

morality and common sense trump the law, critics replied by asking: morality and common sense for whom?

Concerns were raised about the prospects for a **just peace** in Kosovo. While the intervention might have stopped atrocities and deportations, the tensions between Albanians and Serbs persist. As Errol Mendes, Ottawa University, pointed out, winning peace will be difficult. Some asked "a just peace" for whom? Certainly, not the Serbs.

Officials drew attention to the lack of resources and often the lack of political will to initiate and sustain peace-keeping efforts. Moreover, humanitarian intervention does not only require military action/presence, it also includes a large civilian component. The inter-operability of the diverse groups involved in humanitarian initiatives has to be enhanced, beginning with integrated planning and deployment. Tools for humanitarian intervention have to be developed so that the capacity to address civilian protection and ensure human security on a global basis exists. This need poses major challenges for militaries in terms of equipment and strategy.

2. Institutional Context

David Malone, President, International Peace Academy, elaborated on the institutional context for humanitarian intervention, especially the UN. He said that the main developments at the UN include:

- A general shift in favour of intervention (The U.S.A. in particular has been the champion of using Chapter 7 to intervene in Kuwait as well as Kosovo. The U.S.A. has been also in favour of imposing economic sanctions, often unilaterally. There has been a rising incidence of naval blockade in 1990's.)
- A tendency to build "coalitions of the willing."
- A growing interest in using regional organisations by the UN Security Council (NATO).
- A growing concern about human rights, especially the plight of the refugees. (While human rights has been an issue literally quarantined from the Security Council agenda there has been some action on human rights monitoring and institution building.)
- A growing interest in democratisation and elections (with the hope that democracy would lead to greater stability.)
- An emphasis on the civilian component within peace operations (i.e., civilian administration, human rights monitoring, reform of the judicial system).
- The Security Council's role in supporting Truth Commissions for countries emerging out of civil wars (Rwanda, former Yugoslavia). The creation of these Tribunals served as impetus for the establishment of the International Criminal Court.

NATO itself is facing some serious challenges. Its exclusion of Russia from the enlargement process has undermined NATO's general consensus. The unity of the alliance was perhaps more fragile than publicly appeared during the Kosovo campaign. The shift in orientation from deterrence to action generated some confusion and crystallised problems (i.e.,