratio in the area affected by the violent emergency		
	Observations	Rank sum	Expected	Observations	Rank sum	Expected
Before 1999	19	473.5	380	19	495	389.5
Since 1999	20	306.5	400	21	325	430.5
Combined	39	780	780	40	820	820
	$z = 2.629$	prob >  z  = 0.0086***		$z = 2.859$	prob >  z  = 0.0043***	

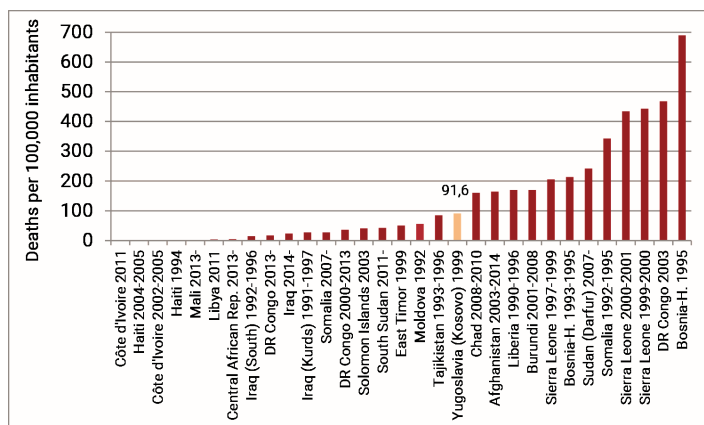
Table A6: Fatalities suffered by the intervening parties.

	Observations	Rank sum	Expected
Before 1999	12	167	144
Since 1999	11	109	132
Combined	23 <sup>25</sup>	276	276
	$z = 1.446$	prob >  z  = 0.1481	

Table A7: Changes in the average death rate per day for comparing interventions prior to and since 1999.

	Observations	Rank sum	Expected
Before 1999	11	156	143
Since 1999	14	169	182
Combined	25	325	325
	$z = 0.712$	prob >  z  = 0.4767	

Figure A1: Deaths per 100,000 people in the area of violent emergency prior to humanitarian military intervention (Kosovo highlighted). Rwanda is excluded to avoid using a log scale.



25 For many cases, no or no definite data are available.

Figure A2: The maximum number of ground troops deployed during a humanitarian military intervention.

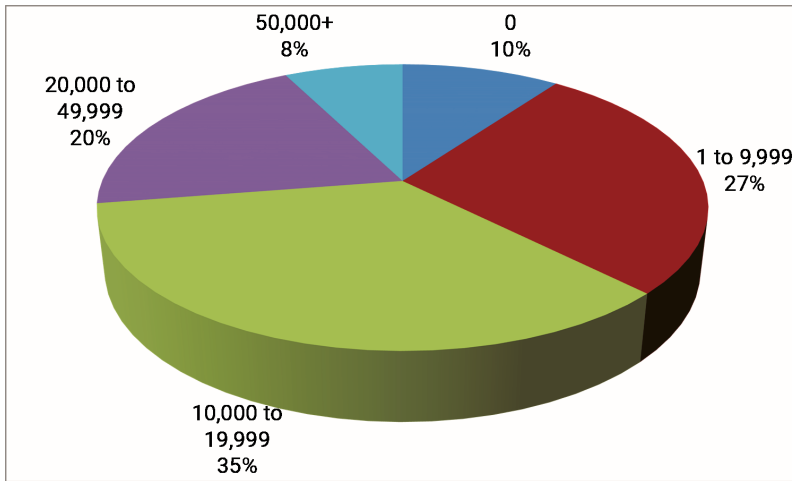
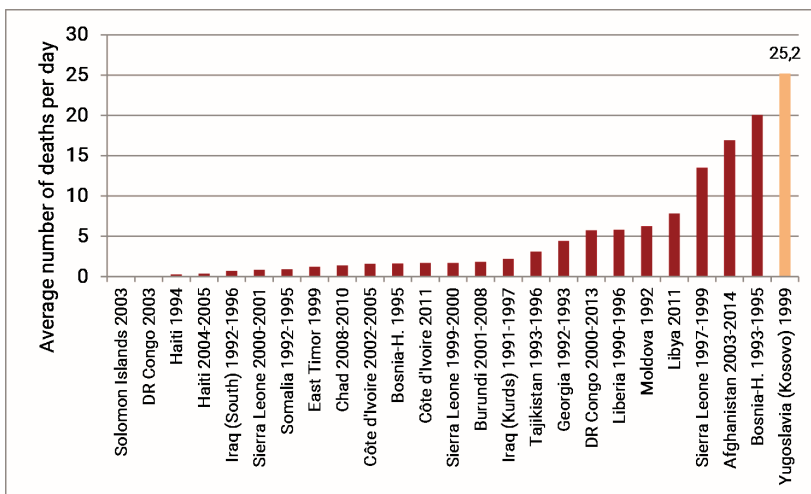


Figure A3: Average number of deaths per day during the intervention (Kosovo highlighted, interventions before 1989, Rwanda, and ongoing interventions excluded).



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THORSTEN GROMES //

## A HUMANITARIAN MILESTONE?

# NATO'S 1999 INTERVENTION IN KOSOVO AND TRENDS IN MILITARY RESPONSES TO MASS VIOLENCE

NATO's 1999 intervention in Kosovo was highly contested and seen as a turning point in international responses to mass violence. Making use of a new dataset on so-called "humanitarian military interventions" since the Second World War, the author examines the extent to which the Kosovo intervention has indeed initiated new trends. A comparison with other cases shows that NATO's Operation Allied Force differed from other military interventions with a declared humanitarian purpose. Moreover, the author introduces a typology of humanitarian military interventions and proposes a new measurement of their outcome that can facilitate comparative research.

Dr Thorsten Gromes is a Senior Researcher at PRIF. His research focuses on post-civil war societies and so-called "humanitarian military interventions."