

**Volkan ERDUR**

**THE KOSOVO INTERVENTION BY NATO:  
WITHIN THE SCOPE OF  
HUMANITARIAN INTERVENTION**



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## **PREFACE**

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This book is the culmination of my master's thesis, *The Kosovo Intervention by NATO: Within the Scope of Humanitarian Intervention*, originally written during my studies at the University of Sussex, supported by the Ministry of National Education scholarship. The transition of this work from thesis to a published book marks the end of one academic journey and the beginning of a new one, allowing me to share with a wider audience the intellectual findings and personal reflections I gathered while researching one of the most pivotal humanitarian interventions of the post-Cold War era.

The intervention by NATO in Kosovo stands as one of the most significant and controversial military operations in recent history. Through this book, I seek to examine the intricacies of humanitarian intervention, focusing specifically on the ethical, political, and legal dimensions that surround it. While the intervention aimed to alleviate human suffering, it also raised profound questions about the legitimacy of such actions, the consequences for international law, and the long-term impact on both the region and global norms surrounding the use of force. Each chapter of this book addresses these issues in depth, with a particular focus on the Kosovo case as a lens through which broader questions about military intervention, sovereignty, and human rights can be explored.

In the first chapter, the foundation of the study is laid, introducing key concepts such as the legal and moral frameworks

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that govern the use of force in international relations. The chapter explores the historical evolution of prohibitions against the use of force, from the post-World War I League of Nations to the post-World War II establishment of the United Nations and its charter. This chapter highlights the importance of understanding the legal exceptions to this prohibition, including the right to self-defence, which have played a crucial role in shaping modern international conflict and intervention. This section sets the stage for understanding how the Kosovo intervention fits within the larger context of international legal principles and practices.

The third chapter shifts focus to the concept of humanitarian intervention itself, exploring its moral and ethical underpinnings. The idea of waging war for humanitarian purposes has long been a topic of debate in both legal and philosophical circles. This chapter delves into the history of humanitarian intervention, from its early formulations in the 19th century to the more contemporary responsibility to protect (R2P) doctrine that emerged after the Cold War. The ethical challenges of intervening in the internal affairs of sovereign nations are examined in depth, highlighting the tension between protecting human rights and respecting state sovereignty. These discussions are critical for understanding how interventions like Kosovo's are framed as morally justified, despite the significant risks and consequences they entail.

The fourth chapter focuses specifically on the NATO intervention in Kosovo. This chapter offers a detailed account of the political and historical backdrop that led to the decision for military intervention. It provides a comprehensive analysis of the international community's reaction, the diplomatic efforts (such as the Rambouillet Talks), and the military strategies employed. Moreover, the chapter explores the aftermath of the intervention,

critically assessing its effectiveness in achieving its stated goals of peacekeeping and humanitarian relief. The long-term impact on Kosovo, the Balkans, and NATO's credibility are explored, raising important questions about the real outcomes of such interventions. The narrative surrounding Kosovo is not just about the military operation itself but about its broader implications for international law and future interventions.

In the final chapter, the book concludes by reflecting on the lessons learned from the Kosovo intervention and considering its implications for future humanitarian interventions. The discussion focuses on whether the principles established in Kosovo have been successfully applied to subsequent cases of international intervention or whether new ethical and legal challenges have emerged. This conclusion emphasizes the need for an ongoing dialogue about the role of humanitarian intervention in modern geopolitics, the limits of international law, and the protection of human rights on a global scale.

As I reflect on the journey of completing this work, I am acutely aware that it was not achieved alone. The support and encouragement of my family have been fundamental to my success. To my parents, whose endless love, patience, and faith in my abilities carried me through many difficult moments—this book is as much theirs as it is mine. Their sacrifices allowed me to dedicate myself to my studies with a peace of mind that would not have been possible without their unwavering support. I owe them more than I can express in words.

I am also deeply grateful to my sister, whose kindness and belief in me were a source of constant motivation throughout this journey. Her support provided me with the energy I needed to persist when the path forward seemed uncertain. To my dear

friends Bahadır, Neslihan and Meriç, thank you for your encouragement during the final stages of preparing this work for publication. Bahadır, your thoughtful discussions and your ability to challenge my ideas were invaluable in shaping my thinking, while Neslihan, your unwavering positivity and belief in my work kept me focused during the most challenging moments.

I cannot forget the many mentors, professors, and peers at the University of Sussex who contributed to this book's development. To my thesis supervisor, whose expertise and constructive feedback were indispensable throughout this process—your guidance allowed me to refine my ideas and clarify the central arguments of this book. To my colleagues and the entire academic community at Sussex, thank you for your intellectual generosity, which greatly enriched my research.

I would like to express my gratitude to all the staff of Filiz Bookstore, especially Mr. Özge Dane, who assisted me in the publication of this book.

This book is a product of collective effort—through the support of family, friends, academic mentors, and the wider intellectual community. It is my hope that the work within these pages contributes meaningfully to the ongoing discussions around the ethics, legality, and efficacy of international humanitarian interventions and provides valuable insights for future policymakers and scholars.

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## **GLOSSARY**

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<b>IAEA</b>	International Atomic Energy Agency
<b>ICISS</b>	International Commission on Intervention and State Sovereignty
<b>ICJ</b>	International Court of Justice
<b>IMF</b>	International Monetary Fund
<b>KLA</b>	Kosovo Liberation Army
<b>NATO</b>	North Atlantic Treaty Organisation
<b>OSCE</b>	Organisation for Security and Cooperation in Europe
<b>R2P</b>	Responsibility to Protect
<b>SC</b>	Security Council
<b>TWAIL</b>	Third World Approaches to International Law
<b>UK</b>	United Kingdom
<b>UN</b>	United Nations
<b>USA</b>	United States of America
<b>WW1</b>	First World War
<b>WW2</b>	Second World War



## ABSTRACT

The lack of an internationally agreed definition on the use of force has caused a great deal of controversy. On one hand, definitions exist that broadly outline the term with the aim of prohibiting its use. On the other hand, some scholars define the term with emphasis to exceptions to its prohibition, such as self-defence, and defend limited application of the use of force with the aim of maintaining world peace and finding solutions to conflicts.

In international law the questions of when, how, under whose authority and even whether it is right or wrong to intervene in a state in order to ‘prevent human rights violations’ is still a hot topic in the field. Such debates create controversies that are need to be investigated closely. Thus, the purpose of this dissertation is to understand the notion of ‘*use of force*’ and ‘*humanitarian intervention*’ via investigating the Kosovo Intervention by NATO. The study has used the TWAIL (Third World Approaches to International Law) approach to reveal the power relations involved, which is crucial for the justification of the intervention, especially on humanitarian grounds excellent. The overall conclusion of the research is that the Kosovo Intervention is an unlawful one and it did more harm than good even if it is placed under the ‘humanitarian intervention’ category in the literature.

**Key words:** use of force, Kosovo, humanitarian intervention, TWAIL