The "Blair doctrine" and after: five years of humanitarian intervention

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Britain's prime minister has justified wars over Kosovo, Afghanistan and Iraq by reference to humane motives rather than military interests. Five years since Tony Blair proposed the new doctrine of humanitarian intervention, how do his words and deeds compare?

The notion that nations should go to war, not for territorial interests, but in order to save the lives of peoples threatened by humanitarian disaster, is potentially a noble and inspiring concept. Five years ago – in Chicago on 22 April 1999, in the midst of the Kosovo war – British prime minister Tony Blair offered the international community a set of criteria for deciding when and how to intervene militarily in the affairs of another country where the immediate threat was not to the outside world, but to a domestic population. These proposals, originally formulated as the "doctrine of the international community", have become known simply as the "Blair doctrine".

Humanitarian considerations have been invoked as a more or less direct justification for every major United Kingdom military engagement since 1999. Three broad questions arise. First, is the "Blair doctrine" coherent and defensible? Has it stimulated new thinking in the international community, and is consensus emerging? Second, to what extent can actual interventions – such as those in Kosovo, Afghanistan, and Iraq – be understood as successful applications of the "Blair doctrine"? Third, what lessons need to be learned for

the future? Can nations (individually or in coalitions) learn how to bring lasting benefits to the people on whose behalf they claim to intervene?

By raising these questions on behalf of Oxford Research Group (as part of a recently launched one-year project), we hope to add impetus to a focused dialogue on these issues, involving both civil society practitioners and key decision-makers. This article sets out some of the background issues within which these questions must be framed.

What is the "Blair doctrine"?

In his celebrated April 1999 speech, to the Chicago Economic Club, Tony Blair outlined a "doctrine of the international community" based on the idea of a "just war": a war based not on any territorial ambitions but on halting or preventing humanitarian disasters such as genocide or ethnic cleansing. In helping to decide when and where to intervene, he proposed that five major questions should be asked – as illustrating the kind of issues that should be taken into account in decision-making, rather than as absolute tests:

Are we sure of our case?

Have we exhausted all diplomatic options?

Are there military operations we can sensibly and prudently undertake?

Are we prepared for the long term?

Do we have national interests involved?

Where the answer to all five questions is "yes" then there is a strong case for intervention.

Developing the doctrine: the "responsibility to protect"

United Nations secretary-general Kofi Annan raised the dilemmas of humanitarian intervention in his speeches to the UN General Assembly in 1999 and 2000. He asked the international community to try to find a new consensus on how to approach these issues and to forge unity around the basic principles and process involved.

In response to this challenge, the Canadian government established the International Commission on Intervention and State Sovereignty (ICISS) in September 2000. The ICISS published their findings in a December 2001 report entitled "The Responsibility to Protect". This report develops the idea of *sovereignty as responsibility* and concludes that where a population is suffering serious harm (e.g. mass murder or starvation), and the state in question is unwilling or unable to avert it, the principle of non-intervention yields to the international responsibility to protect. This responsibility to protect comprises three specific responsibilities:

The responsibility to prevent (this being the most important)

The responsibility to react

The responsibility to rebuild

When considering military intervention for human protection purposes, four precautionary measures are identified:

Right intention

Last resort

Proportional means

Reasonable prospects

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The ICISS concludes that the most appropriate body to authorise such intervention is the United Nations Security Council, and that the task is to make the Security Council work better than it has in the past. It recommends that the General Assembly adopts a draft declaratory resolution embodying the basic principles of the responsibility to protect, and that the Security Council should seek to reach an agreement on a set of guidelines embracing the principles laid out in the report.

The ICISS report goes considerably deeper than Blair's Chicago speech, and it demands far more critical attention and analysis than it has received. Unfortunately, its publication was almost completely overshadowed by the aftermath of 9/11. As a result its contents have been barely reported in the establishment media, and it has not entered the public consciousness. Despite the fact that the report is regularly commended to the UN General Assembly (most recently in September 2003 by the outgoing Canadian prime minister, Jean Chrètien), the UN has not formally adopted its recommendations.

Recent humanitarian interventions: the record

Kosovo

The Nato intervention in Kosovo in March 1999 was justified explicitly on humanitarian grounds, as designed to prevent ethnic cleansing and to protect the Kosovar Albanians who formed the large majority of the population of the Serb-ruled province. It is perhaps the "purest" example of the Blair doctrine at work. The intervention was successful in forcing the Serbian military out of Kosovo, and ending the repression and killing of Kosovar Albanians by Serbs.

However, the most recent communal violence in Kosovo – in which nineteen people were killed and 3,000 Serb civilians forcibly removed from their remaining centres of settlement – underline how far from stability the territory still is. Many opponents of the intervention foresaw the multiple dangers that might result from supporting one side in what had many of the characteristics of a civil war. In backing the Kosovo Liberation Army (KLA), Nato gave legitimacy and power to an organisation that has continued to promote anti-Serb violence in the region.

After 9/11, Kosovo almost totally disappeared from public view in the west. The coordinated attacks by

Albanians on Kosovar Serbs in March 2004 were needed to refocus western attention on the territory's enormous unresolved post-conflict problems. What is clear from Kosovo is that a very considerable presence of both military and civilian personnel under the aegis of the UN was not able to address key issues that could have moved Kosovo and the Kosovars decisively forward. Britain, which was the driving force for this intervention, bears a heavier responsibility than any other nation for insisting that the international community concentrate on devising and promoting truly workable solutions for the region.

Afghanistan

The Afghanistan intervention was not a humanitarian intervention, but a traditionally justified "defensive" war to destroy those who caused 9/11. On this basis the war received UN Security Council approval. However, a secondary reason cited in favour of the war was to bring humanitarian benefits to the people of a "failed state". As it turned out, although the Taliban was routed, al-Qaida was not dealt a decisive blow. Moreover, superficial social changes were largely confined to the capital, Kabul; elsewhere, the iron grip of competing warlords has meant that the life of the average Afghan remains as insecure as it was under the Taliban.

The west has largely walked away. Few countries have honoured their financial commitments to the rebuilding of Afghanistan. Solutions that are in the true interests of the Afghan people are even further away than they are in Kosovo. Yet the international community, headed by the United States, has a grave responsibility that must be fulfilled.

Iraq

The Iraq war had no precedent in international law. It was not a defensive war in response to attack, nor was it fought to avert imminent genocide or ethnic cleansing. Yet almost all post-hoc justifications of the war emanating from Washington and London have implicitly or explicitly cited the humanitarian benefits that were said to derive from the removal of a tyrannical dictator and the promise of restoration of democracy.

In a speech made in his Sedgefield constituency in the north-east of England on 5 March 2004, Tony Blair intimately linked the responsibility of humanitarian intervention to the "war on terror". Of global terrorism

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and its interaction with the proliferation of weapons of mass destruction, he said:

> "Containment will not work… The terrorists have no intention of being contained. Emphatically I am not saying that every situation leads to military action. But we surely have a right to prevent the threat materialising; and we surely have a responsibility to act when a nation's people are subjected to a regime such as Saddam's."

It is crucial to recognise how different this is from the 1999 speech. It is hard to see how anything in the 1999 speech (or in the ICISS recommendations) would sanction the removal by force of a dictator such as Saddam Hussein. Similarly, a war fought to forestall potential future terrorist attacks has only the remotest conceptual link to the humanitarian principle, given that there is no way of guaranteeing that civilian lives lost in such a war would be fewer than those resulting from terrorist attacks. Indeed, contemporary evidence points in the other direction. Some 3,500 civilian deaths have been caused since 9/11 by paramilitary forces hostile to the US. In the same period, the US and its allies have been responsible for over 14,000 civilian deaths in Iraq and Afghanistan.

Where next?

Kosovo is a flawed application of the "Blair doctrine"; Afghanistan and Iraq are clear violations of it. But in any case, the new vision outlined by Tony Blair in his 2004 Sedgefield speech has little connection to the idealistic vision of 1999.

Both speeches represent an inadequate answer to a question that nevertheless remains urgent and relevant: can a universally acceptable humanitarian doctrine still be articulated and defended by the international community? We believe that for the sake of humanity, the answer has to be yes. But this will require civil society doing more to hold governments to account, and building transparency and trust into the processes that lead to a decision to go to war. It will require a return to and further development of the concepts of the ICISS report on "The Responsibility to Protect".

For instance, there is a need to develop transparent and universally agreed methods of assessing the costs and benefits of interventions. Civilian deaths are one key cost that interventionist governments have

systematically refused to assess.

We need methods of gaining the confidence of civil society in the assessment of alternatives to war. The understanding of "intervention" should be widened to include methods of conflict prevention and resolution other than the use of military force. It is too easy for heads of state to assert that "all diplomatic avenues have been explored". History shows that this is rarely the case. In both the Kosovo and the Iraq wars, it later emerged that the proponents of war rejected potentially hopeful back-channel diplomatic approaches.

Finally, we need methods of ensuring that full post-intervention reconstruction plans are agreed and properly costed prior to any intervention, and that robust and punitive measures are prepared to deal with parties to the intervention that renege on their promises after the event. As Kofi Annan wrote in the *Economist* (18 September 1999): "When fighting stops the international commitment to peace must be as strong as was the commitment to war."

If a progressive international consensus on humanitarian intervention is to be achieved, governments must elaborate a rigorous, consistent and legitimate "doctrine of the international community".

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