

the chasm between the Western powers and Russia). There is no doubt that NATO needs the UN to legitimise its actions internationally as well as to fill the civilian component of humanitarian interventions. (The defeat in the General Assembly of the proposal by Russia to end the air strike legitimised the Kosovo intervention by default.)

While the U.S.A. is increasingly impatient with the UN, it idealises NATO – a situation that may alter after the Kosovo action has been closely assessed. The Kosovo intervention also pointed to U.S.A. particularism in its reluctance to commit ground troops and sacrifice military lives. While the U.S.A. would like to shift more responsibility for regional conflicts to the Europeans, it prevents industrial mergers that would improve Europe's defence capacity.

The role of the G-8 was also explored. According to Malone, the G-8 played a more important role than may be apparent. (For instance, the G-8 countries prepared the "end of bombing" package and sanctioned a peace-keeping force in Kosovo.) The Russians cooperate within the G-8. Canada is also quite enthusiastic about the G-8. Paul Heinbecker said that it can be the main vehicle through which Canada can act.

3. International Law Context: Territoriality versus Human Integrity

Errol Mendes framed this part of the discussion by pointing to a "tragic flaw" in the UN Charter. He said that the UN Charter contains two potentially contradictory concepts. One stating that the principal condition for global peace and security is territorial integrity and political independence. The other makes human integrity or human rights central. Which is more foundational? Mendes argues that the Cold War tilted the balance towards the former. While the body of international humanitarian and human rights law grew steadily, it was not before the fall of the Berlin Wall and two genocidal events (Great Lakes and Bosnia) that the principle of human integrity began to supercede preoccupations with sovereignty. This tendency can be seen, for instance, in the creation of the Ad Hoc Tribunal to Prosecute War Crimes in the Former Yugoslavia, which also assumed jurisdiction for War Crimes in Rwanda, the establishment of a permanent International Criminal Court, the Augusto Pinochet extradition case, and finally NATO's intervention in Kosovo.

The flaw in the UN Charter, according to Mendes, can only be solved by framing the two principles within the framework of human security. Human security is a concept that has the potential to "combine the essential values behind territorial integrity and political independence *where they are compatible with* international humanitarian and human rights law."

John Currie, University of Ottawa, pointed out that perhaps the most tragic flaw is that we allowed ourselves to be mesmerised by the principle of territoriality – a principle that was never meant to be an end in itself. It is difficult to exult in the victory of human integrity, pondering the barbarity of the Kosovo intervention. It was a desperate response. One may perceive it as a lesser of two evils. It should not comfort us and bring us satisfaction about a job