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GENOCIDE, HUMANITARIAN INTERVENTION AND INTERNATIONAL LAW

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SUMMARY

This paper briefly outlines the law relating to military intervention.

- It focuses in particular on military intervention prompted by evidence of gross violations of human rights, including genocide, or by the fear that such acts are about to be committed. It highlights important shortcomings in the arguments in favour of a so-called 'right' of humanitarian intervention.
- It proposes a way of approaching such issues in the future, on the basis of a logical and coherent approach rooted in ethics and law. In doing this it recognises the political realities inherent in the international system.
- It is a great mistake for international lawyers to ignore the realities of international politics when drawing their conclusions, just as it is unforgivable for statesmen and their officials to ignore legal, moral and ethical dimensions of the strategic environment when formulating policy. Politics and law are inextricably interwoven, as Kosovo clearly demonstrated.