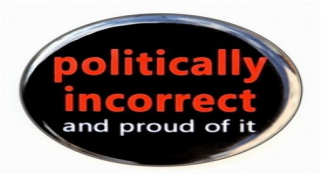


Etienne van Rattingen

"Humanitarian Intervention" And The New World Order

Authored by Vladislav Sotirovic via Oriental Review

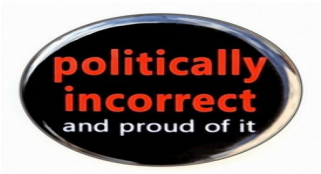
Consider the roles of politicians, UN, military, ICC and media in this report. They are **the REAL CROOKS**! They only serve ONE MASTER; The New World Order!

The term „humanitarian intervention“ is the American political neologism (newly coined word) to morally cover a new format of Washington’s global imperialism at the time of the post-Cold War’s „New World Order“ in which the USA feel very comfortable to play a role of a global policeman. Theoretically, according to the Western conception of „humanitarian intervention“, one or more states (the USA and the NATO) have a moral (quasi) obligation and/or right to intervene into the internal affairs of other state, if this state (according to the self-evaluation by Washington) does not respect commonly accepted principles of humanitarian law but in particular if the task of such military intervention is to save the lives of a particular group of people (minority) which the state’s authorities, to be intervened against, either threatens or is incapable of protecting. Here it is not of any importance whether such a group is of domestic or foreign origin (citizens).

Nevertheless, tensions between the state’s rights and human rights became very acute since 1990 due to the growth of so-called „humanitarian intervention“. **The Great Powers assumed the right to intervene militarily in the inner affairs of other (sovereign) states in order to protect their citizens from abuse and possibly death, often at the hands of their own Government.** However, on another hand, the question arises why has „humanitarian intervention“ been criticized?

The term „humanitarian intervention“ is composed of two words/terms: „humanitarian“ and „intervention“. The first word means being concerned with the interests of humanity, specifically through a desire to promote human welfare or to reduce human suffering. The second word means forcible action taken by one (sovereign) state against another (sovereign) state but without the latter’s consent. **In a combination of these two words, „humanitarian intervention“ is, by scholarly definition, „military intervention that is carried out in pursuit of humanitarian rather than strategic objectives“.** However, the term became very contested and deeply controversial at least from the very point that military intervention cannot be of any humanitarian kind, i.e. to be legitimate and defensible just as it is labeled as „humanitarian“.

De houding van de (EU) politiek, wetenschap, religie, ‘geheime’ clubjes, denktanks en bank maffia naar mij toe is even beledigend als alle woorden die ik gebruik om hun houding te omschrijven



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It is true that, in fact, the concept of „humanitarian intervention“ is originating in the principle of intervention that is known in the history of political thoughts even from the classic period when the international public law could be (mis)used by some state to interfere unilaterally in the inner affairs of another state under the justification to preserve or change the political situation in the attacked state. However, (illegal) military interventions in many cases have been historically (mis)used and they are still (mis)used for the very purpose to justify bare aggression under the formal excuse to protect the moral principle of humanity – the protection of human (today minority and other „human“) rights in a particular state. And all this with arms. It is quite clear that such interventions in many cases are just a legitimization of political goals without true morality.

It is just a matter of historical fact that the concept of „right to humanitarian intervention“ and a principle „right to protect“ (the R2P) based on it was abused countless times all over the world. Traditionally, by the international law, it was quite easy to justify the R2P as the war was not prohibited as an „instrument of diplomacy by another means“ to resolve certain disputes and problems between the states or other political actors. However, after the WWII, when the contemporary international law is founded on the UN Charter, the R2P as a unilateral military intervention without the strict authorization by the UNSC is an act of aggression and, therefore, it cannot be allowed or justified as the real principles of humanity and human rights protection are just abused in this way.

Here we have to keep in mind that even just threat of the use of force is itself breaking the contemporary international system of law as the Article 2(4) of the UN Charter forbids states to use threats of force, yet the meaning of the prohibition is unclear but, as a matter of fact, threats of force are quite common in international politics. One of such cases in recent history of open threats in order to extract political concessions was at the beginning of 1999 during the „negotiations“ in Rambouillet (France) between the political representatives of Kosovo Albanians and the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) when Belgrade was directly blackmailed by NATO’s military intervention in order to agree with what the US’ administration put on the table. In this particular case, Washington even did not hide its policy of banditry diplomacy as the USA, referring to consensus among allies, had publicly declared that the strategy to resolve the crisis in Kosovo relied on „combining diplomacy with a credible threat of force“. **Such policy of banditry diplomacy was covered by political bias overwhelmingly used by both the USA and NATO in order to justify their policies in the region.**

From The History Of Abusing The R2P

Historically, the R2P or „humanitarian intervention“ represented one of the focal bases of colonial policy by the Great Powers in international relations. It was, basically, applied by the Western colonialists in order to hide a real intention of colonial aspirations which was direct and bare economic exploitation.

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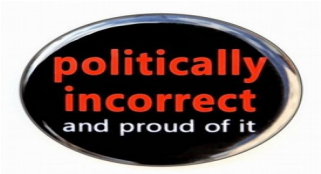

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In the paragraphs below, only two remarkable cases from modern history before WWII in connection with (mis)using and abusing the R2P are going to be presented:

1. **In modern history, an idea of „humanitarian intervention“ was (mis)used by the Western „liberal democracies“ during the Russian Civil War in 1917–1921** when, after the 1917 October Revolution, the Western powers organized military intervention against the Bolshevik's Government (commissioned by Germany) under the crucial justification that a new regime did not recognize basic rights according to the international standards and which created the scope of the general principles of „civilized“ nations. However, at that time, there was no instrument on either regional or internal level which dealt with the issue of human rights. In principle, these issues were considered to belong strictly to a state's inner affairs according to the basic principles of sovereignty agreed in Westfalia in 1648. Regardless that this Western pronouncement was essentially true, it only politically served as an excuse in the political game of the West for the acquisition of strategic interests in Eurasia after the WWI.
2. **Hitler's Germany justified its aggressions on other states by the need to protect "threatened" German minorities there (the Volksdeutsche).** Morally, such reason was of pure "humanitarian" nature. For instance, this was clearly pointed by Adolf Hitler himself in his letter sent to the UK's PM Neville Chamberlain on September 23rd, 1938 in which he claimed that the German minority in at that time Czechoslovakia was "tortured" and, therefore, some 120.000 of them were forced to emigrate (ethnic cleansing). For Hitler, it was now the international problem of the safety of more than 3 million ethnic Germans in neighboring Czechoslovakia who were in critical danger to survive. Therefore, taking into account and the nation's right to self-determination which must be allowed and respected, Hitler succeeded to create formal bases for Germany's military intervention, dismemberment, and occupation of Czechoslovakia as a sovereign state but by clear abusing the issue of human rights and the R2P.

These two and well-known examples, however, serve only to show that according to the international law and legal order, of the time the R2P intervention was morally permissible and it was not prohibited in practice by the Great Powers. Nevertheless, the R2P interventions in the majority of cases were used only to conceal the real reasons for interventions under the vail of "humanitarian action" and, therefore, in the 19th century there were some theoreticians who proposed that the principle of non-intervention in the internal affairs of other sovereign states should be accepted as an integral segment of the international law. Finally, these suggestions became concluded in a normative way by the adoption of the UN Charter by the prohibition of war (aggression) as a violent means to resolve disputes and, subsequently, since 1945 such prohibition became an integral part of the international law.

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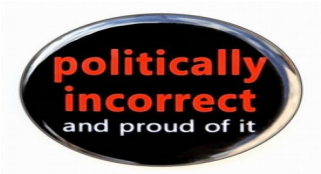

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Right To Self-Determination And The 1823 Monroe Doctrine

This right became used or respected under certain conditions by the Great Powers since the proclamation of the USA as an independent state in 1776 when the process of decolonization started in a global perspective. This process reached its peak after WWII and today decolonization is almost finished. It is quite true that the French Revolution proclaimed people's right to self-determination but at the same time according to the French Constitution from 1793, France would not interfere in the inner affairs of other states and will not tolerate interference of other states into her own internal affairs (the Article 119). At such a way, the basic principle in international relations is confirmed: the principle of sovereignty.

From the present-day perspective, the crucial creator of a focal anomaly of the (mis)used principle of the right to self-determination of the people (ethnonational groups) is the USA – a country which made its own political independence exactly based on such right and the country which up to the Cold War advocated the same right for the others. For instance, the US' President James Monroe addressed the US' Congress on January 2nd, 1823 by four basic principles of his own Monroe Doctrine under the slogan: "America to Americans!":

1. The prohibition of further colonization of America by the European countries.
2. The prohibition of interference of the European states into the inner affairs of the American states.
3. The USA will not intervene in the internal affairs of the European states including and into the affairs of their colonies all over the world.
4. Any intervention of the European states designed at subjugating states proclaimed independent will be regarded as hostile to the USA.

However, regardless of this historical development of the sovereignty rights of any recognized independent state in the world, the strongest post-Cold War power (the USA) is obviously after 1989 guided in foreign affairs primarily by its national interests and geopolitical aims which are violating the principles of the 1823 Monroe Doctrine. The highly developed system of protection of human rights after 1945 in the international law has, unfortunately, after the Cold War proved to be very fertile ground for both Washington's administrations and the US-governed NATO to present themselves as the superior advocates of protection of these rights including and the people's right to self-determination. However, legally, the only legitimate protector of such rights is only the UNO – the only legal and legitimate institution to authorize the "humanitarian intervention" after the suggestion of the UN Committee for Human Rights and discussion within the UNSC. Concerning the regional level, for example in Europe, such authorized organizations are the European Court for the Protection of Human Rights and the OSCE which have to work on the basis of the European Convention for the Protection of Human Rights.

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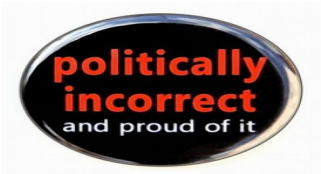

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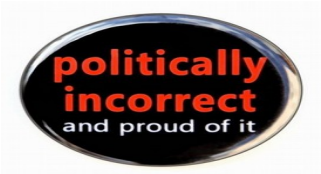
Turkey & Ex-Yugoslavia

There were and there are well known cases of large humanitarian crises and even catastrophes in recent history as, for example, in Colombia, Turkey, Myanmar, etc. where the local Governments liquidated thousands of their own citizens per year, when the same Great Powers including first the USA played the key role, did not show even the slightest concern about. The same happened with the exodus of several hundreds of thousands of people, for instance, the expulsion of some 250.000 ethnic Serbs from Croatia or some 330.000 Serbs, Montenegrins and other non-Albanian nationalities from the NATO-administered Kosovo after the 1998–1999 Kosovo War. Contrary, those Great Powers strengthened the administrations which brought about these humanitarian crises and, therefore, directly participated in the policies of the human rights violations. During the Yugoslav civil war in the 1990s, when only the Serbs were accused by the Western Governments and mass media for all committed crimes on the ground, the case of Turkey (a member state of the NATO since 1952) and its Government's repression of the Kurds, for instance, remained silent in the West only for the sake of the geopolitical interests in the region by the US and its puppet organization, the NATO. However, differently, to the Western Governments, Turkey was criticized on a number of occasions by the Council of Europe in Strasbourg for its policy of terror and violation of the human rights of the local Kurds.

Differently from the Turkish case, however, when the crisis in southern Serbia's province of Kosovo-Metochia escalated due to the policy of terror by the Albanian Kosovo Liberation Army (the KLA), whose members were kidnapping and killing the Serbian civilians and attacking regular security forces, the **NATO decided, without any grounds in the UN Charter and without any authorization by the UNSC, to bomb a sovereign and independent state in the formal name to prevent humanitarian catastrophe in the region** (of ethnic Albanians). It is true that Serbia's police applied excessive force in combating the Albanian separatist movement represented by a terrorist KLA. Nevertheless, NATO did not have any legal right to bomb the country without an appropriate decision from the UNSC. Basically, de facto an aggression on a sovereign state was presented de iure as a "humanitarian intervention". The crisis, ultimately, which originally existed in the sphere of the war on terrorism, dramatically escalated to the extent of the real humanitarian catastrophe. That was a real reason how a humanitarian catastrophe for all citizens of Serbia and Montenegro, but especially in Kosovo-Metochia, became a reality. In the course of the war, primarily due to NATO's barbaric bombing and the revenge by the Serbian security forces, a large number of people of all nationalities found themselves as the refugees in the neighboring countries or as displaced persons. Subsequently, NATO's "humanitarian intervention" produced quite contrary effects. **After the war, the Albanians under NATO's umbrella committed terrible acts of ethnic cleansing of the region but without any "humanitarian intervention" by the international community to stop or punish them.**

It is a very fact that modern Public International Law strictly prohibits either any threat of armed force by any sovereign political entity (state) or use of armed force by any state acting



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without the authorization of the UNSC on the foundation of the VII Chapter of the UN Charter. In other words, the use of force, including an armed (military) intervention, is possible only under the umbrella of the UN Charter but after the authorization by the UNSC in accordance to the idea of collective security. Here, two questions arise: **What is Public International Law and What is collective security?**

International law is also known as Public International Law to distinguish it from Private International Law, which does not deal with relationships between states. Public International Law is understood as a system of rules that are binding on states, and thus define the relationships between states and/or other political entities and subjects in international relations and world politics. Law is a set of public and enforceable rules. In the case that there is no world legislature, international law draws on a number of sources like treaties, custom, generally accepted principles, and the practice based on the decisions by the international courts. Public International Law is usually seen as the best means of establishing order through respect for moral principles and, therefore, Public International Law makes possible the peaceful resolution of international conflicts. In general, Public International Law is a system of law regulating the interrelationship of sovereign states and their rights and duties with regard to one another.

Who has the right of power to determine disputes relating to Public International Law? International Court of Justice or The World Court. This court at the Hague is consisting of 15 judges elected for 9-year terms of office and was set up by the UN in succession to the Permanent Court of International Justice, and all members of the UN are automatically parties to the Statute of International Court of Justice. This court as well as can give advisory opinions (advisory jurisdiction), which do not bind the parties but are of great persuasive authority.

The idea of collective security is an integral segment of Public International Law based on the notion that aggression can best be resisted by united action taken by a number of states but covered by the international law at least to a certain extent. The idea was also the foundational principle of the League of Nations between two world wars and as such became incorporated into the UN Charter. The theory of collective security is based on the assumption that war and international conflict are rooted in the insecurity and uncertainty of power politics. **The idea, in other words, suggests that states have the capacity either to deter aggression in the first place or to punish the transgressor if international law and order are not respected, i.e. violated.**

However, successful collective security is mainly on direct dependence on three conditions:

1. The states must be roughly equal, or at least there must be no preponderant power.
2. All states must be willing to share the cost and responsibility of defending one another.
3. There must be an international body that has the moral authority and military capacity to take effective action.

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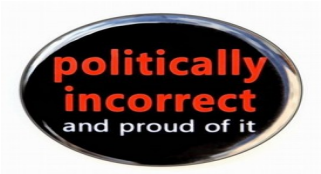


Nevertheless, both ideas of "humanitarian intervention" and collective security became brutally misused by the US' administration at the time of the New World Order. In general, World Order after the fall of the Berlin Wall in 1989 has been interpreted in various ways but the very fact is that a bipolar world order after 1945 became replaced by a unipolar world order, named by the 41st US' President George Bush (Senior) as New World Order, based on the USA as a hyperpower state. This new position of old imperial power in New World Order was tried to be largely defined by alleged War on Terror proclaimed by the 43rd US' President **George W. Bush (Junior) after 9/11 (2001) declaratively sought to combat forces perceived to underpin the threat of global terrorism but in essence in order to make as stronger as a position of the US as a world policeman.** However, and fortunately, the rise of new powers (primarily Russia and China), the growing influence of non-state actors in global politics followed by the changing nature of power is leading toward a new form of multipolar structure.

It is clear that modern Public International Law prohibits any form of armed intervention, except when it is authorized by the UNSC for the purpose to apply forced measures in order to establish international peace and security. In addition, every form of armed intervention or threat, including and humanitarian reasons, due to the systematic violation of internationally protected human rights, represents one of the most flagrant forms of the use of force and, therefore, it is treated by the law as a war, and prohibited as such. Legally, the undertaking of such military action represents, according to Public International Law, the aggression of one or more states against another state or states. The UN Charter is quite clear that an obligation is imposed on all states not to use threat of force or the force itself against the territorial integrity and political independence of any state and, therefore, no state has the right to intervene directly or indirectly in the internal and external affairs of another states or group of states. **It has to be clearly emphasized that this prohibition refers particularly to armed measures but also to other forms of intervention that is forced measures in both political and economic area (for example, to impose economic sanctions).** The international law as well as condemns subversive activities prepared or performed in the territory of one state against the Government of another state or for the purpose of participating in civil war in that state as it was the case, for instance, of preparing subversive activities against Serbia on the territory of neighboring Albania during the 1998−1999 Kosovo War including and recruitment, training and sending paramilitary troops of the KLA across the border to combat against regular and legitimate security forces of one independent and sovereign state.

However, the policymakers of the post-Cold War US' global hegemony claim that Public International Law, at least from the point of morality, leaves room for possible use of force against a sovereign state for the purpose of protection of human rights or the implementation of every legal right which belongs to states. According to their interpretation, "humanitarian interventions" are morally justified and even legal by the international law as the purpose of these military interventions is not to harm territorial integrity or political independence of states but rather to protect human rights which are internationally guaranteed. In spite of this, the American warmon-

gers will not recognize the truth that any violation of international peace, including and for the "humanitarian" purposes, is automatically against Public International Law and being in opposition to the UN goals. These positions are also confirmed by the UN General Assembly in 1970 when it was proclaimed that every state has the duty not to use threat or/and violence as a way to resolve the disputes. We have not to forget that according to the UN Charter it is prohibited for the UN to interfere in issues which are strictly the area of activity of the internal jurisdiction of every state. ***The exception from this prohibition can be only the cases of internal conflicts which threaten global peace but even in these cases, the military intervention can be applied in order to obtain its legal basis only after the authorization by the UNSC.***

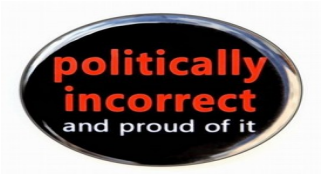
Just And Unjust War

The question of which kind of war can be accepted as just or unjust war is in direct connection to the problem of the R2P and the wars of "humanitarian interventions". Shortly, if we are dealing with just war it means that we are dealing with the legitimate use of force. All other types of wars are automatically unjust wars. A just war, legally speaking, is considered to be one that is fought in self-defense under Article 51 of the UN Charter. It is generally agreed that there is a set of mutually accepted rules of combat between belligerents of equal status. **By the same logic, an unjust war is considered one that is characterized by illegal intervention – aggression.**

It is true that the concept of just war has a long history. It was part of Roman law, Christian encyclicals, and scholastic tradition. However, in modern times, what constitutes a just or unjust war is much more subject to various interpretations and vigorous debate. Nevertheless, theoretically, just war is guided by seven principles summed up by Hugo de Groot (1583−1645) who drew on the work of several medieval Roman Catholic theologians:

1. It must have a just cause.
2. It must be declared by proper authority.
3. It must be instituted with the right intention.
4. It must be undertaken only as a last resort.
5. It must be undertaken with peace as a goal.
6. It must have a reasonable chance of success.
7. Its ends must be proportional to the means.

The first principle (jus ad bellum) practically means that a war is considered just only if it is initiated in self-defense. Self-defense can, however, entail the use of aggressive force. We also have to keep in mind that aggressive action is not necessarily an unjust war if it is undertaken in response to a violation of territory, an insult to national honor, a trade embargo, or even a threat to an ally. Aggressive war is considered permissible only if its purpose to retaliate against a wrong al-



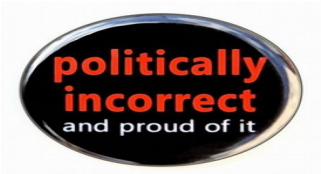
ready perpetrated by another party or to prevent such a wrong from recurring. If a Government effectively represents the people within its jurisdiction, it has more right to respond to a hostile action than if it is a Government that rules its citizens under pressure. ***A just war has to have a reasonable chance of meeting with success. Otherwise, what began as a war for a just cause would have become an unjust war because of the result as it was the case, for instance, with NATO's "humanitarian intervention" in Kosovo in 1999 which resulted in humanitarian catastrophe.***

NATO's Aggression Against Serbia and Montenegro in 1999

The NATO launched a military intervention against the Federal Republic of Yugoslavia (Serbia and Montenegro) on March 24th, 1999 in the name of protection of human rights of Kosovo Albanians. **In other words, the 78 days of barbaric air-strikes were formally justified by "humanitarian intervention" which was mainly based on the false flags and fake news (like the Rachak case) by Western corporate mass media or brutal lies from the ground (like by William Walker – a Head of the Kosovo Verification Mission).**

In essence, regional organizations like the NATO, according to the UN Charter, do not have the right to interfere in internal affairs of any country, not even in internal affairs of their own member states. This superior international document and instrument of global security explicitly demand the approval of the UNSC for the undertaking of any armed action by any regional organization. The NATO never asked and never became authorized to carry out military intervention against Serbia and Montenegro in 1999 and, therefore, according to modern Public International Law, this "humanitarian" intervention under arms was a pure act of brutal aggression against a sovereign country and as such a crime against peace. Subsequently, human rights served in this case just as a justification for the realization of certain geopolitical aims in the Balkans. It became of crystal visibility in February 2008 when Kosovo Albanians proclaimed an independent Republic of Kosovo which became recognized by all US' satellites around the world. In 1999 NATO did not bomb Serbia and Montenegro for the sake of Kosovo independence but only to protect "human rights" (of Albanians). However, the same NATO nothing did to continue the protection of human rights (of Kosovo Serbs and other non-Albanians) after the war when the province became put under complete protectorate and control by the NATO who nothing did to prevent comprehensive ethnic cleansing of the province committed by Albanian extremists (former members of the KLA).

Although, as it is presented above, every armed intervention is strictly prohibited by both Public International Law and the UN Charter, the NATO, established in 1949 on the foundation of Article 51 of the UN Charter which is dealing with the right to collective and individual self-defense, attacked the FYR on March 24th, 1999 with continual barbaric air-strikes for the next 77 days. The term "air-strikes", the NATO was regularly used at its own press conferences during the aggression on Serbia and Montenegro like the term "collateral damage" for the mass destruction and civilian casualties resulted by the NATO bombing. **In their official statements, NATO's officials declara-**



tively claimed that the focal reason for those (illegal) air-strikes was a set of humanitarian issues among them the most important have been three:

1) protection of individual human rights,

2) violation of Albanian rights in Kosovo as a national minority, and

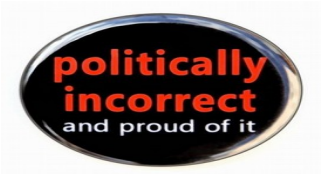
3) prevention of the potential policy of genocide and ethnic cleansing against ethnic Albanians by Yugoslavia's security forces.

Nevertheless, the aggression was accompanied by dirty and powerful media propaganda which was, of course, directly supported by a number of politically "correct" legal and human rights experts for the purpose to wash the brains of the Western audience. Most of them justified the aggression with the right of Kosovo Albanians to self-determination, although such right is not supported by any valid international instrument if the right to self-determination means the destruction of territorial integrity of the country. However, the same experts did not recognize the same right to self-determination to Croatia's and Bosnia's Serbs during the break up of ex-Yugoslavia.

To keep in our mind, according to Public International Law and the UN Charter, the aggression also includes bombing by the armed forces of one country against the territory of another country or use of any arms and armed forces of one country against the territory of another as, for instance, NATO used Kosovo Albanian KLA as ground forces during the Kosovo War. But the crucial fact in relation to the 1998−1999 Kosovo War was that since there was no real humanitarian catastrophe before the NATO aggression starred on March 24th, 1999 against the FRY, it had to be created what exactly NATO did during the air-strike campaign of 78 days in order to justify its occupation of the province after the war followed by Kosovo's secession from Serbia in 2008.

Violation Of Human Rights In Kosovo

No one claims that human rights of all citizens including and ethnic Albanians in Kosovo-Metochia have not been violated to a certain extent before NATO's military campaign in 1999. This fact was approved in several resolutions by the UNSC before the NATO aggression but what is systematically hidden as a fact is that original flagrant violation of human rights in the province came from the side of Albanian KLA as this terrorist organization launched a widespread policy of attacking, kidnapping and killing of the Serbs in order to provoke Serbia's security forces who reacted as they did it by violation of human rights of those Albanians who participated in the actions of and/or supported the KLA's activities. Here we have to keep in mind that a majority of Kosovo's Albanians did not support the methods of combat by the KLA including and Dr. Ibrahim Rugova – a political leader of Kosovo's Albanians. In order to calm down a political situation in the province, the Yugoslav Government concluded with different international organizations, like the OSCE or the



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NATO, several agreements allowing the OSCE monitoring mission in Kosovo-Metochia. The Yugoslav Government as well as agreed to restrain the activities by its security forces if the opposite side (the KLA) would do the same. That the Albanian side before NATO's aggression was committing war crimes is clear from the invitation to both the Yugoslav and Kosovo's Albanian sides by the international community to cooperate with the UN special Tribunal (est. 1993) for the crimes committed on the territory of ex-Yugoslavia (including Kosovo-Metochia too). The fact was that regarding this invitation to cooperate with the Tribunal's prosecutor in the Hague, the leaders of the "Albanian national community" were also invited but not only the Yugoslav side to participate in the investigation for all offenses within the jurisdiction of the Tribunal. The Albanian side was, in other words, invited to participate in the investigation of personal involvement of the KLA members in the crimes committed against other ethnic groups in Kosovo-Metochia, with the final political aim to secede the province from the FRY.

Nevertheless, in no one resolution on Kosovo before March 24th, 1999, it was not mentioned any "threat to peace" in the province nor did they order the UNSC to form international armed forces with the right to re-establish the peace and order in Kosovo, that was to undertake certain armed actions against Serbia and Montenegro. In 1998, the FRY as a sovereign state was combating separatist Albanian movement in Kosovo-Metochia, in some cases with inordinate use of force, but, nevertheless, there was no real humanitarian catastrophe at that time. The recent historical experience of violation of human rights according to contemporary definition, in the province suggests that the critical situation was escalating with the creation of the KLA in 1995 which took comprehensive terrorist actions for the sake to bring about the secession of Kosovo from Serbia. The Yugoslav security forces came into serious conflict with different groups of the KLA, and the judiciary of the FRY accompanied by relevant experts and scholars justifiably qualified the armed actions of Kosovo's separatists as classic terrorism and criminal acts against a sovereign state.[iv]

In essence, there were prior to NATO's aggression on the FRY the problems of protection of human rights in Kosovo-Metochia, but certainly no to such extent as it was exaggerated by the Western mass media and policymakers at least no bigger than in many other corners of the world like in Colombia or Turkey's eastern part populated by ethnic Kurds. Surely, the situation in regard to human rights in Turkey since 1994 onward is much more serious than it was in Kosovo-Metochia in 1998 as the Kurdish human and minority rights are drastically violated like in 1994 when a large number of the Kurdish villages were destroyed by the Turkish police and regular army's forces and when almost one million of ethnic Kurds fled Turkey to neighboring states but the US administration simply did nothing to protect the Kurdish human rights. Even no initiative was launched for the UN to undertake a legitimate international action in order to prevent Turkey's authorities to stop with the production of a humanitarian catastrophe.

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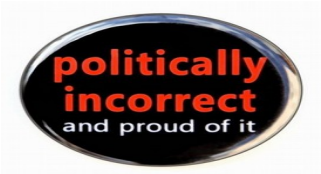

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Producing Humanitarian Catastrophe But Characterized As No Aggression

The focal result of NATO's bombing of Serbia and Montenegro was a huge number of refugees of all nationalities from Kosovo-Metochia that became, in fact, a real humanitarian catastrophe. However, during such exodus of people, NATO's military aggression under the umbrella of the "armed humanitarian intervention" became even strengthened in spite of all prohibitions which have been existing in Public International Law. However, during and after the bombardment of the FRY, the UN resolutions, like the UNSC Resolution of June 10th, 1999, simply did not mention the bombardment at all for a very reason: if mentioned it would have to be officially qualified as "aggression" what means a violation of Public International Law and the UN Charter. In this case, however, due to the established voting system in the UNSC (threat of using Russian and Chinese veto rights), no resolution could be adopted. The Resolution of June 10th, 1999, in fact, is speaking only about deployment of international security forces including and those of the NATO in the province after the war for the sake to "…establish safe environment for all people in Kosovo, as well as to facilitate safe return of all displaced people and refugees to their homes". In other words, nowhere in the whole text of the resolution is mentioned the bombardment of the FRY and, therefore, a pure act of aggression against a sovereign state. That was the same with another previous resolution adopted during the aggression (Resolution 1239 on May 14th, 1999) which does not say any single word about NATO's bombardment but instead it only says that international community expresses serious concern in respect to the humanitarian catastrophe in and around Kosovo as a result of continuing crisis but who produced this crisis is absolutely unclear from the text of the resolution. The same text confirms the rights of all refugees and displaced persons to return to their homes in a safe and dignified manner but what was a real background of the crisis is not clear. According to the UN resolutions on Kosovo, the NATO barbaric bombardment and a classic act of aggression on a sovereign state, in fact, believe or not, never happened!

Watch this report about NATO atrocities in Yugoslavia

We have to mention that there were several attempts by Russia and China in the UNSC to adopt an appropriate resolution in which would be recognized that NATO's air-strikes in 1999 really happened on the ground and subsequently they had to be characterized as "aggression". However, such resolution's proposals failed as not being adopted for the only reason – used veto rights by the USA, the UK, and France (the Western obstruction).

Arguments Against Humanitarian Intervention

There are several focal objections by the scholars, policy-makers, and lawyers to humanitarian intervention advocated at various times. Here, we will address the most important arguments against humanitarian intervention taking primarily the case of NATO's bombing of the FRY in 1999:

1. No real basis for humanitarian intervention in Public International Law. The common good is best preserved by maintaining a ban on any use of force not authorized by the UNSC. In-

terveners have typically either claimed to be acting in self-defense according to the "implied authorization" of the UNSC resolutions and the UN Charter or have refrained from making any reasonable legal argument based on Public International Law at all.

2. States do not intervene for primarily humanitarian reasons. States always have mixed real reasons for humanitarian and other interventions and are very rarely prepared to sacrifice their own soldiers overseas. It means that humanitarian intervention is guided by calculations of national interest but not by what is best for the victims in whose name the intervention is formally carried out.
3. States are not allowed to risk the lives of their own soldiers in order to save strangers. Political leaders do not possess any moral right to shed the blood of their own citizens on behalf of suffering foreigners. Citizens are having the exclusive responsibility of their own state, and their state is entirely their own business and, therefore, if a civil authority has broken down this is the responsibility only of the citizens and political leaders of that state but not of the foreign powers.
4. The issue of abuse. In the absence of a not politically colored mechanism for deciding when a real humanitarian intervention is permissible, states have a possibility to espouse humanitarian motives just as a formal pretext to morally cover the pursuit of national self-interest as, for instance, A. Hitler did with the Sudetenland.
5. Selectivity of response. States all the time apply principles of humanitarian intervention selectively following their own national interest but not real protection of human rights. In other words, a state's behavior is always governed by what the Government decides to be in their interest and, therefore, states are selective about when they choose to intervene. As an example, the selectivity of response is the argument that NATO's "humanitarian" intervention in Kosovo in 1999 could not be driven by real humanitarian concerns as it has done nothing to address, for instance, the very much larger humanitarian catastrophe in Darfur, a province in West Sudan (Darfur genocide).
6. A problem of moral principles. There is no generally reached consensus on a set of moral principles about humanitarian intervention which should not be permitted in the face of disagreement about what constitutes extreme cases of the violation of human rights.
7. Practically, humanitarian intervention does not work. Humanitarian intervention is not workable as the outsiders cannot impose human rights especially by those who have the same problem in their homes. Democracy can be established only by a domestic struggle for liberty but not from the outside. It means that human rights cannot take root if they are imposed by outsiders. The argument is that the oppressed people should by themselves overthrow non-democratic authority.

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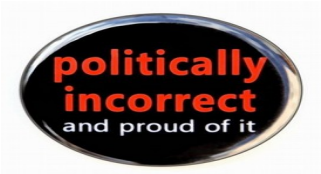

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Conclusion

The norms of Public International Law and doctrine of collective security after 1945 presented above, **unfortunately, did not stop different forms of armed interventions around the globe but especially by the US** – a country which became a global champion of aggression. Armed "humanitarian" interventions are still going to be a reality of the present and future international relations under the umbrella of the R2P.

After the Cold War, the most brutal, illegal and shameful "humanitarian intervention" was in the southern Serbian province of Kosovo-Metochia in 1999 that was, in fact, NATO's aggression against the FRY in a form of an air campaign. However, beside this example of "humanitarian intervention" as a violation of Public International Law, there were many similar interventions before like when in 1983 the USA invaded a sovereign state of Granada with some 8.000 soldiers under justification to protect the lives of about 1.000 American citizens living there under the belief that they were threatened due to the unrest in this country. However, t**he real reason of such "humanitarian intervention" has been of purely political and geostrategic nature rather than humanitarian one** as US' troops occupied the whole island (state) of Granada including and those parts in which US' citizens did not live. The focal proof of abuse of Public International Law was a fact that the American troops de facto occupied Granada as they stayed on the island even after all the American citizens had left and changed the Government of it.

From the presentation above, it is quite clear that NATO's military action against Serbia and Montenegro in 1999 cannot be characterized as a just war of "humanitarian intervention" even according to the criteria by the 17th-century Dutch philosopher Hugo de Groot not to speak about the modern set of criteria incorporated into the UN Charter and Public International Law. Therefore, the action was rather a classic example of brutal military aggression against a sovereign state covered by politicized Western mass media. It is true that **"media are not only spectator in modern conflicts, but must be considered active participants forming public opinion and also creating and directing threat perception"** that was exactly the case of the 1998−1999 Kosovo War when **the Western corporate mass media succeeded to convince public opinion that NATO's "humanitarian intervention" was a just war.**

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