United Nation's Humanitarian Intervention Strategy in Africa: Examining the Novelties and Paradigm-Shift in the Case of Somalia, 1992

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Abstract
Humanitarian intervention programmes by the United Nations are launched in response to unpeaceful situations in member states which may result to global unrest if not tamed timeously. Records from Belgium, Panama, Liberia, Rwanda, among others have disclosed certain measures and strategies which the United Nations have skillfully unleashed in the form of humanitarian intervention in these countries. In Africa, for instance, considering the peculiarities of its political and economic dynamics, it is worthy to question the modalities being deployed by the United Nations in form of humanitarian intervention which have resulted to human rights violation and internal displacement. This Ex Post Facto research investigates the United Nations Operation in Somalia as a case study towards examining the strategies of UN's intervention in Africa. Secondary data obtained from official records and were presented with simple descriptive statistics. Content Analytical method was used to analyze the data obtained from the survey. The novelties and paradigm shift in UN's strategy as observed in Somalia discloses that in the administration of humanitarian intervention programmes, the UN does not connect with internal or domestic institutions. Bearing from this and other findings of this research, we recommend a more liberal and flexible strategy which observes domestic laws while humanitarian intervention is being carried out by the United Nations.

Keywords: Humanitarian intervention, United Nations, African Union, Africa, Somalia, Third World, Human Rights, Peace and Security

Introduction
Crisis and contentions are all over the world. Ugly experiences, mishaps, epidemics and disasters both artificial and natural, that have the capacity to annihilate human existence are on high scale, from 1960 (the case of Belgium), to 1989 (the case of Panama); from 1990 (the case of Liberia), to 1999 (the case of East Timor), the records still count. These conflicts are usually followed by strategic efforts by states, group of states and other interested international groups and organizations to either control them or totally annihilate them-the later, being almost practically impossible as conflicts remain fundamental attribute of the human society. Stephen Lee (2010) has argued that such measure of force mostly reflects in situations where there are obvious cases of human rights violation, initiated either by the domestic state (as can be witnessed in oppressive,

tyrannical states) or by non-state actors (as can be witnessed in failed states which, due to the collapse of state machinery, non-state actors hold way).

It has become obvious that recent interventions cum relations on or of states by or with their foreign neighbors are not only focused on strengthening economic, political and strategic ties which exist in the comity of states but also aimed at marshaling out strategies to better the lives of men, women and children as well as other vulnerable species of the human race in these states (Carnegie Commission, 1997). These interventions and strategies are often dual-faceted: while one facet focuses on agreements for military assistance towards the promotion of peace in conflict areas and states, the other is humanitarian in nature as it focuses on providing tangible and intangible reliefs to a population of victims of harsh socio-political experiences, such as wars, conflicts, crisis, disaster, etc. The later however has remained the fundamental objective of the United Nation (UN) in its bid to protect individual interest and welfare of citizens of member states in conflict situation, even though a little dose of military force is employed to ensure smooth running of the later.

States and domestic governments have exercised their efforts in promoting cultures, values and practices that encourage individual sovereignty and freedom. These efforts are usually wired through the policy conduit and made manifest in the state via the establishment of agencies and institutions which launch programs that will protect these values and ensure appropriate sanctions for those who would abuse them. According to James Anderson (1975), Arvind Singhal (2008) and L. A. Akinbile (2008), institutions such as emergency management bodies, first aid institutions etc, make up this category of policy intervention. These institutions launch programs to manage disasters and mishaps which appear unprecedented most of the time they occur, as well as provide for and secure the less privileged with the least available living option that will at least reduce mortality, secure lives and properties of citizens and ensure their foods and consumables are safe for consumption. These policies are humanitarian in nature in that they proceed to ensure that the citizens' welfare is guaranteed.

Further to the actualization of humanitarianism is the provision of basic amenities by the government of states such as capital projects that will promote good living, enhance business environment as well as reduce likely causes of harm to the individuals within the state. This is largely because this category of people is vulnerable due to their levels of exposure and education (Shashi Tharoor and Sam Daws, 2001) which has kept them at such stratum of the society, usually from birth to death.

Also, concerns for humanitarianism translate into government laws and legislations. Such legislations have granted rights and freedoms from abuse for children, freedom from unlawful detention by criminals and terrorists, respectively. Impliedly policies, decisions, programs and actions taken at the back of these legislations are known as humanitarian programs because they seek to protect the direct interests of individuals.

That section of the law abrogates and hinders the domestic and local customs of the people which have the capacity to restrict human freedom or encourage harsh and brutish experiences in the daily interactions among men (Hagler Okorie and Anyanwu Ikenna, 2011). By implication, individuals in Nigeria enjoy absolute freedom within the limits of the law and such freedoms are not cut short by local cultures. All of these legislations and policies are tailored towards humanitarianism and sponsored by state governments.

While the interests of citizens have remained central to most modern states, they evidently form the cardinal point of UN-managed international humanitarian intervention programs. This is illustrated in the establishment and enforcement of Resolutions by the UN Security Council (when the need arises) which grant some levels of freedom to individuals and responsibility to member

states to protect its individuals such as Resolution 242, resolution 217 A of 10 December 1948 among others. Precisely, the Preamble of the UN Charter states:

> *"We the peoples of the United Nations [are] determined... to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small", (UN, 1948).*

In pursuit of this holistic agenda, the UN makes reasonable advances into member states wherein it feels some domestic events may violate, not just domestic peace, but also global peace. This is in line with the position of Henry Shue (1996) who argued that, in the case of basic rights, not only must everyone respect those basic rights completely, but they must also protect others when their rights are under threat. There is equally an on-going discussion about how to reform the treaty-body system. These among others are centered at protecting the humanitarian agenda of the UN, (Das Hammarskjold Library, 2018).

By literal examination, the concept of international humanitarian intervention program is practically a policy engagement which its implementation extends beyond state borders. Upon implementation, the rigid borders of state's sovereignty are defied in the bid to intervene in the welfare of citizens who belong to a particular domestic territory wherein the intervener's interest lie. The intervening agent, usually superior forces, come with the humanitarian program and implements same into the territory of a recipient state, usually a weaker state (Samuel M. Makinda, 1996). While throwing more light on the 'sovereign' factor involved in the implementation of humanitarian intervention programme, a one-time UN Secretary General, Kofi Anan, described international humanitarian intervention programme as "indeed, an unacceptable assault on sovereignty". This implies that the nature, scope and operation of international humanitarian intervention violates every possible influence sovereignty may have over external interference on a state's territory, especially for the time the said programme is being in force. Nevertheless, the product of such breakdown of a state's sovereignty is not usually hoped to be tragic which is why, according to Stephen Lee (2010), international humanitarian intervention programme is non-defensive. While every state tends to be highly protective of its sovereignty, the very inception of international humanitarian programme is often greeted with 'non-defensive' reaction. While the receiving state is called the 'target state', the intervening state (or states) is called the intervener.

The Federal Republic of Somalia is one of the sovereign countries located in the horn of Africa. It is bordered to the West by Ethiopia, Djibouti to the northwest the Gulf of Aden to the north, the Guardaful Channel and Indian Ocean to the east and Kenya to the southwest. Somalia is a parliamentary representative democratic republic. With full state structure as well as complimentary international engagements, Somalia was up till the early 20th century struggling with some traces of insurrection which was largely linked with its Italian versus British colonial antecedents. The people of the Northern region of the country, being colonized by Italian colonialists, were at edge with the people of the southern region, being colonized by British colonialists. This daunting challenge became fiercer but yet being managed by the democratic structure of the Somali Government. By 1991, the insurrection in Somalia raised a global signal which United Nations thought was becoming an obvious threat to global peace and security.

However, political scientists have championed views with regards to the 20th century Somalia's status as a failed state, with some contending for and other contending against the 'failed states' hypothesis. While scholars like Anderson Jon Lee (2009), Fergusson James (2013), Menkhaus Ken (2007) and Albright Madeleine K. (1993) have argued in favour of the failed state thesis as can be attributed to Somalia, others such as Rotberg Robert I. (2013), Hagmann Tobias and Hoehne, Markus V. (2009), Gruffydd Jones and Branwen (2008) have argued on the contrary

with the claims that state failure is not a factor deterministic of conflict as every state in the world has its relative quantum or measure of conflict. In specific terms, Robert (2013), described Somalia not as a failed state but a 'weak' state in that Somalia, though ripped by conflict, violence and internal insurrection does not lack the capacity and institutions to stand competently as a state. Thus, interventions of foreign states and non-states into Somalia may not gain justification if the reason for such intervention is based on the fact that Somalia is a failed state.

United Nations Security Council Resolution 773 and UN Security Council Resolution 746 led to the luncheon of UNOSOM I. The target and of course aims and objectives of this median United Nations mission was to provide humanitarian relief and help restore order in Somalia. United Nations Security Council Resolution 794 was unanimously passed a year after, precisely on 3 December 1992 which gave approval for the luncheon of UNOSOM II. This second operation was primarily focused at the southern region of the country, even though it had a nation-wide influence and mandate (Ken Rutherford, 2008).

Achieving the aim of the United Nations Resolution 794 needed some military assistance. This necessitated the incursion of African military troops as well as other military troops from all around the UN member states which all found their ways into Somalia. What seemed to be a minor intra-national infraction deteriorated to a total collapse of the Somali state, resulting to the proliferation of about 4 militant groups such as the Somali Salvation Democratic Front (SSDF), United Somali Congress (USC), Somali National Movement (SNM), Somali Patriotic Movement (SPM) and 2 opposition groups such as Somali Democratic Movement (SDM), Somali Democratic Alliance (SDA) to the government of Somalia. All these were tracked into the Somali State by the United Nations Operation in Somalia.

While this research primarily investigates the possible impact of the way in which the United Nations administers international humanitarian intervention programmes on the core of inter-state administrative relations within the African continent, it equally investigates the way in which the administration of international humanitarian intervention programs has affected the affected the success of humanitarian intervention programmes in Africa.

This bears from the general principle in public policy administration theorized, posited and shared among scholars like, Ujo (2011) which holds that methodological inconsistencies and misapplication can cause a default to the success of public policy implementation.

International humanitarian intervention programs are not, in particular, the central focus of consideration in this research, rather the impacts their implementation processes and procedures as it applies to the administrating agency or body which in this case is the UN and the method its deploys to achieve these aims. This draws us close to the concept of public policy implementation from the international perspective. This concern is germane following the reality of the fact that Nigeria's domestic policies (just like those of any other countries in Africa) are intrinsically tied to, not only the dynamics of domestic milieu but also, the complex interplay of several factors which exist in the international milieu.

The general objective of this study is to examine the impact of administration of UNOSOM on the restoration of peace in Somalia. Specifically, this study shall ascertain whether the non-integration of domestic institutions was responsible for the failure of UNOSOM; ascertain whether the non-implementation of Section 3 and 4 of Resolution 751 which required the mission to restore a legitimate government and bring about peace accounted for the failure of UNOSOM; ascertain whether the clear violation of human rights by UNOSOM forces could account for the failure of UNOSOM programme.

This research adopts the ex-post facto research design. This method simply involves a systematic study in which "the researcher does not in any way control or manipulate independent

variables because the situation for study already exists and has already taken place", Ndem Ndiyo (2005).

This research relies mainly on secondary sources of data. This includes materials from historical documentations, books of academic authority among others. Information and data obtained from this wide range of sources will be logically analyzed. Arguments will be derived sufficiently from the juxtaposition of facts of history and theoretical positions bearing from the standpoint of the theoretical framework adopted for this research.

Content Analytical method was used in analyzing the findings of this research. Content analysis is a careful study of patterns of event in a systematic manner, (Alan, 2011). This method provides non-invasive nature of analysis as it involves systematic reading and observation of historical events with the aim of analyzing patterns of the content quantitatively and qualitatively for social application. Social science scholars such as Harold Lawswell (1948), have explored the use of this method in the earlier researches.

Content Analytical method is used to make replicable and valid inferences by interpreting and coding textual material. This research shall explore the use of this method by extrapolating relevant historical facts as applicable and relevant to the study. By systematically evaluating the information contained in the texts, qualitative data can be converted into quantitative data and used to empirically justify the positions and finding of the research.

Analysis of the Strategic Problems Identified in United Nation's Intervention in Somalia (UNOSOM I and II)

When giving humanitarian assistance, governments of modern states usually give considerations to some target groups known as 'vulnerable groups', who are mostly the recipients of the assistance when they come. Thus, the implementation of international humanitarian intervention programmes should by and large bring, not only a lasting solution to humanitarian challenges in the domestic society or societies and states that received the programmes, but also a sufficient measure of diplomatic gel among and between the countries of the United Nations who participated in the programme. After a successful implementation of each humanitarian program, there should be a more decent inter-state administration cum relationship as well as more conducive domestic society for the citizens.

However, despite a protracted period of time which featured multiple UN-backed humanitarian programmes in Somalia, there ceases not to be reports of crisis, conflicts, conflagrations and series of human rights abuses in the country. These tragedies have dragged on and on into the history of Somalia known to modern classrooms from 1991 till date. The UN-backed UNOSOM I and II (a humanitarian program channeled to Somalia) featured regimes of intervention on the Somalis' welfare by as much as 10 African countries as well as other interested countries from the west such as United States. This period equally featured interference on Somalia's sovereignty by foreign states acting under the cover of UN resolution 764 and 794 which triggered UNOSOM which led to a reduction on the sovereign influence of Somalia in and out of the country.

The very humanitarian concerns which UNOSOM was launched to solve were further worsened after the programme was discontinued. Deteriorating humanitarian condition in Somalia has not given justification to the years-long humanitarian intervention programmes focused on the country by UN where, by 1992, almost 4.5 million people, more than half of the country's population, were threatened with starvation, severe malnutrition and related diseases arising from the harsh conditions occasioned by UNOSOM. The magnitude of suffering was immense during this period coupled with clear evidence of human rights violation and abuse. On the overall, an

estimated 300,000 people, including a large quantum of women and children, died. Some 2,648,800 people who were violently displaced from their homes and areas of habitation fled either to neighboring cities for safety. Some 805,978 from over 14,162 homes ran into neighboring countries as refugees: 22,064 ran to Uganda, 255,980 ran to Kenya, 257,283 ran to Ethiopia, 12,139 ran to Djibouti, 2,149 ran to Eritrea, 256,363 ran to Yemen for safety (UNHCR, 2018). Refugee and displacement statistics by gender, age and country are displaced in Appendix 1. This number however excludes thousands of other Somalis who were not captured by statistics. All institutions of governance and at least 60 per cent of the country's basic infrastructure disintegrated resulting to massive collapse of the state's system which was hitherto functional. Therefore, it calls to question how Somalia which in 1974, under the leadership of President Abdulraman Jame Baare headed the Organization of African Unity (OAU), now African Union (AU); had the richest economy in the horn of Africa; established a large-scale public works programme and had them successfully implemented, which dramatically increased literacy rate; all of a sudden witnessed a drastic collapse in its political and economic structures.

While acting under the behest of the United Nations, several African countries participated in UNOSOM I and II by either pledging as much as 4000 military and or civil aids to ensure full implementation of the programme (UN, 1997). The UNOSOM I and II which were designed to tackle a proliferating domestic insurrection was suspected to have caused a deterioration of the entire security situation in Somalia into a full-blown war, causing a strain on the political, economic and military resources of African countries where in 2007, following the United Nations Security Council Resolution 1831, more than 7000 military personnel were deployed back into Somalia for peacekeeping and humanitarian objectives, this time at the back of the African Union.

Could the administrative patterns explored in the implementation of UNOSOM I and II account for the failure of the programme? To what extent does the non-integration of the domestic institutions in Somalia by UNOSOM forces account for the failure of UNOSOM in Somalia? To what extent does the non-implementation of Section 3 and 4 of Resolution 751 affect the success or failure of UNOSOM? To what extent does the violation of human rights by the UNOSOM forces affect the success or failure of UNOSOM?

'Public Policy' and 'Humanitarian Aid' within the context of International Humanitarian Programmes
The concept of public policy primarily means a decision and or action coordinated and carried out by the government of a state, sought to be implemented within the domestic territory of the state. It is a government-initiated action which aims at addressing a specific need whether local or global (Emmanuel Shebbs, Dick Uduma, Celestine Nwosu and Allens Iheonu, 2019). Being a government action, it implies that public policy is captured and effected within a specific institutional framework (Okereke, 2003). In the words of Dean G. Kilpatrick (n.d) "public policy can be generally defined as a system of laws, regulatory measures, courses of action, and funding priorities concerning a given topic promulgated by a governmental entity or its representatives".

Humanitarian aid is the provision of relief materials to victims of conflict. It is a set of material and logistic assistance to people who need help in conflict areas. It is usually a short-term project captured in the entire humanitarian intervention programme to save lives. Among the people who need humanitarian aid are the homeless (also displaced persons), the malnourished civilians and soldiers, refugees among others. The primary objective of humanitarian aid is to save lives, alleviate suffering, and maintain human dignity. Humanitarian aid may not always be channeled at bringing long-term development rather a short term or ad hoc assistance to uplift the life of people who are trapped in serious humanitarian challenge. It brings short term relief to

victims until long term provision is made. According to Eli Berman, Joe Felter, Jacob Shapiro and Erin Troland (2013), in the administration of humanitarian intervention, huge proportion of aid is usually directed to countries with significant record of conflicts.

Humanitarian Intervention Programme: A Conceptual Overview
Humanitarian intervention is generally an action which is put forward to achieve advancement in the welfare of a people. It comprises of tangible and intangible packages and programmes which collectively aimed at solving selected or observed problems. In contemporary consideration, there is substantial evidence of controversy around the concept of humanitarianism. Majority of these controversies which surround the concept bear from the question of what actually constitutes an incidence of "humanitarian intervention". Sometimes, this qualifying adjective "humanitarian" provides a smoke screen for other foreign policy and strategic objectives which factor in every other unprecedented phenomenon such as war, exploitation, slavery, looting, criminality, as well as aid intervention. Sometimes, humanitarian motives are present but their impacts are not primarily felt by the people, rather obvious cases of forceful exchanges take place between and among power broker, in under the guise of humanitarian intervention.

Human suffering and the need to provide humanitarian relief to affected populations are prominent in the literature of foreign policy. Theorists who back the use of force in the achievement or in support of humanitarian objectives tag such action "humanitarian intervention" in their arguments and it is not considered whether the military force involved in the achievement of such objectives perpetrate arbitrary acts in the process. This is the ground upon which proponents of non-force intervention base their arguments.

However, in order to do justice to the concept being considered, the subject "intervention" and the qualifying adjective "humanitarian" shall be evenly considered as well as their relativity with the international state.

Intervention is a concept with a distinct character (Robert Jennings and Arthur Watts, 1996; Ian Brownlie, 1963; Martin Wright, 1979). The distinctiveness of its character lies in the use of "forcible" or "nonforcible" measures against a state, without its consent, solely on account of a calculated response to the state's internal or external behavior (Wright, 1979). The instrument (used in executing an act of intervention) as against the procedure (used in the execution process) is, to most scholars, the defining character and the factor that determines if an action can truly be categorized as an act of intervention. Although intervention has most frequently been employed for the preservation of the vital interests (whether legitimately or illegitimately perceived) of intervening states, there is also a strong form of belief among scholars, as demonstrated by Stephen D. Krasner (2000) that intervention is justified on the grounds of grave human suffering, without much regards placed on the method, or instrument used.

The central purpose and aim of foreign policy of a given state is to, as much as practically possible, persuade other states, friend and foe alike, to enact changes in behavior that are consistent with its foreign policy objectives. In achieving this aim, there is the likelihood that states (usually stronger states) step out of their boarders into another state to impress on it the anticipated changes basically with the aim of gratifying its foreign policy interests. This act can be translated to mean intervention. Thus, the possibility of a state to achieve its foreign policy objective is judged by its ability to effectively calculate and carry out an act of intervention.

Within the academic milieu, wider definitions of intervention, and of course more critical than ever before, have always existed. In a world of asymmetrical power, economic activities and foreign direct investment are considered by some observers as types of "intervention." With high spectrum and network of interdependence among states; with rising heights of globalization over

the last few decades, anxiety levels among many governmental officials have increased because there are substantial new vulnerabilities about which they can do virtually nothing owing to the declining influence of state's sovereignty and the seizure of state's rights due to treaties signed, international associations formed among others.

Heightened state sensitivities to human rights pressures that occur without the consent of domestic governments cannot be equal to the height of sensitivities states have towards economic and cultural influences across borders. This informs the fact that there are gray areas regarding "consent" granted or obtained for economic as well as military measures. Some observers note, for instance, that a request for military intervention may involve so much arm-twisting, glitches and due process as possible before it is given approval by domestic states, owing to high level of suspicions associated with military intervention. But, same cannot be said of economic intervention (such as can be undertaken by international financial institutions) as that may be seen as charitable engagement and will be quickly approved mainly because of lack of force. But, some scholars insist on this emergent belief that interference into the state's boarders, regardless of whatever source and agenda (whether economic or political) is classified as intervention.

Various terms have been coined in thinking about the problem of what amounts to coerced consent, including "coercive inducement". Given the legacy of colonialism, it is not surprising that colonial influence is the benchmark against which developing countries measure international actions. Thus acts of intervention which proliferate from post-colonial masters are usually justified without recourse given to its legality or otherwise. Radical scholars are of the view that the use of armed force against another state without its consent, as well as use of such nonmilitary measures such as political and economic sanctions, arms embargoes, and international criminal prosecution constitutes intervention, even though more recent cases of intervention involve economic engagement across borders. These scholars argue that stronger states utilize international influences to execute non-forceful intervention on weaker states.

Forceful Intervention: The Position of the United Nations Charter
The advent of the UN Charter fundamentally affected earlier interpretations of the legality of humanitarian intervention. Not only did the Charter set out the circumstances under which intervention was permissible, it also changed the terms of debate by employing the term "the threat or use of force" instead of "intervention" an adjectival noun for humanitarianism.

As "intervention" had been used, practically, as a synonym for the threat or use of force, the question was and remains: Did the Charter's prohibition on the unilateral threat or use of force prohibit intervention altogether, or was intervention subsumed by the system of the collective use of force? Even more controversial: Was there an interpretation of the term "intervention" that would place this concept outside the frame of the Charter's prohibition on the use of force against the territorial integrity and political independence of a state? Most importantly, does the UN Charter prohibit the use of force without the authorization of the Security Council, even when exceptional circumstances arise?

There is no doubt that the UN Charter explicitly permits the use of force in self-defence. This enables the Security Council to authorize force to confront threats to international peace and security. But, the recurring aspect of debate has been the use of force to protect human rights under the guise of humanitarian intervention, human right being an intangible humanitarian need. According to Richard Lillich (1973), the 1990s were not the beginnings of the debate per se. Various interpretations of the legality of humanitarian intervention were fiercely debated, particularly beginning in the late 1960s.

The ideological competition of the Cold War lent a particular character to interventions during that period. With much of the world aligned with one of the two superpowers, there was considerable pressure from both sides to intervene in both internal and international armed conflicts. The deadlock in the Security Council and the existence of the veto also increased the likelihood that interventions would either not occur at all or be undertaken in the absence of a Council mandate. In fact, interventions during the Cold War were far more likely to be undertaken by a single state (for example, the United States [US] in Vietnam, the Soviet Union in Afghanistan, and South Africa and Cuba in Angola), whether directly or by proxy, than they were to be multilateral.

On two occasions during this period, the International Court of Justice (ICJ) ruled on cases that involved assessing the legality of interventions for which humanitarian purposes had been declared: the United Kingdom in the Corfu Channel and the US in Nicaragua. In both cases, the ICJ adhered to the position that the principle of nonintervention involves the right of every sovereign state to conduct its affairs without outside interference and that international law requires territorial integrity to be respected. The ICJ rejected intervention that impedes a state from conducting those matters that each state is permitted, by the principle of sovereignty, to decide freely such as its political, economic, social, and cultural systems and the formulation of its foreign policy.

More specifically, in the case of Nicaragua vs. United States, the ICJ reiterated the attributes of humanitarian aid or assistance that might also be applicable to military intervention for humanitarian purposes. If the provision of humanitarian assistance is to escape condemnation as an intervention in the internal affairs of a state, the ICJ took the view that it must be limited to the purposes hallowed in practice, namely to prevent and alleviate human suffering, and to protect life and health and to ensure respect for the human being without discrimination to all in need and that it be linked as closely as possible under the circumstances to the UN Charter in order to further gain legitimacy. These criteria should be applicable in extreme situations where the need to prevent and alleviate human suffering, and to protect life and health and to ensure respect for the human being constitutes a humanitarian crisis threatening international or regional peace and security. The ICJ rejected the notion of the use of force to ensure the protection of human rights: "[W]here human rights are protected by international conventions, that protection takes the form of such arrangements for monitoring or ensuring the respect for human rights as are provided for in the conventions themselves. In any event, the use of force could not be the appropriate method to monitor or ensure such respect", (International Court of Justice, 1986).

Such a conclusion, however, does not appear to be definitive. The protection of human rights by international conventions presupposes a stable and orderly system of monitoring and ensuring respect for human rights based on those conventions. Cases may arise where the existing arrangements are inappropriate for protecting human rights, owing to the nature and scale of the violations. Furthermore, in extreme situations, where the Security Council is unable to act, political and moral imperatives may leave any interested state or party no choice but to act outside the law, whether within or outside the law, (Bruno Simma, 1995)

Further clarification of the meaning of humanitarian intervention in the context of the Charter can be drawn from UN negotiations over the past decade. According to Stephen J. Stedman (1993) and Thomas G. Weiss (1993), the end of the Cold War was the "rebirth of the UN". The period witnessed an "urge for intervention to sort out problems of civil strife" which was hitherto difficult owing to the limited scope of the 1945-born UN. Throughout the 1990s there was an unpredictable and diverse pattern of interventions by the UN, stretching from Iraq to Bosnia, Somalia to Haiti, Kosovo to East Timor.

Within the General Assembly, the tensions between intervention and state sovereignty initially focused on the delivery of humanitarian assistance, (Thomas G. Weiss, 1995). Already in 1988, Resolution 43/131 was a contentious milestone acknowledging that nongovernmental organizations (NGOs) had a role to play in responding to the effects of deadly conflicts. The resolution maintained that humanitarian aid could and should be provided to affected populations in need of access to "essential" supplies. By implication, states were obliged to grant such access to interveners when there is need to be provided for them "essential" supplies. A number of governments, however, objected on the grounds that NGOs might urge states to interfere in what the dissenters considered to be strictly domestic affairs.

Three years later, shortly before the intervention in northern Iraq, the General Assembly passed Resolution 46/182. Somewhat surprisingly, in light of the actual intervention that had preceded it, this resolution gives weight, first and foremost, to the consent of the state inhabited by severely affected populations. The most relevant section reads, "The sovereignty, territorial integrity and national unity of states must be fully respected in accordance with the Charter of the UN. In this context, humanitarian assistance should be provided with the consent of the affected country and in principle on the basis of an appeal by the affected country." Though the implications of the resolution were wide-ranging, the debate preceding its adoption in the General Assembly focused largely on the issue of military intervention for humanitarian purposes and the accompanying clash with state sovereignty. Already in these debates, the views of developing and developed countries were polarized, and the ensuing negotiated text represented a delicate balance.

Non-forceful Intervention: The Position of the United Nations Charter
The bulk of the contemporary policy and academic literature about the administration of humanitarian intervention is concerned with the application of military force to pursue humanitarian objectives. But the present analysis would be incomplete without also introducing nonmilitary intervention, such as sanctions and criminal prosecution among others.

i. Sanctions
International economic and political sanctions, as well as embargoes of various types, became widespread in the 1990s. They are the main element of "nonmilitary" interventions designed to impose a course of conduct – including a change of policy – on a state, by banning or restricting that state's economic, military, or political relations. Sanctions are a punitive countermeasure against illegal acts, whether they be criminal (for example, alleged acts of aggression) or civil (for example, alleged breaches of international obligations). It is equally important to state that section is a veritable conduit through which the international state systems use to draw loyalty of international sovereignty to itself.

According to Michael Reisman and Douglas Sterick (1998), economic sanctions include trade and commercial restrictions and sometimes embargoes on imports and exports, shipping, flights, investment, or assistance and the seizure of a state's assets abroad. Political sanctions include embargoes on arms, denial of military assistance and training, restraint on the means and extent of a state's level of armament, the non-recognition of illegal acts perpetrated by a state, and the refusal of entry of political leaders into the territories of other states.

An analysis of the use of sanctions under the auspices of the UN Charter in the 1945–1990 and post-Cold War periods indicates three broad trends.

First, there was a combination of unilateral and collective sanctions during the Cold War by individual states and by the UN, mostly in the process of decolonization. For instance, against Portugal (in relation to Angola and Mozambique before 1975), Rhodesia's Unilateral Declaration

of Independence, in 1965, and South Africa's illegal presence in Namibia, as well as its practice of apartheid between 1975 and 1979, (ICJ, 1970). Consequently, many "nonbinding" resolutions on sanctions were passed by the General Assembly during debates on decolonization. Second, there is increasing use of unilateral and collective sanctions in the 1990s within the context of diplomatic efforts to coerce state behaviour with respect to maintaining international peace and security under Chapter VII of the UN Charter. Compliance with sanctions regimes is often voluntary in order to generate consensus and only later do they sometimes become mandatory under Chapter VII. The third trend within the sections regime is the use of sanctions as a means of intervening to aid democratic consolidation, not only by the UN but more emphatically by the British Commonwealth, the European Union (EU), the Organization of American States (OAS), and other regional organizations. The Haiti case is central because both the General Assembly and the OAS condemned the 1991 military coup that overthrew the elected government. The Security Council subsequently prohibited specified commercial passenger flights destined for Haiti and denied entry of the Haitian military and others to territories of UN member states. The Security Council also imposed embargoes on the supply of arms and petroleum to the Union for the Total Liberation of Angola, a rebel organization fighting the government of Angola in breach of the Lusaka Peace Agreement and UN-supervised elections, (Michael Reisman and Douglas Stevick, 1998). The Economic Community of West African States also launched an "economic blockade" against the junta in Sierra Leone in 1997.

The Commonwealth Ministerial Action Group (Commonwealth, 1995) intervened on the authority of the Harare Declaration of 1991, by imposing economic and political sanctions on military governments that had thwarted democracy or overthrown democratically elected governments in Nigeria, Pakistan, and Fiji. Commonwealth membership of these states was also suspended.

The Commonwealth is unusual among regional arrangements in its capacity and willingness to suspend or expel member states if they act in serious breach of the standards of human rights. But the sanctions imposed on Nigeria which restricted member states from granting visas to members of the Nigerian military government and security forces, alongside other measures were mirrored by the EU, (Toby King, 1999).

A central difficulty with often associated with sanctions is assessing their impact and effectiveness on the objectives for which they were imposed. Scholars like Gary Hufbauer, Jeffery Schott, and Kimberly Elliott (1990) have argued that there is little real impact witnessed from this age long practice of sanction. Also, Kim Richard Nossal (1989) and Robert A. Pape (1997) are of the view that despite appearing as an alternative to the use of force, sanctions are often meant to "punish" the target state. Moreover, it is methodologically difficult to disaggregate the impact of sanctions from other measures (David Cortright and George Lopez, eds, 1995; Margaret P. Doxey, 1996). The Security Council establishes a sanctions committee to review each episode of sanctions, but there is rarely sufficient data to enable sound assessments.

Sanctions tend, more often than not, to harm the economic and social well-being of the general population, rather than that of the political leadership against whom the coercive measures are imposed (Ramesh Thakur, 2000). "Smart sanctions," which are usually targeted elites within a state through such measures as freezing foreign assets and preventing travel, have had, to date, more impact on theorizing than Security Council practice, (David Cortright and George Lopez, 2000). Concern about the plight of civilians has meant, in almost every case endorsed by the Security Council, humanitarian exceptions for food and medical supplies to alleviate the plight and suffering of the population. Yet, these exemptions cannot compensate for the massive economic

dislocations, and diplomatic crisis which follows the UN's method of humanitarian administration and the UN remains ill-equipped to oversee them, (Paul Conlon, 1995).

The dramatic suffering caused by economic sanctions suggests that sanctions and embargoes may not be an intervention tool of preference in the future. This suffering is illustrated in the plight of innocent civilians which significantly deteriorates with little discernable policy change from repressive regimes. Former UN Secretary-General Boutros-Ghali (1995) captured the troubling tensions between dramatic civilian pain and elusive political gain when he expressed that sanctions are a "blunt instrument" that inflict suffering on vulnerable groups, complicate the work of humanitarian agencies, cause long-term damage to the productive capacity of target nations, and generate severe effects on neighboring countries.

ii. International Criminal Prosecution

The 1990s have witnessed the renewed use of international criminal prosecution as a form of nonmilitary intervention this time around towards the administration of intangible humanitarian need-social justice. Basic principles for prosecution under international criminal law were set out in the late 1940s stating that violations of the laws of war were subject to penal sanctions, that superiors' orders do not release an individual from responsibility, and that certain acts constitute crimes against humanity. Yet, almost no progress was made over the intervening 45 years. The 1990s have witnessed a series of almost revolutionary changes. Not only are war criminals and human rights abusers occasionally being brought to account, but a series of transformations in international criminal law suggests that this form of intervention may become more routine. The pursuit of indicted criminals is slow and time-consuming, and hence it is hardly an effective intervention instrument on the edge of the abyss of a humanitarian crisis in the same way that military intervention may be. In fact, a case can be made that international criminal prosecution may better be framed as an effective instrument for prevention of human rights violations and other social injustices through deterrence and eventually as a contribution to post-conflict reconciliation. At the same time, the use of this tool effectively requires moving beyond consent of the state involves, and of course the consequences are important for humanitarian benefits.

The establishment of the ad hoc war crimes tribunals for the former Yugoslavia in 1993 and Rwanda in 1994 were major innovations. Despite initial scepticism and considerable criticism about the pace, both tribunals have convicted senior officials who were found culpable for human rights violations and other crimes and these tribunals have made progress in setting the record straight. They have also contributed to the development of international criminal jurisprudence. They have clearly established that criminal liability exists for war crimes during internal armed conflicts and that crimes against humanity extend beyond periods of armed conflict, and rape is now legally considered an aspect of genocide.

Considerable erosion has also taken place in the rules relating to the immunity of leaders because this aspect of law does not give specific consideration to immunity of heads of states, even though some domestic laws do. Until recently it was commonly accepted that leading officials (including those retired) could not be tried in courts in another country for acts committed in their own country while in office, most probably on the grounds of sentiments and to avoid events that may scratch open the scars of history. The capture in 1989 and subsequent conviction by the US of former Panamanian General Manuel Noriega was the first major crack in that particular mainstay of international law. More recently, the House of Lords – acting as Britain's highest court in the third Pinochet case – established a very strong precedent for no longer treating government officials as having absolute protection under the rules of the sovereign immunity of states, (Geoffrey Robertson, 1999).

The arrest and trial in Senegal of the former president of Chad, Hissène Habré, suggests that the reach of this type of thinking is expanding to other continents. This followed the new legal ground broken by the Arusha Tribunal, which convicted Jean Kambanda, the former Prime Minister of Rwanda, the first head of government to be convicted of genocide and crimes against humanity. In March 2001, Biljana Plavsic, the former president of the Republika Srpska, voluntarily surrendered herself to the Tribunal in The Hague after being indicted for genocide and complicity in genocide. The indictment of a sitting head of state for war crimes, the Federal Republic of Yugoslavia's President Slobodan Milosevic, for his direction of efforts in Kosovo is yet another precedent.

Moving from the heads of state, there were more exceptional cases such as the conviction of Rwandan nuns in 2001 charged with complicity in the 1994 genocide. These developments begin to form a pattern that suggests the emergence of universal jurisdiction for egregious human rights abuses.

The Rome Statute undoubtedly led to the creation of a permanent tribunal, the International Criminal Court (ICC). The court has jurisdiction over three crimes – genocide, crimes against humanity, and war crimes – and has provided definitions for each. As well as having a deterrent effect, indictments, some argue, may also serve as a disincentive to leaders who would be left with no reason to compromise. The Rome Statute has also formalized in international law many of the precedents set out by the ad hoc tribunals. One of the more important aspects of the ICC is that it may answer partially the allegation that international justice is always of the victors' sort. The statute allows for criminal proceedings to be initiated, not only by states and the Security Council, but also by the ICC prosecutor independently.

Contemporary Humanitarian Intervention: A radical departure from the norms
Haven come to terms with the knowledge of the concept of intervention, it will be worthy to put down some question which will guide further discussions with regards to the qualifying adjective- "humanitarian" -to the intervention. When is an intervention given credence to being 'humanitarian' in nature? What factors constitute or do not constitute a full-fledged action known as humanitarian intervention? On what grounds should a state be guaranteed to intervene in the affairs of another state while laying claim to humanitarianism? What is the position of the international law with respect to humanitarian intervention?

References to humanitarian intervention first began to appear in the international legal literature after 1840, (Augustus Stapleton, 1866a; Augustus Stapleton, 1866b; Ellery Stowell, 1921). Two interventions in particular were noted to be most directly responsible for this revolutionary innovation in the study of humanitarian intervention which include the intervention in Greece by England, France, and Russia in 1827 to stop Turkish massacres and suppression of populations associated with insurgents; and the intervention by France in Syria in 1860 to protect Maronite Christians, (Danish Institute of International Affairs, 1999). In fact, there were at least five prominent interventions undertaken by European powers against the Ottoman Empire from 1827 to 1908. By the 1920s, the rationale for intervention had broadened to include the protection of citizens of one's country resident abroad.

Humanitarian Intervention was traditionally invoked to quell massive reports of state's abuse of its sovereignty by brutal and cruel treatment of those within its power, both citizens and noncitizens (E. Shebbs, etal., 2019). Such a state was regarded as having made itself liable to action by any state or states that were prepared to intervene. Brownlie, (1921), depicted humanitarian intervention as "the reliance upon force for the justifiable purpose of protecting the inhabitants of

another state from the treatment which is so arbitrary and persistently abusive as to exceed the limits of that authority within which the sovereign is presumed to act with reason and justice".

The idea of Humanitarian Intervention was surrounded by controversy, however, and many in the hue of these controversies looked at the earliest cases of so-called humanitarian interventions with huge suspicion, (Dino Kritsiotis, 1998). Critics argued that the humanitarian justifications were usually a pretext for intervention as most acts of intervention are usually motivated by strategic, economic, or political interests. Furthermore, according to Ramesh Thakur (2001), there can be no doubt that even when objectives were less objectionable, the authoritarianism with which intervening powers manifest, undermined the credibility of the exercise. Such undermining authoritarianism include the impression that the intervening states were self-appointed custodians of morality and human conscience, as well as the guarantors of international order and security. This legacy continues to colour the intervention debate, as Ramesh Thakur pointed out that developing countries "are neither amused nor mindful at being lectured on universal human values by those who failed to practice the same during European colonialism and now urge them to cooperate in promoting 'global' human rights norms.

One noted legal authority concluded in 1963 that no genuine case of humanitarian intervention has occurred with the possible exception of the occupation of Syria in 1860 and 1861, (Brownlie, 1921). The scale of the atrocities in that case could ordinarily justify intervention as it was recorded that more than 11,000 Maronite Christians were killed and 100,000 were made homeless in a single four-week period. But by the time the 12,000 European troops had been deployed, the violence was largely over, and after undertaking some relief activities the troops withdrew.

At the end of the 19th century, many legal commentators held that a doctrine of humanitarian intervention existed in customary international law, though a considerable number of scholars disagreed. Contemporary legal scholars disagree on the significance of these conclusions. Some argue that the doctrine was clearly established in state practice prior to 1945 and that it is the parameters, not the existence, of the doctrine that is open to debate. Others reject this claim, noting the inconsistency of state practice, particularly in the 20th century, and the substantial number of scholars who had earlier rejected the proposition.

What is clear from the above submission is that this notion of humanitarian intervention evolved substantially before the appearance of an international system with institutions responsible for maintaining international order and protecting human rights. Humanitarian intervention during this period recorded huge utility of force. The first restrictions on recourse to force were developed in the Kellogg-Briand Pact in 1928. Later, the system crystallized into its current form, under the UN Charter.

Since 1945, the threat or use of force against the territorial integrity and political independence of states is prohibited by Article 2 (4), with exceptions granted for the collective use of force under Chapter VII and for individual or collective self-defense in the event of an armed attack in Article 51. Although the prohibition seems clear, questions about the legality of humanitarian intervention remained. In 1946, for example, an eminent legal scholar, Hersch Lauterpacht (1946) continued to argue that intervention is legally permissible when a state is guilty of cruelties against its citizens in a way that denied their fundamental human rights and shocked the conscience of humankind.

Surprisingly, according to seasoned international lawyer, Shaw, International Law maintained a silent position with regards to the legality or otherwise of humanitarian intervention, rather a branch of international law (known as *jus un bello*) was developed to regulate the conduct of hostilities during crisis arising from an interventions exercise. This branch of law provides

principles which cover the treatment of prisoners of war, civilians in occupied territory, the sick and wounded personnel, prohibition of methods of warfare and human right in the process of intervention. This view was supported by other international law scholars such as Green (2000), Detter, (2000), Best (1980; 1994), Rogers, (1996; 1995) among many others. By implication, international law gives a silent approval to humanitarian intervention by not only providing regulatory measures but also providing grounds upon which certain acts of intervention shall be validated or refuted.

Historically, according to Morehead (1998) the area of international law which emphasizes humanitarian intervention was developed in the 20th century precisely in 1964 by the pioneering works of Henry Duant who had been appalled by the brutality of the battle of Solferino. This was followed by the adoption of the Geneva Convention for the Amelioration of the Condition of the Wounded in Armies in the Field. Subsequently, the laws of war were codified at the Hague Conferences of 1899 and 1907, (Green, 2000).

This period made provision for naked war and pro-force intervention even though there were regulatory laws. Series of conventions were held and adopted in this period concerning land a naval intervention which still forms the basis of existing rules today with regards to humanitarian intervention. It was emphasized that, subject to international law, interveners are to remain subject to the law of nations wherein they are and are to treat the criminals of war with utmost respect according to established global standard and precautionary measures.

Despite the disparate views among scholars who engage in consistent debates over the concept of humanitarian intervention, it can be deduced that scholars have come to a common end with regards to what factors that constitutes the elements of humanitarian intervention in contemporary times. These factors, even though are either consistently waived, or consistently abridged and abused by powerful states, have been given several meanings, understandings and definitions. Distortion of meanings with regards to this concept often derives from contingencies as applicable to the case at hand and realities of the time. The following are the factors which provide yardstick for determining what constitutes contemporary humanitarian intervention: consent and justification.

i. *Consent*

Consent was controversial and of little practical meaning in several cases (such as Liberia, Haiti, and Sierra Leone) and irrelevant in one case (Somalia). The case of East Timor should equally be included because consent was ambiguous in that peculiar case because it emanated from an illegal occupying power, after significant international pressure that verged on coercion.

Some commentators argue that the term intervention in contemporary regimes emphasizes deployment of "solicited" military force in the advancement of aid to humanity. Here, however, the emphasis is only on the "solicited" type of intervention not unsolicited as it were (which is impliedly defined as the absence of effective 'consent'). However, the absence of consent is clearest when there is explicit opposition from the government (as can be seen in Iraq, the former Yugoslavia, and Rwanda) and coupled with a total collapse and non-existence of a government (here, being a legitimate authority which directs the state's affairs) from whom the consent ought to be obtained. Thus, this view held that for there to be consent, there ought to be an institution of authority which ought to grant same. This view is comprehensively compelling and germane in the sense that the existence of de facto control or authority (financed or sponsored by non-state regressive powers) does not abrogate the existence and validity of the legitimately institutionalized government. The existence of an insurgent force within a state does not invalidate the existence of the legitimate government, thereby giving room for "unsolicited" consent. This argument being the

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truth does not seem to augur well with the Western interveners as well as other pro-west scholars owing to the fact that few cases, there are, when domestic authority grants approval for intervention, and that when there are obvious reasons. But, when the western powers have an ulterior motive, it is not likely possible that the domestic authority would grant consent for intervention to take place, thus "unsolicited" consent is relied upon as a course of action for intervention.

The result of this consensus is open to interpretation. Consent may reflect less the wishes of a government than severe international pressure, as was arguably the case with Indonesia over East Timor in 1999. Moreover, the government of a state requesting assistance may be disputed, as was arguably the case with the government-in-exile of Jean-Bertrand Aristide over Haiti in 1994. Behind the consensus is an assumption that the state concerned has a government with effective territorial control, which should of course be granted that right of first refusal by allowing it to either offer or refuse consent. Where no such government exists, the requirement for consent, by definition, cannot be met. Furthermore, some observers point out that the phrase "in principle" (as contained in the UN Charter) may, in practice, mean that consent may be subordinate to the necessity to provide assistance in the face of an overwhelming human tragedy, or indeed that consent should come from citizens, rather than governments.

Donald Daniel and Bradd Hayes, (1999) have argued that the actual meaning of the term "intervention" can be derived from the contexts in which it occurs, in addition to the purposes for which it is invoked. Thus, actions do not amount to an act of intervention if they are based on a genuine request from, or with the unqualified consent of, the target recipient. "Consent", in this case, if it is to be valid in international law, should emanate from the legitimate government of a sovereign state and be freely given. Consent not freely given is, according Danil and Hayes, regarded as "coerced" consent. From the above reasoning, it can be deduced from a general perspective that intervention means various forms of consensual action that are often thought to directly challenge the principle of state sovereignty.

ii.   *Justification*
The second general criterion for contemporary intervention is the prominence of a 'humanitarian justification' employed by intervening states. The definition of "humanitarian" as an adjective to "justification" refers to the threat or actual occurrence of large scale loss of life (especially genocide), massive forced migration, and widespread abuses of human rights; it does not, however, include the overthrow of a democratically elected government (via a democratic process), unless one of the results of such democratic process, is large scale loss of life. Scholars and global institutions have generally given credence to legitimacy in trying to decipher or find a resting place for 'humanitarian justification' in intervention. This follows that unless there is an obvious deviation from human rights principles or absolute violation of human rights, or violation of established constitutional provisions, there seems not to be a ground legitimate enough for intervention. This implies that not until certain activities (even though they be legitimate activates) within a given state dovetail towards abrogation of the constitution or on the other hand violation of human rights (which by domestic and international laws are fundamental), there seems not to be a ground upon which humanitarian justification can be placed. Thus, humanitarian justification for intervention thrives when human rights are violated (even though by legitimate government of a state such as can be experienced in genocide), or an overthrow of a legitimate government by a third force (though illegitimately), by abrogating the constitutional procedures for power transition.

However, it should equally be of note that consideration be put towards likely chances of mixed motivations with regards to humanitarian rationale or justification. Thus, intervening states

might champion a humanitarian justification but with a mixed motivation for ulterior motives. In this case, humanitarian rational need not be exclusive, but it should be explicit reflecting with it specific agenda after which interventions are withdrawn.

In some of the cases, justifications can be placed on regional security concerns such as the case in Liberia and in Haiti. However, responding to the needs of populations of the citizens and foreigners at risk of death and extermination remained clearly evident in every humanitarian justification.

Nevertheless, in as much as records of human rights violations are rift in each intervention exercise, there are traceable few examples where justification is followed with consent. For instance, meaningful consent was expressed and justified in the Russian military efforts in Georgia and Tajikistan and the Commonwealth of Independent States (CIS) in Tajikistan. Italy intervened in Albania in 1996 for humanitarian reasons, but with Tirana's consent. Furthermore, these efforts were not based on explicitly humanitarian justifications. Similarly, three interventions in Africa had the consent of democratically elected governments, and again humanitarian concerns were not paramount. These interventions include: Guinea-Bissau, the Senegalese, Guinean, and the Economic Community of West African States (ECOWAS) Efforts all in 1998; The Central African Republic, Inter-African Force to Monitor the Implementation of the Bangui Agreements (MISAB) of 1997; and in 1998, in Lesotho, the South African and Botswanan efforts in accordance with agreements of the Southern African Development Community, (Jeremy Levitt, 2001).

However, scholars such as Simon Chesterman (2001); Emmanuel Shebbs, Uche Ekwuribe, Alen Iheonu (2018) have argued that justification supersedes consent. Thus, where there are clear cases of human rights violation, United Nations authorization can invoke an intervention. The UN's powers to issue authorization however, derives validity from Chapter VII of the United Nations Charter. Even though the enforcement of this authorization rarely involves non-UN motivated forces, the UN Security Council, relying on Chapter VIII of the United Nations Charter can mandate regional bodies to intervene in cases of emergency in order to arrest specific issues of humanitarian consequence, (Chesterman, 2001).

The definition of "humanitarian," as a justification for intervention is another problem which the concept of justification bequeaths. This is largely a case of subjectivism rather than objectivism. The UN Charter is not even clear about what constitutes "humanitarian" as a subject under justification. But generally, humanitarian concerns can be determined by drawing up a high threshold of suffering which a people are exposed to in comparison with what conditions that are ideally obtainable elsewhere or should be obtainable at that material point in time. This further refers to emphasis on the threat or actual occurrence of large scale violence resulting to loss of life (including, of course, genocide), massive forced migrations, and widespread abuses of human rights. Acts relative that shock the conscience and elicit a basic humanitarian impulse can equally be put to thought in consideration of what is tantamount to humanitarianism.

Why Motivates a State to Intervene?
However, other factors aid to point out the motivation behind the capacity of states to intervene. Even though scholars have desperate viewpoints with regards to how these factors are truly effective, there are convincing opinions among scholars that they are real. They include geographic proximity and cultural affinity, political culture and national interest.

i.   Geographic Proximity and Cultural Affinity
States traditionally have found numerous reasons to intervene and justify their interventions into another state (including international, domestic, and oftentimes a mixed) with or without the UN's

directive via resolutions. In general, geographic proximity (a feature that may be explained to be relative to acute security, economic, political, and domestic dimensions) has played a crucial role. What happens nearby is more likely to endanger citizens of a given nearby country, raise significant security concerns, and result in refugees, economic disruptions, and unwanted political spillovers. It is also likely to attract more comprehensive media coverage than events farther away. Such a crisis does not get lost as easily in the agenda of a regional organization as it does at the UN in New York.

Relatively few states, moreover, have the capacity to project military power far from home. Thus, options to intervene normally are more easily considered and implemented either in neighboring countries or as part of a supporting role in an international coalition whether led by the UN, a regional body, or a major power block. Robust interventions are most frequently led by a regional power: Australia in East Timor, Nigeria in Liberia and Sierra Leone, South Africa in Lesotho, Russia in the former Soviet Union, and states of Western Europe in Bosnia and Herzegovina and Kosovo.

Only the great powers have the capacity to mount operations well beyond their borders. There are records of frequent US interventions within its own hemisphere (for example, Dominican Republic, Grenada, Panama, and Haiti), but it has also been indispensable in interventions elsewhere (Iraq, Somalia, and the Balkans). Long-distance military efforts have also been undertaken by others – the United Kingdom (UK), France, and Belgium – particularly in cases where there have been colonial ties.

ii. *Political Culture*

Whether a state is likely to join an international coalition engaged in humanitarian intervention often appears to be related to its political culture, which is shaped by history and by public and elite views about their country's place in the contemporary world. Latin American countries are, for historical reasons, generally cautious about either backing or joining in any effort identified as an "intervention," though this hesitation seems to be easing in some parts of the region. Sanctions and military intervention in Haiti were unanimously backed by the Organization of American States (OAS). Argentina, for example, has become a prominent UN peacekeeping contributor and has provided forces to the NATO-led missions in Bosnia and Herzegovina and Kosovo. Japan, for a combination of historical, constitutional, and cultural reasons, remains cautious about sending its self-defence forces overseas, (Akihiko Tanaka, 1995). Germany, on the other hand, has shed some of its domestic legal restraints and political inhibitions, as demonstrated by its participation in Kosovo within the NATO framework.

Thus, political cultures have evolved to permit modest participation in international peacekeeping and even humanitarian interventions. Other traditionally strong countries may have become somewhat more hesitant especially with regards to troop contribution.

Another pertinent element of political culture is how to ensure democratic accountability when military forces are used in internationally approved enforcement operations. For international missions other than the traditional monitoring, observation, and peacekeeping, there is a tendency for democratic countries to involve parliaments in decision making. Although the Security Council provides both international and domestic legitimacy, it does not ensure democratic accountability within countries. Moreover, it is not impossible that in some future instance, a parliament could take a negative decision after a government makes a decision to participate in a Security Council-approved operation.

iii.   National Interests
It is not surprising that where significant interests are not engaged, countries are hesitant to commit troops. Often, only countries with significant interests find sufficient motivation to consider joining an intervention force. Recent examples that demonstrate this point include the British in Sierra Leone, the French in Rwanda and the Central African Republic, the Italians in Somalia and Albania, the North Americans in Haiti, Western Europeans throughout the former Yugoslavia, and the Russians in Georgia, Tajikistan, and Kosovo. This reality raises questions with regards to the claim of those who often argue for only disinterested intervention.

But the reality of the 1990s has been that humanitarian motives alone rarely suffice to sustain an intervention. Mixed motives are the norm, and many observers deem national interests as a necessary and yet insufficient condition for a successful humanitarian intervention.

Other kinds of interests also have an important impact on the willingness of countries to participate. For many countries, there is an interest in maintaining solidarity within regional groupings and military alliances. Whether the Rio Group, the OAS, NATO, or the Non-Aligned Movement, the views of like-minded countries can tip the balance in domestic decision making with regards to intervention. For other countries, international expectations and images remain influential.

The foreign policy strategies, priorities, and capacities of individual countries are key determinants in decisions by individual governments to participate in robust missions. Humanitarian intervention is not an endeavor in which one size fits all. National political cultures matter, and the rationale for an intervention may need to be tailored to specific countries at particular historical junctures. This equally reflects in the attitude states put up in the course of intervention. Attitudes vary about sources of legitimacy, the use of force or economic coercion, sovereignty, and international law and organization, not to mention the implications of existing asymmetries in national power and wealth.

National interests are often thought of as fixed or given; they are viewed as simply a product of geographic, political, and military circumstances. In fact, national interests are based on particular perceptions and strategic calculations. Consequently, they are often subject to change, sometimes radical change.

The dynamic elements in the content of "national interest" offer the possibility of building a forward-looking message, one that aims to build a foundation of support for future efforts, not just for the crisis of the day. Those who determine the politics of humanitarian responses are the leaders of states and state-like authorities. They act on the basis of calculations of political interests of their domestic economies. These are anything except fixed and unchanging, as the 1990s amply demonstrated. Shaping calculations of interest requires conscious engagement in political processes, because the construction and redefinition of interest are products of learning that should take place after each humanitarian crisis.

Humanitarian Intervention; the United Nations' strategy
From the foregoing and from a wide range of case studies, deductions could be made with respect to the methods adopted by the United Nations in administering and implement its humanitarian intervention programmes. This research identified two broad methods which wrapped up the entire administrative methods for implementation of International Humanitarian Programmes. These methods are curbed from critical evaluation of the pre-1990 and post-1990 case studies and historical evaluations.

i.   The Statutory Methods

The statutory methods are a set of methods which are agreed upon by the committee of states. It is further divided into two viz: United Nations Charter and UNSC Resolutions

a.   The United Nations Charter

This is a body of the general principles, conventions, routines, practices and rules of engagement exercised and executed by states in the usual diplomatic business. It is a body of established laws and statutes of the UN and particulars of agreement among member states. Member states rely on this document and methods stipulated by this document is statutory in nature.

For instance, Article 24 of the UN Charter statutorily vests the duty of intervention on the shoulders of the Security Council. Private settlement of disputes among parties, in order to avoid further deteriorating of peace is statutorily allowed and the measures stated in Chapter 33. Useful guidelines for the behavior of UN intervening authorities during an intervention in member states, and in the follow-up period, might be found constructively captured in Chapter XII of the UN Charter. The contents of this section of the Charter enable reconstruction and rehabilitation to take place in an orderly way across the full spectrum, with the support and assistance of the international community. The most relevant provision in this regard is Article 76 which notes that the aim of the system is to promote the political, economic, social and educational advancement of the people of the territory in question; to encourage respect for human rights; to ensure the equal treatment of all peoples in the UN in social, economic and commercial matters; and also to ensure equal treatment in the administration of justice in the member state.

A further element of Chapter XII which would often be of relevance to the populations of countries in which an intervention takes place relates to self-determination as captured in Article 76.b. This section emphasizes on use of every force to ensure protective enforcement towards sustaining or restoring forms of territorial self-government and autonomy, and this in turn will usually mean elections being facilitated and possibly supervised, or at least monitored, by the intervening authorities. Thus, this responsibility is fundamentally a principle designed to respond to threats to human life, and not a tool for achieving political goals such as greater political autonomy, self-determination, or independence for particular groups within the country (though these underlying issues may well be related to the humanitarian concerns that prompted the intervention). The intervention itself should not become the basis for further separatist claims neither will it create a platform for achievement of a separatist agenda.

Article 51 of the UN Charter further vests member states with powers for intervention on grounds of self-defense. Article 52 further vests regional bodies with powers for intervention pursuant "to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations", (UN Charter, 1948).

b.   United Nations Security Council Resolutions

Apart from Articles in Charters, emphasis should equally be laid on Resolutions which are periodic enactments by the UNSC which primarily focuses on addressing an immediate issue raised before each session of the UNSC. In this case, Resolutions apply to both the Security Council Resolutions and that of the General Assembly. Scholars like Nicholas Wheeler (2000) have argued that Resolutions are nothing but a 'vaccine' administered to a dying baby but though are very potent and solid enough to disband a legitimately installed government. This emphasis implies that Resolutions are themselves as efficacious as every other conventional law made by the UN even though they are adopted to address a given situation.

Additionally, scholars like Graham-Brown, Sarah (1999) argued that UN Resolutions are equally a measure to redress the errors that could have been observed in previous resolutions and or adopted to provide a support for a lacuna in the UN Charter. This could however be regarded as an amendment of a previously enacted UN Resolution, implying that a Resolution could be an amendment of previously made Resolution. This amendment measure is instant and yet unorthodox and are usually motivated by given circumstances currently being experienced or a collection of hidden interests among the world powers. For instance, Resolution 666 of September, 1990 was adopted for Iran when it was obvious that the provisions of Resolution 661 and 663 were an obvious violation of the UN Charter on Fundamental Human Rights.

Thus, in examining the import of Statutory Methods especially with relative to Resolutions, it should equally be of note to examine its direct implications on each given state, most especially considering the fact that the enactors of statutory methods as well as its administers are alien to the state for which the method was adopted.

ii.   The Contingency Methods
This is a set of methods which, though neither captured by the Articles of the UN Charter nor Resolutions as a statutory measure, are perfunctorily enforced in the execution and administration of humanitarian interventions in fulfillment of certain objectives of the interveners. Contingency methods are oblique, incomprehensible and immeasurable but yet, incidental on the performance of the provisions of the UN Charter or UNSC Resolution. A window for the existence of contingency methods is created in Article 36 of the UN Charter which states that "the Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment'. On the premise of this statutory provision, "appropriate procedures", resolutions, conventions and mandates for immediate action are executed in the administration of humanitarian intervention. These methods are not properly defined but are executed upon administration of humanitarian programmes.

In execution of contingency methods, Graham-Brown, Sarah (1999) noted that the interveners rely on certain provisions of the law to take obviously arbitrary actions and subsequently seek for a statutory measure, mostly a resolution, to establish the legitimacy of such contingency method. There is however no measure of the length and breadth of contingency methods as those are left to the discretion of the interveners. This implies that the application of contingency methods is best left with the contemplations of the interveners. However, the quantum and measure, with respect to legality or otherwise of contingency methods is only determined after it shall have been administered such as the intervention in Uganda by Tanzania

Humanitarian Intervention in Africa: Transition from Peace Keeping to Human Rights Violation
Peacekeeping forces are generally deployed to areas of conflict, or to post-conflict zones, with the goal of improving the peacemaking process. J. G. Michael, Greig & Paul F. Diel (2012) noted that when peacekeepers can preserve a ceasefire between fighting parties, the chances of reaching a successful peace agreement and transmission of relief materials may increase, and post-conflict forces provide stability for the development of stable and safe governmental operations. Despite the sound record of performance and the good intentions of peacekeeping missions, international peacekeepers have been associated with criminal misconduct, including sexual violence, crimes against women and children among others, (Michael J. Jordan, 2004). United Nations (1996) admitted that the entrance of peacekeeping troops into a conflict situation has been associated with a rapid rise in child prostitution. Such was not different in Somalia.

Under the standard agreement between the UN and the troop-contributing state, the behavior and punishment of military personnel are under the exclusive control of the troop-contributing state (UN, 1996). Article 46 of the 1990 Model Status of Forces Agreement (SOFA) provides that all UN peacekeeping staff are immune from legal process in respect to acts that they perform in their official capacity, while Article 47(b) provides that "if the accused is a member of the military, he or she "shall be subject to the exclusive jurisdiction of their respective participating states in respect of any criminal offences which may be committed by them in the host country or territory", (U.N. Secretary-General, 1990).

Peacekeepers operate in a complicated legal framework. This complexity can negatively affect both state responsibility for human rights violations and individual accountability for crimes committed by peacekeepers. For example, UN Member States contribute UN peacekeepers, but the peacekeepers work under the authority of the UN, not the home government of the participating troops, (Tom Dannenbaum, 2010). Under the normal rules of territorial jurisdiction, the host state would be responsible for human rights violations and the prosecution of criminal conduct.

Prosecuting perpetrators of human rights violations is generally easiest in the location where the crime was committed because the evidence and witnesses are there. But this normal procedure is often difficult to carry out, for the simple reason that some states, such as Somalia, have legal institutions that are too fragile or unstable to permit local prosecutions. When the UN begins a new peacekeeping operation, it establishes either a SOFA or a status of mission agreement (SOMA) with the host country that governs the obligations of the peacekeepers to the host country and the rights, privileges, and immunities of the peacekeepers, (United Nations, 2003). These agreements frequently provide for extensive immunities for the peacekeepers' conduct within the host state, (Marlise Simons, 2013).

Typically, intervention agreement will indicate that peacekeepers are only subject to criminal jurisdiction in their own countries, rather than the jurisdiction of the host country or that of the operational commanders (Simons, 2013). Simons equally added that the agreement may also include provisions requiring peacekeepers to follow local laws, but it is unlikely that a host state could enforce its domestic laws on the peacekeepers because the host state does not have criminal jurisdiction over them. This is in line with the position Paul D. Williams (2009) who noted that the states contributing peacekeeping troops to UN missions rarely prosecute peacekeepers for crimes they commit in the host country. It seems ironic that those charged with keeping the peace and protecting a population of civilians are often involved in victimizing this very population and increasing strife despite their opposite mission, (Richard J. Wilson and Emily Hurvtiz, 2014).

Examining United Nation's Intervention in Africa through the prism of Structural Realism: A theoretical review
Neorealism or Structural Realism is a Social Science theory which argues that power is the central factor that plays out in international administration. The major proponent of this theory is Kenneth Waltz who championed this idea in his 1979 book 'Theory of International Politics'.

Neorealism emerged from the North American discipline of political science, adding some flesh to the classical realist tradition of Hans Morgenthau, and Reinhold Niebuhr. Classical realism of Morgenthau (1978) originally explained the machinations of international politics as being based on human nature, and therefore subject to the ego and emotion of world leaders which reflect in a wide range of bruises, conflicts and contentions in international relations.

The tenets of Neorealism ideologically depart from the theoretical position of Classical Realism. Neorealist thinkers propose that structural constraints (such as against strategy, egoism, or

motivation) will determine behavior of states in international relations. Here, we identify the role of 'structure' as a fundamental element in the administration of international affairs.

The theory holds that the nature of the international structure is defined by its ordering principle which is largely decentralized. Thus, there is no formal central authority which coordinates the activities of states. Every sovereign state within the global society is formally equal. These states act according to the logic of self-help, meaning that they seek their own interest and will not subordinate their interest to the interests of other states, (John J. Mearsheimer, 2014). To achieve some level of protection, states develop offensive military capabilities for foreign interventionism and as a means to increase their relative power because states have similar needs but with dissimilar interests, (Kenneth Waltz, 2000).

The import of this theory to this research draws strength from the relevance of structure, not as a dependent variable, rather as an independent variable towards the determination of interstate administrative engagements. Waltz (1979), Humphreys (2001) and Mearsheimer (2014) have argued that the central quest for neo-liberal strucuturization is in order to build defensive and offensive structures that can successfully neutralize opposing forces. If the idea of structurization is taken to a global perspective, structures such as the UN will come into the picture. The UN and likely global establishments are fundamental in the institutionalization of intervention mechanisms as well as activation of interventions across the world. Within the prism of this theory, the idea informs the fact that global structures and administrative mechanisms established towards the administration of humanitarian intervention is intended to neutralize opposing forces, not necessarily to provide social security for the victims of harsh humanitarian conditions.

Similarly, the second wing of State deterministic theory further illustrates the applicability of humanitarian administration within the structural disposition of states. Thus, if international humanitarian intervention should be effected within the ranks of structural realism, the domestic structures of states should be fully engaged and not ignored in the entire administration process.

Presentation of Research Findings

i. *Pro-humanitarian Institutions in Somalia*
The following is a table showing domestic institutions which have the capacity to undertake humanitarian activities within the country during the UNOSOM period but were not consulted by United Nations.

Sectorial Distribution	Description	Number of Institutions	Number of Personnel (est.)
Education	Tertiary Schools and Research Centers	18	3,780
Health	Government Owned Hospitals	48	16,800
Agriculture	Private and Public Farms with reasonable quantum of products to serve the public	107	6,099
Transport	Registered Transport companies	52	1,820
Human Rights Group	Registered Human Rights Organizations	21	357
Media	Registered Print and Electronic Media	49	2,205

SOURCE: Shebbs, Uno and Uduma (2022), field work analysis

ii. Percentage of international versus domestic institutions during UNOSOM era.
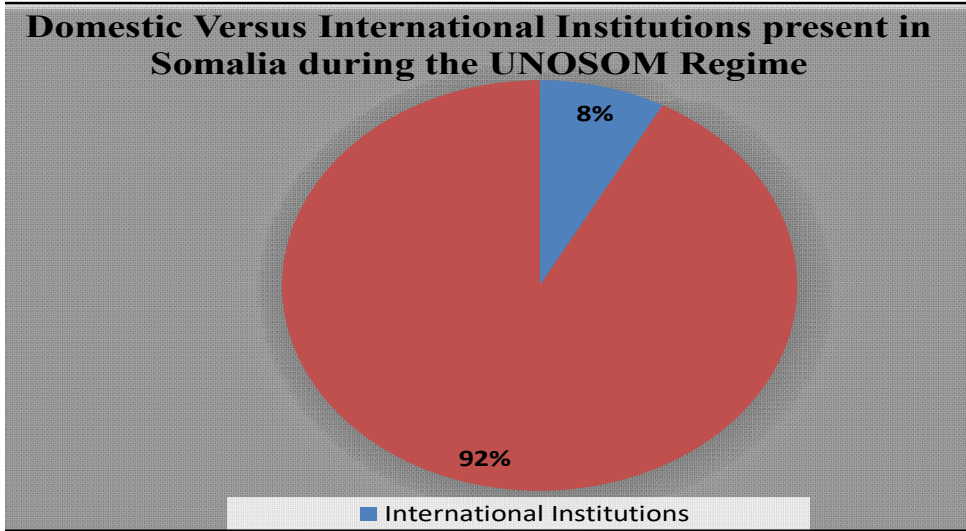
SOURCE: Shebbs, Uno and Uduma, (2022), field work analysis

iii. United Nations Security Council Resolution

In a space of four years, the UNSC has passed 24 Resolutions for the state of Somalia.

Year	Number of UNSC Resolutions	Number of UNSC Resolutions bothering on Somalia
1991	41	-
1992	70	6
1993	92	8
1994	76	6
1995	65	4

SOURCE: Shebbs, Uno and Uduma (2022), Field Survey Analysis

iv. Human Rights violation during UNOSOM I and II
Records of Human Rights Violation were evident during the UNOSOM era. These are identified with two resultant indicators as stated below:

Records of Human Rights Violation in Somalia 1991-1995

SOURCE: Shebbs, Uno and Uduma (2022), field work analysis

Does non-integration of domestic institutional framework impact on the success or failure of UNOSOM?

The first step of UN into the sovereign state of Somalia was footed on Chapter VII of the UN Charter which was exclusively created to factor-in UN-sponsored interventions, whether humanitarian or otherwise. Article 39 in Chapter VII of the Charter reads:

> *The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security, (UN Charter, Article 39)*

Resolution 751 paved a way for the full swing of the UNOSOM Programme. Forty countries were mobilized for participation in the UNOSOM programme, eight of whom were African countries. Administration of UNOSOM was generally extrinsic as no mention was made of domestic institutions in Somalia. The administrative methods of UNOSOM did not create a provision for integrating domestic institutions in Somalia, rather, UNOSOM declared Somalia a failed state, annihilated the existence of administrative frameworks that could have been used in transmission of aids and relief materials.

This varies from the position of Structural Realists who identified structure as a fundamental element in the administration of international policy. Equally, scholars like John J.

Mearsheimer (2014), Kenneth Waltz (2000), have argued in favour of a state structure as being relevant to the existence of the state itself. Here, structure is an independent variable. Thus, the existence of the state, its operations and activities are consequent upon the viability of its structures in it.

By 1975, Somalia headed the Organization of African Unity (OAU), as it then was, had the richest economy in the horn of Africa; established a large-scale public works programme and had them successfully implemented, which dramatically increased literacy rate. All these could not have been possible with weak domestic institutions. Acting on the provisions of Chapter VII of the United Nations Charter, 1945 UNOSOM disorganized the only effective functioning government in the country, as well as the civilian police and national army.

There was no report of UNOSOM alliance with Somali Military, Police or other relevant security agencies. There was no report of UNOSOM alliance with civil society organizations, interest groups, NGOs as well as others located in Somalia that can contribute to the distribution of aids and humanitarian needs to the people.

The security threat to personnel of the United Nations and its agencies was high in areas of Mogadishu Somalia in reaction to the destruction of state structures. It could be argued that the military personnel sacked by UNOSOM forces could have reformed into opposing forces to resist the implementation of UNOSOM. For instance, General Mohamad Fahrah Aidid's forces shelled and shot at UNOSOM forces controlling the airport, and Mr. Ali Mohamed Mahdi's forces shelled ships carrying food as they attempted to enter Mogadishu port. General Aidid objected to United Nations control of the airport; Mr. Ali Mohamed Mahdi wanted UNOSOM to take full control of the port. On 13 November, after coming under machine-gun, rifle and mortar fire, the Pakistani troops controlling the airport returned fire. In the absence of a government capable of maintaining law and order, relief organizations experienced increased hijacking of vehicles, looting of convoys and warehouses, and detention of expatriate staff. These complexities were major motivations behind the failure of the operation to restore humanitarian sanity in Somalia.

Thus, the inability of UNOSOM to connect with the domestic contacts and institutions in Somalia cannot be divorced from one of the major reasons why the programme failed largely because the relief materials, the security logistics, and other strategic instruments needed to ensure complete implantation could not get to the target audience. By implication, the programme details were not achieved. If these strategic measures, logistic and relief materials were wired through domestic institutional frameworks in Somalia, the programme would not have failed. It follows that international humanitarian intervention programmes must take cognizance of domestic institutional framework in order to succeed.

Does non-implementation of Paragraph 3 and 4 of Resolution 751 impact on the success or failure of the UNOSOM Programme?

The third paragraph of resolution 751 which established the UNOSOM mandated the Secretary General to as a matter of urgency "…deploy a unit of fifty United Nations observers to monitor the cease-fire in Mogadishu in accordance with paragraphs 24 to 26 of the Secretary-General's report" (UNSC, 1992a), while paragraph four commanded the establishment of a "Special Representative of the Secretary-General a United Nations security force to be deployed as soon as possible to perform the functions described in paragraphs 27 to 29 of the report of the Secretary-General".

These functions noted in paragraph 27 to 29 of the Secretary General's report include were captured in Resolution 733 which include:
  i.   contact all parties involved in the conflict
  ii. seek commitment to the cessation of hostilities

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iii. ensure the distribution of humanitarian assistance
iv. promote ceasefire
v. assist the process of political settlement and formation of a democratic government (UNSC, 1992b).

These are the cardinal objectives of UNOSOM. Resolution 751 mandated the performance of these tasks and mobilization of personnel therewith. Scholars like Minear, (2002), Macrae and Hammer (2003), Bellamy (2005) have argued that adherence to the defining policy objectives of each intervention impacts greatly on security interests and the nature of humanitarian actions. This corresponds with the position of Humanitarian Policy Group (2006) who stated that misapplication of contingency strategies can undermine humanitarian claims to impartiality and neutrality in interventions.

To achieve the cardinal objective of UNOSOM as captured in Resolution 751 paragraphs 3 and 4, it is expected that UNOSOM forces oust the arbitrary military government of General Ali which came into power by coup which also triggered the conflict; restore the political statuesque of Somalia to its original state before the illegal overthrow; set the stage ready for democratic election.

These were not done, rather the UNOSOM forces adopted the illegitimate government of General Ali as the legitimate leader of Somalia. The endorsement of Mr. Ali Mahdi Mohamed at Djibouti, even by the international community (Paul Fricska, Szilard, 2013), suggests the approval of an illegitimate authority. This illegitimate endorsement, by implication, approves the abrogation of a legitimately established state institution by the Mohamed Farah Aidid (LIRS, 1999) thereby contravening the original mandate issued to UNOSOM, questioning the impartiality and neutrality of the programme sponsors.

There was a significant increase in internal insurrection in Somalia. This is contrariwise to the aims and objectives of UNOSOM. Two groups were in contest in Somalia before the commencement of UNOSOM. The UNOSOM forces destroyed the internal cohesion in Somalia, recognized one group as a legitimate authority which was of course false authority. By the end the UNOSOM, eight (8) other anomic non-state actors had arisen, splitting national cohesion yet the more, hyping the security tension in Somalia, generates more insurrection.

Thus, the inability of the UNOSOM forces to implement the third and fourth paragraphs of Resolution 751 resulted to their inability to perform their functions as noted in Resolution 733. This resulted to the failure of UNOSOM to achieve its stated objectives and mandate.

Does the violation of human rights by UNOSOM officials impact on the success or failure of UNOSOM?
Scholars like Richard J. Wilson and Emily Hurvtiz (2014), Paul D. Williams (2009), Marlise Simons (2013) and Tom Dannenbaum (2010) have argued that human rights violation is synonymous with humanitarian intervention programmes among other variants of peacekeeping mission. Even, the United Nations report of 2003 noted that peacekeeping forces are major agents of human rights violation ranging from rape, child abuse, prejudicial killing, war crimes among others. The case of Somalia is not different.

Netherlands Organisation for International Development Cooperation's (NOVIB. 2003), observed that monitoring human rights violations in a state with collapsed structures is a major challenge. Most Somalis have no knowledge of democratic structures, and exist in the culture of impunity.

Empirical evidence shows that during the period under study, human rights violations remained endemic. These include murder, looting and destruction of property, child soldiering,

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kidnapping, discrimination against minorities, torture, unlawful arrest and detention, and denial of due process by local authorities, (Consolidated Appeals Process, 2003). These were evident in 2 major indicators viz: death rate and infliction of injuries by the UNOSOM forces. From the facts above, death rate grew progressively high along with the rate of injuries inflicted on the citizens from 2900 to 14000 and 11800 to 27000, respectively. This led to consequential outcomes of increase in Internal Displaced Persons and Refugees.

Technically, the protection and promotion of the rights of the citizen of a country is the responsibility of the state, therefore a major constraint to human rights observance and protection is the absence of a legitimate government or state institutions. According to Kenneth Menkhaus (2003), during the UNOSOM era, efforts to protect and promote human rights are pursued in a unique context in Somalia. First, the destruction of functional legal system creates a unique challenge, in that the standard authority responsible for human rights matters is absent from the scene. Second, local customary law, which is the principal source of conflict management, conflict prevention, and justice in Somalia during this period, occasionally conflicts with universal human rights conventions; Third, Somalia's extraordinary levels of poverty and underdevelopment constitute a human right challenge in their own right.

That notwithstanding, the peculiarity of Somalia's case lies on the judicial mechanism designed for human right matters in Somalia. Under the standard agreement between the UN and the troop-contributing state, the behavior and punishment of military personnel are under the exclusive control of the troop-contributing state (UN, 1996). Article 46 of the 1990 Model Status of Forces Agreement (SOFA) provides that all UN peacekeeping staff are immune from legal process in respect to acts that they perform in their official capacity, while Article 47(b) provides that "if the accused is a member of the military, he or she "shall be subject to the exclusive jurisdiction of their respective participating states in respect of any criminal offences which may be committed by them in the host country or territory", (U.N. Secretary-General, 1990).

The UN administrative processes and procedures deployed in the UNOSOM era launched a new regime of hardship for Somalia with respect to human rights violation. The difficulty in human rights enforcement owing to the immunity granted to UNOSOM forces by the SOFA 1990 Law made it even impossible for aggrieved parties to institute actions. Such a repressive statutory provision will leave the citizens with no other option than to respond negatively to the UNOSOM programme by any violent means possible.

Summary of Findings
The study presented three hypotheses which were examined along with data obtained in the research. The first hypothesis was presented in a null form. This was discarded as it was invalid when tested along with the content of the data obtained in the study. The alternate hypothesis was adopted. It was discovered that there is a significant relationship between the non-integration of domestic institutional framework and the success and failure of UNOSOM. Thus, the administration of UNOSOM would have been successful if domestic institutions in Somalia were integrated in the process.

The second hypothesis of this study was equally presented in a null form. This was discarded and the alternate was adopted. This study found out that the non-implementation of the provisions of paragraphs 3 and 4 of Resolution 751 was significantly related to the failure of the programme. This implies that UNOSOM programme would have been successful if the provisions in Paragraph 3 and 4 of the afore-stated Resolution were implemented.

The third hypothesis of this study was presented in a null form. It was thereafter discarded as it was tested to be invalid, weighed along with contents of the data collected. It was therefore

discovered that there is a significant relationship between human rights violation and the success or failure of UNOSOM programme. Thus, the administration of UNOSOM which launched a new age of human rights violation in Somalia led to the failure of the programme.

Conclusion

Administrative method is key to public policy implementation. Nations across the world have adopted several methods in ensuring effective implementation of public policies. This is directly proportional to their areas of priority and interests in governance and service delivery. Same can be said of the United Nations and the way in which it administers humanitarian intervention.

The peculiarity of humanitarian intervention is germane in this research. Unlike any other form of intervention, humanitarian intervention stems from a growing concern for attention towards a disturbing human condition. It focuses on providing social alternatives for survival for the vulnerable persons across the globe by providing tangible and intangible goods towards ensuring survival and justice.

In the administration of international humanitarian intervention, the statutory and contingency methods are being adopted and applied by the UN. This research investigates these methods with respect to their relatives impacts on the diplomatic of African states. These methods have resonated negatively on the African states who benefit from these interventions. These impacts range from a collapse in the sovereign fidelity of the state in question, inflation of internal insurrection and regional refugee statistics impacting on their capacity to for social service delivery.

Recommendations

In the administration of international humanitarian intervention in Africa, the internal institutions in African states should be put into deep consideration. In other words, the humanitarian assistance and aids should be wired through the domestic institutions, civil societies, NGOs among others. This is to ensure grassroots fortification in the administration of humanitarian intervention as well as doorstep delivery of humanitarian reliefs.

This study recommends that the extant rules of engagement in humanitarian intervention should be followed. These rules are formulated to provide pathways for eventual success of the programme when they are implemented. If humanitarian programmes must be successful, then, the legal provisions which launched them must be clinically followed.

This study recommends that human rights violation should be checked in the administration of humanitarian intervention programmes in Africa. This is to the effect that human rights abuses can cause a reverse effect on the ideals of a programme especially when they are championed by the intervening forces.

References

A Apadorai, (1968), *The Substance of Politics*. New Delhi: India, Oxford University Press.

Abiodun Alao (1998), *The Burden of Collective Goodwill: The International Involvement in the Liberian Civil War*. Aldershot: Ashgate

Abraham F. Lowenthal (1995), *The Dominican Intervention*. Baltimore: The Johns Hopkins University Press

Abram Chayes, Thomas Ehrlich, and Andreas F. Lowenfeld (1968), *International Legal Process*. Boston: Little, Brown & Co.

Adam Roberts (2001), The So-Called 'Right' of Humanitarian Intervention, *Yearbook of International Humanitarian Law*. The Hague: .M.C. Asser

Akihiko Tanaka (1995), The Domestic Context: Japanese Politics and UN Peacekeeping, in Selig S. Harrison and Masashi Nishihara, eds., UN Peacekeeping: Japanese and American Perspective. Washington, DC: Brookings Institution.

Alain Gerard (1967), *"L'opération Stanleyville-Paulis devant le Parlement belge et les Nations Unies,"* published in Revue Belge de Droit International 3

Alan J. Kuperman (2000), "Rwanda in Retrospect," Foreign Affairs 79, no. 1 (January–February 2000)

Alan James (1969), *The Politics of Peacekeeping*. London: Chatto & Windus.

Alan, Bryman (2011), *Business Research Methods*. Cambridge: Oxford University Press.

Albright, Madeleine K. (1993). "Yes, There Is a Reason to Be in Somalia". The New York Times. Retrieved 22 May 2015.

Alfred B. Zack-Williams and Stephen Riley (1993), Sierra Leone: The Coup and Its Consequences," *Review of African Political Economy* 20, no. 56.

Alfred B. Zack-Williams and Stephen Riley (1993), Sierra Leone: The Coup and Its Consequences, in *Review of African Political Economy* 20, no. 56

Amii Omara-Otunnu (1987), *Politics and the Military in Uganda, 1890–1985*. New York: St. Martin's Press.

Amitai Etzioni (1996), New York: Gordon and Breach Science Publishers.

Amnesty International (1978), *Human Rights in Uganda*. London: Amnesty International

Amnesty International (1983), *Political Killings by Governments*. London: Amnesty International

Anderson, Jon Lee (2009). "The Most Failed State". The New Yorker. Retrieved 19 May 2015

Andrew Natsios, "Illusions of Influence: The CNN Effect in Complex Emergencies," in Rotberg and Weiss, eds., *From Massacres to Genocide: The Media, Public Policy, and Humanitarian Crises*, pp. 149–168.

Arvind Singhal (2008), Legacies in diffusion of Innovations in Social Change: A Tribute to Everret M. Rogers, in Mohammed Kuta Yahaya ed, *Communications for Social Change in Developing Countries*. Ibadan: Krafts Books Limited.

Augustus Stapleton (1866b), *The Foreign Policy of Great Britain from 1790 to 1865*. London: Murray.

Augustus Stapleton (1866a), *Intervention and Non-Intervention*. London: Murray, ;

Bellamy (2005), Responsibility to Protect or Trojan Horse? The Crisis in Darfur and Humanitarian Intervention after Iraq. *Ethics and International Affairs*, 19 (2): 31-53

Ben Kiernan (1996), *The Pol Pot Regime. New Haven*: Yale University Press

Boutros Boutros-Ghali (1995), *Supplement to An Agenda for Peace*. New York: United Nations.

Brigette Stern, ed. (1998), *United Nations Peace-keeping Operations: A Guide to French Policies.* Tokyo: UN University Press. p. 124.

Brownlie (1921), *International Law and the Use of Force by States*,

Bruno Simma (1995), *The Charter of the United Nations: A Commentary* (Oxford: Oxford University Press.

Carnegie Commission (1997), Preventing Deadly Conflict – Executive Summary.

Catherine Hoskyns (1965), *The Congo since Independence*. London: Oxford University Press

Charles Rousseau (1980), "Chronique des faits internationaux," Revue Générale de Droit International Public

Christine Gray (2000), *International Law and the Use of Force*. Oxford: Oxford University Press.

Commonwealth (1995), *The Auckland Communiqué*, Commonwealth Heads of Government Meeting November 1995.

D.K. Palit (1972), *The Lightning Campaign: The Indo-Pakistan War 1971*. Salisbury: Compton

Danish Institute of International Affairs (1999), Humanitarian Intervention. Copenhagen: Danish Institute of International Affairs

Danish Institute of International Affairs (1999), *Humanitarian Intervention: Legal and Political Aspects.* Copenhagen: Danish Institute of International Affairs

Das Hammarskjold Library, (2018) Assessed from https://research.un.org/en/docs/humanrights.

David Chandler (1991), *The Tragedy of Cambodian History*. New Haven: Yale University Press

David Cortright and George A. Lopez (2000), *The Sanctions Decade: Assessing UN Strategies in the 1990s*. Boulder: Lynne Rienner

David Cortright and George A. Lopez, eds (1995), *Economic Sanctions: Panacea or Peacebuilding in a Post-Cold War World?* Boulder: Westview Press.

David Gwyn (1977), *Idi Amin: Death-Light of Africa*. Boston: Little, Brown

Dean G. Kilpatrick (n.d) Definitions of Public Policy and Law. Obtained 11/8/2018 from https://mainweb-v.musc.edu/vawprevention/policy/definition.shtml

Dennis Driscoll (2003), ed., *Humanitarian Intervention*. Galway: Irish Centre for Human Rights.

Dino Kritsiotis (1998), "Reappraising Policy Objections to Humanitarian Intervention" in *Michigan Journal of International Law* .

Donald C.F. Daniel and Bradd C. Hayes (1999), *Coercive Inducement and the Containment of International Crises*. Washington, DC: US Institute of Peace.

Economic Community of West African States Revised Treaty, Article 58 – Regional Security, July 24, 1993.

Edward Luck (1999), Mixed Messages: American Politics and International Organization 1919–1999. Washington, DC: Brookings Institution.

Eli Berman, Joe Felter,Jacob Shapiro and Erin Troland (2013), Effecive Aid in conflict Zones. Obtained from VoxEU.org

Ellery Stowell (1921), *Intervention in International Law*. Washington, DC: J. Bryne.

Emmanuel Shebbs, Dick Uduma, Celestine Nwosu and Allens Iheonu (2019), Political Consciousness and Rural Development in Nigeria: Adopting Kingdom's Triple-Stream Model in the Study of Azumini Ndoki Community in Abia State. *International Journal of Advanced Legal Studies and Governance*, Volume 8, Number 1, April, 2019. ISSN: 2141-6710.

Emmanuel Shebbs, Uche Ekwuribe, Alen Iheonu (2018), The 21St Century Role of the State Machinery in Resource Control: Imperatives for Good Governance in Nigeria. *Journal of Humanities and Social Policy* Vol. 4 No. 2, 2018. ISSN: 2545-5729

Ernest W. Lefever (1965), *Crisis in the Congo*. Washington: Brookings Institution.

Evidence Act Nigeria (2011), S.18 Sub-Section 3

Fergusson, James (2013), "Somalia: A failed state is back from the dead". The Independent. Retrieved 2 May 2015

Francis Abiew (1999), *The Evolution of the Doctrine and Practice of Humanitarian Intervention.* The Hague: Kluwer, pp. 26–27;

Francis Hinsley (1966), *Sovereignty*. London: Basic Books, p. 126

Fred E. Wagoner (1980), *Dragon Rouge: The Rescue of Hostages in the Congo*. Washington, DC: Government Printing Office

Gary C. Hufbauer, Jeffery J. Schott, and Kimberly Ann Elliott (1990), *Economic Sanctions Reconsidered: History and Current Policy*, 2nd ed. Washington, DC: Institute for International Economics.

Geoffrey Robertson (1999), *Crimes against Humanity: The Struggle for Global Justice*. London: Penguin.

Georges Abi-Saab (1978), *The United Nations Operation in the Congo*. Oxford: Oxford University Press, 1978

Graham-Brown, Sarah (1999), Middle East Research & Information Project. Sanctioning Saddam: the politics of intervention in Iraq. I.B.Tauris. p. 57. ISBN 978-1-86064-473-3

Gruffydd Jones, Branwen (2008). "The global political economy of social crisis: Towards a critique of the 'failed state' ideology". *Review of International Political Economy*. 15 (2): 180–205. doi:10.1080/09692290701869688.;

Haglar Okorie and Anyanwu Ikenna (2011), *General Principles of Nigerian Law.* Aba: Divine Connection Concepts.

Hagmann, Tobias; Hoehne, Markus V. (2009). "Failures of the state failure debate: Evidence from the Somali territories". *Journal of International Development.* 21 (1): 42–57. doi:10.1002/jid.1482.;

Harold Lasswell (1948), *Power and Personality.* New York. NY.

Hearts Ofoeze (2008), *The State and Public Policy: The Subject matter of Political Science.* Abakiliki: Data-Globe Nigeria.

Hearts Ofoeze, (2001), *Political Parties and Pressure Groups: An Introduction to Basic Structures of Democratic Politics.* Abakiliki: WilliRose and Appleaseed Publishing Company.

Helmut Freudenschuss (1994), Between Unilateralism and Collective Security: Authorisations of the Use of Force by the UN Security Council, *European Journal of International Law* 46, no. 1.

Henry Kyemba (1977), *State of Blood.* London: Corgi Books

Henry Shue (1996), *Basic Rights, Subsistence, Affluence and U. S. Foreign Policy*. Princeton University Press

Hersch Lauterpacht (1946), *The Grotian Tradition in International Law*, published in British Year Book of International Law Vol.23

Howard L. Weisberg (1972), *Note: The Congo Crisis 1964: A Case Study in Humanitarian Intervention*, published in Virginia Journal of International Law

Humanitarian Policy Group (2006), *Resetting the Rules of Engagement, Trends and Issues in Military-Humanitarian Relations.* London: Oversees Development Institute.

Ian Brownlie (1963), *International Law and the Use of Force by States.* Oxford: Clarendon Press

ICJ (1970), Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276,.

International Commission of Jurists (1972), *The Events in East Pakistan*. Geneva: International Court of Justice Secretariat

International Court of Justice (1986), *Military and Paramilitary Activities in and Against Nicaragua* (Nicaragua v United States).

James Appathurai and Ralph Lyshysyn (1998), "Lessons Learned from the Zaire Mission," *Canadian Foreign Policy* 5, no. 2, pp. 93–105.

Jeremy Levitt (1998), "Humanitarian Intervention by Regional Actors in Internal Conflicts: The Cases of ECOWAS in Liberia and Sierra Leone," *Temple International and Comparative Law Journal* Vol. 12, no. 2

Jeremy Levitt (2001), "African Interventionist States and International Law," in Oliver Furley and Roy May, eds., *African Interventionist States: The New Conflict Resolution Brokers.* Aldershot: Ashgate.

Jerome Slater (1970), *Intervention and Negotiation: The United States and the Dominican Revolution*. New York: Harper & Row

John Carey, ed. (1967), *The Dominican Crisis*. Dobbs Ferry: Oceana.

John J. Mearsheimer (2014), *The Tragedy of Great Power Politics*. New York, NY: Norton

José E. Alvarez (1999), Crimes of States/Crimes of Hate: Lessons from Rwanda, *The Yale Journal of International Law* 24.

K. Mathews and Samuel S. Mushi (1981), *Foreign Policy of Tanzania, 1961–1981*. Dar Es Salaam: Tanzania Publishing House

Ken Rutherford (2008), *Humanitarianism Under Fire: The US and UN Intervention in Somalia*, Kumarian Press, July 2008 ISBN 1-56549-260-9

Kenneth Waltz (2000), Structural Realism After the Cold War. *Journal on International Security*. Vol 25: doi:10.1162/016228800560372.

Kim Richard Nossal (1989), International Sanctions as International Punishment, published in *Journal of International Organization* 43, no. 2

Kimberly M. Zisk, (2000) "Lending Troops: Canada, India, and UN Peacekeeping," paper presented at the Annual Convention of the International Studies Association, Los Angeles, p. 4.

Kofi A. Annan (2000), *"We the Peoples": The Role of the United Nations in the 21st Century*. New York: United Nations

Kofi Annan (1998), Reflections on Intervention," paper presented at Ditchely Park, June 26, 1998

Kofi Annan (2000), *Humanitarian Action: A Symposium. International Peace Academy Conference Report,* New York: International Peace Academy.

L. A. Akinbile (2008), Harnessing Indigenous and Traditional Communication Media for Social spheres on Life, in Mohammed Kuta Yahaya ed, *Communications for Social Change in Developing Countries*. Ibadan: Krafts Books Limited.

Leo Kuper (1981), *Genocide: Its Political Use in the Twentieth Century*. New Haven: Yale University Press

Levitt (2001), African Interventionist States and International Law in Oliver Furley and Roy May, eds., *African Interventionist States: The New Conflict Resolution Brokers*. Aldershot: Ashgate.

Library Information and Research Service (1999), The Middle East: Abstracts and index, Volume 2, p.327.

Louis Henkin (1995), *International Law: Politics and Values.* London: Martinus Nijhoff, pp. 9–10;

Macre J and Hammer (2003), Humanitarian Action and the Global War on Terror: A Review of Trends and Issues, HPG Report 14. London: ODI

Margaret P. Doxey (1996), *International Sanctions in Contemporary Perspective,* 2nd ed. New York: St. Martin's Press.

Martin Wright (1979), *Power Politics*. Harmondsworth: Penguin

Menkhaus, Ken (2007), "Governance without Government in Somalia: Spoilers, State Building, and the Politics of Coping". *InternationalSecurity*. 31 (3): 74–106. doi:10.1162/isec.2007.31.3.74

Michael Reisman (1990), Sovereignty and Human Rights in Contemporary International Law," *American Journal of International Law* 84, p. 867.

Michael Reisman and Douglas Stevick, (1998) "The Applicability of International Law Standards to the United Nations Economic Sanctions Programmes. Published in the *European Journal of International Law*

Michael S. Lund and Ugo Solinas, "West Africa: Intervention Precedes Legitimacy," http://www.euforic.org/euconflict/sfp/part2/280_.htm; and Inter Press Service, "Chronology of Liberia's July Elections," http://ips.org/index.htm

Michael Vickery (1999), *Cambodia, 1975–1982*. Chiang Mai: Silkworm Books

Micheal Roskin, Robert Cord, James Medeiros and Walter Jones (2000), *Political Science: An Introduction*. New Jersey: Prentice Hall Inc.

Minar L (2002), Humanitarian Action in an Age of Terrorism. New Issues in Refuge Research, no 63.

Nicholas Wheeler (2000), *Saving Strangers: Humanitarian Intervention in International Society*. New York: Oxford University Press

Nigel S. Rodley (1992), "Collective Intervention to Protect Human Rights and Civilian Populations: The Legal Framework," in Nigel S. Rodley, ed., *To Loose the Bands of Wickedness: International Intervention in the Defence of Human Rights*. London: Brassey.

Okereke, Oyari (2003), *Public policy Analysis* (2nd Ed). Abakiliki: Willyrose and Appleseed Publishing Company.

Paul Conlon (1995), The UN's Questionable Sanctions Practice," Aussenpolitik German foreign affairs review, vol. 46, no. 4.

Paul Fricska, Szilard (2013), Harbinger of a New World Order? Humanitarian Intervention in Somalia. University of British Columbia. Retrieved 6 October 2017.

Peter J. Schraeder (1994), *United States Policy toward Africa*. Cambridge: Cambridge University Press.

Ramesh Thakur (2000), Sanctions: A Triumph of Hope Eternal over Experience Unlimited, Global Dialogue 2, no. 3.

Ramesh Thakur (2001), Global Norms and International Humanitarian Law: An Asian Perspective, published in International Review of the Red Cross 83, no. 841.

Richard Holbrooke (1998), *To End a War*. New York: Random House.

Richard J. Barnet (1971), *Intervention and Revolution: The United States in the Third World*. New York: World Publishing Company

Richard Lillich (1973), *Humanitarian Intervention and the United Nations* (Charlottesville: University Press of Virginia, 1973).

Richard Sisson and Leo E. Rose (1990), War and Secession: Pakistan, India, and the Creation of Bangladesh. Berkeley: University of California Press

Richard West (1970), *Back to Africa: A History of Sierra Leone and Liberia.* London: Jonathan Cape

Robert A. Pape (1997), Why Economic Sanctions Do Not Work," published in *Journal of International Security* 22, no. 2.

Robert Jackson (1975), *South Asian Crisis: India–Pakistan–Bangladesh*. London: Chatto & Windus.

Robert Jackson (2000), *The Global Covenant: Human Conflict in a World of States*. Oxford: Oxford University Press.

Robert Jennings and Arthur Watts (1996), *Oppenheim's International Law*, London: Longmans

Rotberg, Robert I. (2013), "Failed States, Collapsed States, Weak States: Causes and Indicators". In Rotberg, Robert I. *State Failure and State Weakness in a Time of Terror* (PDF). Washington: Brookings Institution Press. p. 12. ISBN 978-0-8157-7573

Ruhl Bartlett (1963), *Policy and Power: Two Centuries of American Foreign Relations*. New York: Hill and Wang.

Sean Murphy (1996), *Humanitarian Intervention: The United Nations in an Evolving World Order*. Philadelphia: University of Pennsylvania Press

Semakula Kiwanuka (1979), *Amin and the Tragedy of Uganda*. Munich: Weltforum Verlag.

Shashi Tharoor and Sam Daws, "Humanitarian Intervention: Getting Past the Reefs," World Policy Journal XVIII, no. 2 (Summer 2001), p. 25.

Simon Chesterman (2001), Just War or Just Peace? *Humanitarian Intervention and International Law*. Oxford: Oxford University Press

Stephen D. Krasner (1996), "Compromising Westphalia," International Security 20 (Winter 1995–1996), p. 115.

Stephen D. Krasner (2000), *Sovereignty: Organized Hypocrisy*. Princeton: Princeton University Press

Stephen J. Morris (1999), *Why Vietnam Invaded Cambodia*. Stanford: Stanford University Press.

Stephen J. Stedman (1993), The New Interventionists," Foreign Affairs 72, no. 1

Stephen Lee (2010), Humanitarian Intervention-Eight Theories. Diametros No. 23.

Thomas Franck and Nigel Rodley (1973), After Bangladesh: The Law of Humanitarian Intervention by Military Force, American Journal of International Law

Thomas G. Weiss (1993), Whither the United Nations," The Washington Quarterly 17, no. 1.

Thomas G. Weiss (1995), Military–Civilian Humanitarians: The Age of Innocence is Over, published in *International Peace Keeping* 2, no. 2

Thomas O'Toole (1986), *The Central African Republic*. Boulder: Westview Press

Toby King (1999), Human Rights in European Foreign Policy: Success or Failure for Post-modern Diplomacy, published in *European Journal of International Law* 10, no. 2

UN (1948), United Nations Charter. Assessed from http://www.un.org/en/sections/un-charter/preamble/index.html 5th November, 2018 at 2:00pm.

UNDP (2014), The UN in Somalia. Obtained on 30//6/2019 from https://www.undp.org/content/dam/unct/somalia/docs/publications/FINAL%20UN%20SOMALIA%20Yearbook%20Layout.pdf. Nairobi: UNON Publishing House

UNHCR (2018), Retrieved on 2/12/2018 from https://data2.unhcr.org/en/situations/horn

United Nations (1997), Somalia - UNOSOM II, Prepared by the Department of Public Information, United Nations. Obtained from: https://www.un.org/Depts/DPKO/Missions/unosom2b.htm

United Nations (1965) UN Document S/PV.1198, May 4, 1965.

United Nations (1979), UN Document, S/PV. 2110, January 13, 1979

United Nations (1979), Yearbook of the United Nations 33.

United Nations (1991), Report to the Secretary-General on Humanitarian Needs in Kuwait and Iraq in the Immediate Post-crisis Environment by a Mission to the Area led by Mr. Martti Ahtisaari, Under-Secretary-General for Administration and Management. New York: United Nations.

United Nations (1994), Report of the Independent Enquiry into the Actions of the United Nations during the 1994 Genocide in Rwanda

United Nations (1996) "United Nations Operation In Somalia I – (Unosom I)". United Nations. Retrieved 7 October, 2018.

United Nations (1996) A report by a UN special investigator published in International Peacekeeping News 2, no.

United Nations (1997), UN Document ST/DPI/1668, 52nd session, 41/1997, The United Nations and the Situation in Liberia.

United Nations (1997), UNOSOM II. Department of Public Information, United Nations. Retrieved on 3/01/2019 from https://www.un.org/Depts/DPKO/Missions/unosom2b.htm

United Nations (2000), Report of the Panel of Experts on Violations of Security Council Sanctions against UNITA, UN Document S/2000/203, March 10, 2000

Verhoeven, Harry (2009). "The self-fulfilling prophecy of failed states: Somalia, state collapse and the Global War on Terror". *Journal of Eastern African Studies*. 3 (2): 405–425. doi:10.1080/17531050903273719.

Worldometers (2018), http://www.worldometers.info/world-population/somalia-population/