

Chapter 2: The Post-Cold War World: Civilian Victimization and the Four Revolutions in Human Security

The fall of the Soviet Empire in 1989 heralded the emergence of a new political and normative world order. The outbreak of new wars around the world caught the attention of the international community and presented the challenge of rethinking the definition of what constituted a threat to international peace and security under the new political conditions. In view of the serious victimization of civilians in armed conflicts, the international community's political practice and legal norms pertaining to the protection of non-combatants evolved at an unforeseen pace. Chapter 2.1 assesses trends in armed conflicts and civilian victimization in the post-Cold War world from a mostly quantitative vantage point. Chapter 2.2 then examines how human rights and protection of civilians became defining tenets of today's global governance architecture in what I identify as four revolutions in human security.

In the early 1990s, many different expectations about the shape of the new world order were formulated. Some expected an 'end of history' and the eventual birth of an international system in which democracy and capitalism would go unchallenged as organizing principles of societies.²⁵¹ Others suspected that the stable balance between East and West was likely to be replaced by the hegemony of the United States as the sole super power.²⁵² In hindsight we know that all these seemingly antithetic speculations did contain a grain of truth: the United States has become the unrivaled and most powerful state on earth with an ever greater margin of preponderance in military capabilities. By the same token, the emergence of new economic power-houses such as China, India, Brazil, and the eventual resurgence of Russia, gave rise to the notion of the so-called 'BRIC' states who demanded their due place on the international scene.²⁵³ The European Union and Japan remained first rank global economic hubs. This situation has been coined by Samuel P. Huntington as a uni-multipolar system, with the United States being the sole superpower in military terms, and one amongst

²⁵¹ Fukuyama, Francis: *The End of History?*, *The National Interest*, Summer 1989

²⁵² Cf. Huntington, Samuel P.: *The Lonely Superpower*, *Foreign Affairs*, 78 (2), 1999, pp. 35-49; Krauthamer, Charles: *The Unipolar Moment*, *Foreign Affairs*, 70 (1), 1991, pp. 24-33

²⁵³ Cf. the original paper which introduced the 'BRIC' acronym: O'Neill, Jim: *Building Better Economic BRICs*, Goldman Sachs, Global Economics Paper, 66, 2001, available at <http://www.goldmansachs.com/our-thinking/brics/brics-reports-pdfs/build-better-brics.pdf> (accessed on 16.05.2012)

many poles in the economic sphere.²⁵⁴ Even Francis Fukuyama's prophecy of an end of history was not totally beside the point. Democracy, human rights and market economy have emerged as reference points and the lingua franca of today's global order. Despite still incomplete compliance, there is virtually no state left to challenge their basic validity. If at all, resistance to democracy, human rights and capitalism is no longer perceived as rejection but as 'misappropriation'. The norms are reframed in light of local, cultural or religious backgrounds. Even Al Qaida explained why ordinary American or Jewish citizens cannot be regarded as innocent civilians but as legitimate targets in a holy war.²⁵⁵ The concept of civilian immunity is widely accepted but its practical content is disputed as soon as a conflict erupts.

While human rights, democracy and capitalism have become defining tenets of the post-Cold War order, the international system is far from any conceivable end of history. Authoritarian regimes remain part of the global order, and new armed conflicts, often featuring gross violations of human rights, have not ceased to occur either. Since the year 1990, international society has witnessed numerous incidents of mass atrocities against civilians in Iraq; Somalia; Bosnia; Rwanda; Kosovo; Timor-Leste; the Democratic Republic of the Congo; Sierra Leone; Sudan; Sri Lanka; Ivory Coast; Libya; and Syria, just to name a few. Genocide and crimes against humanity have not disappeared with the end of the bloc confrontation and its logic of propping up allied despots regardless of their human rights record. State failure is a fertile ground for warlords, terrorists and other armed non-state actors to pursue their political and business agendas on the backs of local populations and outside the writ of governmental control. The trade in conflict minerals such as diamonds, timber and coltan has emerged as a multi-billion dollar industry fueling, sustaining and, sometimes, igniting civil wars.

Warfare in the post-Cold War world almost always involves non-state actors and is often waged in asymmetrical ways, rendering the distinction between combatants and civilians difficult. This has in turn led to increased levels of civilian victimization which are often aggravated by the conflict parties' ignorance and non-compliance with International Humanitarian Law. However, while interstate armed conflict has become practically epiphenomenal to today's international landscape, war between states still remains the deadliest and most destructive form of conflict. For example, an escalation of tensions between nuclear powers such as India and Pakistan could easily dwarf the death toll of any previous non-international conflict.

²⁵⁴ Cf. Huntington 1999

²⁵⁵ Slim 2008: p. 198f.

2.1 Trends in Armed Conflict and Civilian Victimization Since 1990

For most of human history, the understanding and interpretation of war has been the domain of historians. The qualitative and inductive examination of world history has significantly contributed to our understanding of the evolution of warfare. Theories of International Relations (IR) have a long history and numerous founding fathers, including Thucydides, Machiavelli, Grotius, Hobbes, Locke, Kant, and Marx, to name the most famous. All of them strove to discern the basic rules and mechanisms that explain human existence and conflict. They relied on a wealth of historical case studies and even more anecdotal evidence to corroborate their views. Bedrock concepts in the field of International Relations, such as the balance-of-power theory, could be supported and challenged by historical observations. Thucydides' famous observation that the growth of Athenian power made a war with Sparta inevitable, is a case in point for the assertion that, for the longest part of history, political and IR theories were based on induction from historical case studies.

None of these thinkers could test their theories in a quantitative fashion because they lacked the necessary data, as well as the modern statistical tools we possess today. It was only in 1963, with the Correlates of War project (COW), that researchers began to systematically collect quantitative data that could be used for the statistical analysis of armed conflicts. Since then, more programs have started to collect data on different definitional grounds and with different focuses. One of the most important is the 'Uppsala Conflict Data Project' (UCDP) from Uppsala University on which I base the majority of my following quantitative analysis. Despite the interesting new inroads into the understanding of armed conflicts, a cautionary note about the merits and pitfalls of quantitative data is necessary. Quantitative research is helpful to learn *whether* there is a correlation between two or more variables, in other words to test theories and to uncover hitherto unknown links. However, statistical analysis cannot explain *why* such correlations exist in the first place. This is where qualitative research can step in and make a case which can again be scrutinized. Quantitative methods are thus an important complement of examining warfare rather than a replacement of conventional qualitative analysis.

The end of the bloc confrontation between East and West was a historical watershed in terms of war and peace. Conflicts which had been raging for years or decades came to a sudden close as funds from the Soviet Union or the United States dried up. In some cases, this became an incentive for local parties to a conflict to settle their disputes for good and come to an often UN-supported agreement (e.g. Angola). In other cases, such as Somalia, the consequence was state collapse, a slide into anarchy and renewed violence. In the following I analyze trends in armed conflict in the post-Cold War world. The aim is to give a comprehensive overview of the form, numbers, locations, and intensity of contemporary warfare. In the second step, I analyze the situation and evolution

of civilian victimization in post-Cold War warfare. Particular attention is given to the examination of direct and indirect civilian victimization.

Based on data from UCDP and the 'Human Security Report 2009' published by the Human Security Report Project, it is clear that the 1990s witnessed twice as many outbreaks of new armed conflicts than the 1980s. This much discussed fact is often understood as evidence for the destabilization of the international system by the fall of the Berlin Wall. However, this is only one side of the coin, given that during the same period an even greater number of conflicts ended.²⁵⁶ There was a simultaneous escalation in some places and a decrease of violence related to the end of the Cold War in many other places, the result being a net decline of warfare after the end of the Cold War. Conflict numbers peaked in the year 1993, with 54 wars, but started to decline dramatically up to 2003 which saw 29 armed conflicts - a decrease of 45%. Conflict numbers then rose slowly to 36 armed conflicts in 2009. In contrast to the immediate post-Cold War world, this is a significant drop in violent conflicts. Apparently, the international system has become more peaceful.

If we differentiate between international (interstate or colonial) and non-international (intrastate or internationalized intrastate) armed conflicts, we find a remarkable pattern over the past 65 years. Interstate and colonial wars only made up for about 27% of all conflicts during the Cold War and shrank further after 1989. In the post-Cold War world, only 6 out of 65 (9%) armed conflicts were interstate in character. This significant decrease is even starker when looking at the average number of interstate wars. Interstate wars accounted for 6.5 wars per year during the 1950s, decreased to three wars per year in the 1980s, and hit a low in the first decade of the twentieth century with an average of less than one international war per year.²⁵⁷ These numbers suggest that classical international armed conflicts increasingly disappeared from the world stage. By contrast, non-international armed conflicts have become more prevalent than during the Cold War. Between 1990 and 2009, 91% (Cold War: 73%) of all wars were non-international or internationalized non-international wars, being a civil war characterized by the intervention of the armed forces of a foreign power. Accordingly, the drop in conflict numbers between 1993 and 2003 is almost exclusively due to a decrease in non-international armed conflicts. While 53 non-international armed conflicts were counted in 1993, these numbers decreased dramatically to a post-Cold War low of 29 in 2003. Since then, numbers of intrastate conflicts have increased again to 37 in 2008.

²⁵⁶ Human Security Report Project: Human Security Report 2009: The Causes of Peace and the Shrinking Costs of War, Simon Fraser University, Vancouver, 2010, Chapter 4, available at <http://www.hsrgroup.org/docs/Publications/HSR20092010/20092010HumanSecurityReport-Part1-CausesOfPeace.pdf> (accessed on 16.07.2011)

²⁵⁷ Human Security Report Project: Human Security Report 2009: The Causes of Peace and the Shrinking Costs of War, statistics available at http://www.hsrgroup.org/docs/Publications/HSR20092010/Figures/20092010Report_Data1_1_AverageNumberOfInternationalConflictsperYear1950-2008.xlsx (accessed on 24.07.2011)

An exceptional form of conflict is the so-called 'non-state armed conflict' in which there is no state-participation at all and in which non-state actors such as warlords and militias clash in warlike struggles over economic and political resources. Available data by UCDP/HSRP show that non-state armed conflicts for the time span 2002 to 2008 numbered between 16 and 35.²⁵⁸ Such non-state wars were predominantly short in duration (81% lasted only one year)²⁵⁹ and spatially concentrated in Sub-Saharan Africa (69%), especially in the continent's central-eastern hemisphere (57%).²⁶⁰ The five most affected countries were the DRC, Nigeria, Somalia, Sudan and Ethiopia.²⁶¹

As has already been shown, the sum of international and non-international conflicts continuously rose after World War II to its peak in 1993, and has abated since. A spatial examination of such state-based armed conflicts shows that the end of the Cold War led to quite different regional developments. Europe, the Americas and, to a lesser degree the Middle East and North Africa, were able to reap the peace dividend of the terminated Cold War. East and Southeast Asia was a Cold War hotspot until the mid-1970s but had since recovered politically and economically, resulting in a durable pacification of the region that predates the end of the Cold War.²⁶² Conflict numbers in Sub-Saharan Africa stagnated at Cold War levels before a dramatic drop in 2003, caused by the end of the Second Congo War. By contrast, Central and South Asia plunged into heightened violence after 1990. Compared to an average number of 5.5 wars per year during the 1980s, the amount of armed conflicts from 1990 to 2008 doubled to 11 wars per annum. It seems that, compared to the higher but improving conflict numbers in Sub-Saharan Africa, Central and South Asia emerged as the worst region in terms of state-based violence. Interestingly, this preliminary finding changes as soon as non-state armed conflicts are taken into account. If we add the number of non-state wars in Sub-Saharan Africa to the count of state-based armed conflicts, there are twice as many wars in Africa than in Central and South Asia. It is remarkable that the ratio between state-based and non-state wars in Africa is 1:2,

²⁵⁸ Ibid.:

http://www.hsrgroup.org/docs/Publications/HSR20092010/Figures/20092010Report_Data11_3_NumberOfNonStateArmedConflictsByCountry2002-2008.xlsx (accessed on 24.07.2011)

²⁵⁹ Ibid.:

http://www.hsrgroup.org/docs/Publications/HSR20092010/Figures/20092010Report_Data11_5_DurationOfNonStateArmedConflicts2002-2008.xlsx (accessed on 24.07.2011)

²⁶⁰ Ibid.:

http://www.hsrgroup.org/docs/Publications/HSR20092010/Figures/20092010Report_Data11_1_NonStateConflictsByRegion2002-2008.xlsx (accessed on 24.07.2011)

²⁶¹ Ibid.:

http://www.hsrgroup.org/docs/Publications/HSR20092010/Figures/20092010Report_Data11_2_DeathsFromNonStateArmedConflictByRegion2002-2008.xlsx and

http://www.hsrgroup.org/docs/Publications/HSR20092010/Figures/20092010Report_Data11_4_DeathsFromNonStateArmedConflictsByCountry2002-2008.xlsx (accessed on 24.07.2011)

²⁶² Ibid.:

http://www.hsrgroup.org/docs/Publications/HSR20092010/Figures/20092010Report_Fig10_3_GlobalTrendsStateBasedArmedConflicts.pdf (accessed on 24.07.2011)

but is 2.5:1 in Central and South Asia. If we associate non-state armed conflict with state weakness, this variance *prima facie* suggests a higher degree of state weakness in Sub-Saharan Africa than in Central and South Asia. This assumption is indeed corroborated by the Failed State Index which shows that state weakness is a much more common phenomenon in Sub-Saharan Africa than in Asia.²⁶³

The duration of armed conflicts has not changed significantly over time. The great majority of state-based wars lasted between one and three years. However, there were a number of wars with very long duration which were generally deemed to be so intractable that no solution could be foreseen. By looking at the percentage of conflict onsets per decade which were followed by 10 years or more of continuous fighting, the authors of the Human Security Report 2009 have analyzed whether there has been a heightened intractability of armed conflicts after the end of the Cold War. The results disprove an increased intractability of armed conflicts and suggest that the opposite is true. During the 1970s, approximately 26% of all new conflicts raged for more than ten consecutive years. In the 1980s, the number shrank to 11% and even further to 8% in the post-Cold War world.²⁶⁴ “There are, in other words, few compelling reasons to believe that conflicts are becoming more intractable and therefore resistant to peacemaking efforts/initiatives.”²⁶⁵

As we have seen, armed conflicts in the post-Cold War world were predominantly non-international or non-state in character, decreased in numbers, and clustered in Sub-Saharan Africa and Central and South Asia. This begs the question as to whether warfare has also become less deadly than in the past. A number of authors, the most prominent being Mary Kaldor and Herfried Münkler, have suggested that the end of the bloc confrontation has prompted a transformation of conflict into so called ‘New Wars’ in which civilian populations not only bear the brunt of war but have also become their main targets. Focusing on the civilian victimization thesis, the question is whether an increased destructiveness of war as well as heightened civilian fatalities has taken place in the post-1990 world.

Quantitative peace research has often used battle deaths as an indicator to measure war’s intensity, i.e., all military casualties and collateral damages that occur directly in the course of an engagement. I have already noted that interstate wars are almost always more devastating than non-international conflicts. Even if militias wreak havoc and kill vast numbers of people, state armed forces not

²⁶³ Fund for Peace & Foreign Policy: Failed State Index 2011, available at <http://www.fundforpeace.org/global/?q=fsi-grid2011> (accessed on 25.07.2011)

²⁶⁴ Ibid.:

http://www.hsrgroup.org/docs/Publications/HSR20092010/Figures/20092010Report_Data10_9_OnsetFollowedByAtLeast10YearsOfFighting1950-2007.xlsx (accessed on 25.07.2011)

²⁶⁵ Human Security Report Project: Human Security Report 2009: The Causes of Peace and the Shrinking Costs of War, Simon Fraser University, Vancouver, 2010, Chapter 10, available at <http://www.hsrgroup.org/docs/Publications/HSR20092010/20092010HumanSecurityReport-Part3-TrendsInHumanInsecurity.pdf> (accessed on 25.07.2011)

only a have much wider array of destructive weapons at their disposal but can apply these over much larger areas than any non-state actor. One only has to consider the effects of heavy artillery or air bombardments, or the impact of of land armies numbering into the hundreds of thousands. The capacity to project means of destruction over much bigger parts of the globe had been inaccessible to militias. The above finding that non-state wars entail the smallest number of battle deaths underlines this rationale. In the context of the Cold War both West and East propped up their respective proxies with money and arms, reinforcing the intensity of the prevailing conflict. Following Lacina & Gleditsch, the five most deadly armed conflicts in chronological order were: the Chinese Civil War (1946-1949) with 1,200,000 battle deaths; the Korean War (1950-1953) with around 1,300,000 battle deaths; the Vietnam War (1955-1975) with 2,100,000 battle deaths; the Afghan Civil War (1978-2002) with 570,000 battle deaths; and the Iran-Iraq War (1980-1988) with 644,500 battle deaths.²⁶⁶ All of these armed conflicts were related to now obsolete Cold War dynamics and made up more than half of all direct military casualties between 1946 and 2002. This does not of course imply that the end of the Cold War meant the end of high-intensity warfare. From 1990 to 2002, the most deadly armed conflicts were those in the DRC (1998-2001) with an estimated 145,000 battle deaths, and the war between Eritrea and Ethiopia (1998-2000) that killed about 50,000 people. Nevertheless, what can be stated is that high-intensity conflicts have continuously decreased in number and deadliness following the end of World War II.

While interstate wars have continuously dropped in numbers, non-international armed conflicts have exacted a significant blood toll as well. The sheer prevalence of this type of conflict was significant enough to dwarf battle-related casualties of interstate wars. Since the 1980s (plus the short period from 1946-1949), non-international armed conflicts have become the most important cause of battle deaths. During the 1980s, two in three battle deaths occurred in the course of intrastate war.²⁶⁷ Since the end of the Cold War, this count has increased to 81% during the 1990s and has since ebbed to a still notable 74%.²⁶⁸ Given this enormous amount of cumulative battle death figures in non-international armed conflicts, it is remarkable to compare the deadliness of interstate and intrastate wars. From 2000 to 2007, only seven out of 303, or 2% of conflicts were international in character but these conflicts accounted for 24% of all battle deaths. Out of these seven interstate wars, the conflict between Eritrea and Ethiopia caused around 50,000 out of 58,880 total war-related deaths in one single year. This underlines how a single outbreak of high-intensity war

²⁶⁶ Lacina, Bethany & Gleditsch, Nils Peter: *Monitoring Trends in Global Combat: A New Dataset of Battle Deaths*, *European Journal of Population*, 21, 2005, p. 154

²⁶⁷ *Ibid.*: p. 157

²⁶⁸ Uppsala Conflict Data Program: *UCDP Battle-Related Deaths Dataset*, v.5-2010, www.ucdp.uu.se, Uppsala University, available at http://www.pcr.uu.se/digitalAssets/55/55082_UCDP_Battle-related_deaths_dataset_v5-2010.xls (accessed on 26.07.2011)

can cause total casualty numbers to skyrocket. Since 1989, non-international conflicts have followed the path of interstate wars in terms of decreasing battle intensity and fewer direct civilian casualties. As Melander et al. find: “In parallel to the results regarding battle severity, we find that the number of civilians killed in civil conflict in the post-Cold War era is significantly lower than in the Cold War era.”²⁶⁹

In summary, decreasing numbers of interstate wars, fewer high-intensity armed conflicts, and less deadly intrastate wars have led to a conceivable result - overall battle deaths have fallen from 10,000 killed per war per year during the 1950s, to 1,000 in the first decade of the twentieth century.²⁷⁰ As the world has become more peaceful, wars too have become less deadly and destructive in comparison to the Cold War.

Immediate and Indirect Civilian Victimization Since 1990

Battle deaths convey a good picture about war intensity. At the same time however, this measure says little about the costs of war to civilian populations. The victimization of a non-combatant population happens not only through direct engagement but also in an indirect fashion. Direct engagement encompasses intentional acts or campaigns of one-sided violence against civilians including mass-atrocity crimes such as massacres, ethnic cleansing or, sexual and gender based violence targeting civilians. The latter category refers to the indirect consequences of armed conflicts such as malnutrition or the spread of diseases with its negative impact on the health and well-being of civilians. Such indirect costs of war are generally much more devastating than the immediate effects of fighting. Before I turn to these human costs of war, I will analyze the ways in which civilians are victimized by intentional policies of violence.

According to UCDP’s coding rules, one-sided violence is defined as the “use of armed force by the government of a state or by a formally organised group against civilians which results in at least 25 deaths in a year”, excluding extra-judicial deaths in government facilities.²⁷¹ Mass-atrocities like genocides, crimes against humanity, war crimes (in so far as they are directed against a civilian population), and ethnic cleansing can also be subsumed under the heading of one-sided violence. An obstacle to a thorough measurement of one-

²⁶⁹ Melander et al.: Are „New Wars“ More Atrocious? Battle Severity, Civilians Killed and Forced Migration Before and After the Cold War, *European Journal of International Relations*, 15(3), 2009, p. 524

²⁷⁰ Human Security Report Project: Human Security Report 2009: The Causes of Peace and the Shrinking Costs of War, statistics available at http://www.hsrgroup.org/docs/Publications/HSR20092010/Figures/20092010Report_Data6_5_BDspConflictperYearbyDecade1950-2007.xlsx (accessed on 31.07.2011)

²⁷¹ Cf. http://www.pcr.uu.se/research/ucdp/definitions/#One-sided_violence (accessed on 31.07.2011)

sided violence is the lack of unambiguous data, given that neither militias nor state governments include civilians who are killed or murdered when counting for the number of combatants killed in action. Numbers of murdered civilians are disputable because parties to a conflict attempt to conceal their own massacres while exaggerating their opponent's atrocities. Against this background, UCDP applied strict coding rules for its one-sided violence data-sets utilizing conservative numbers as best estimates. For example, the Rwandan genocide in 1994, generally estimated to have cost the lives of 500,000 to 800,000 people, is accounted for with the conservative estimate of half a million casualties.

Before we turn to the question of whether non-combatant victimization has increased or decreased since the fall of the Berlin Wall, it is worth looking at where, by whom, and under which circumstances civilians have suffered from campaigns of one-sided violence. The high number of non-international armed conflicts in Central and South Asia and Sub-Saharan Africa foreshadow that these regions might have been global OSV hotspots. While all continents have witnessed different degrees of intentional massacres between 1989 and 2004, the African continent leads the fatality count by tremendous 93% of total non-combatant victimization (and still 47% without the Rwandan genocide).²⁷² The sum of all campaigns of one-sided violence in Sub-Saharan Africa, plus Central and South Asia, suggests that about two in three civilians were murdered in these two regions in an OSV campaign.²⁷³ It is no accident that such massacres cluster in the world's most war-prone regions; there is indeed a close correlation between state-based war and one-sided violence. Eck & Hultman find that 99% of all OSV casualties took place in the context of armed conflicts.²⁷⁴ Surprisingly, one-sided violence does not normally take place in or nearby active theatres of war but is most likely to happen where there is no military engagement at the time.²⁷⁵ An explanation for this finding might be that the massacring of innocents necessitates a certain degree of safety for the assailants.

As most incidents and casualties of one-sided violence took place in Sub-Saharan Africa, it is not astonishing that seven out of the ten of the most violent campaigns against civilians occurred in this part of the world. The governments of Rwanda, Sudan, the DRC and Burundi figure among the most notorious African perpetrators of state-sanctioned mass crimes. The non-state count is led by the 'Alliance of Democratic Forces for the Liberation of Congo-Zaire' (AFDL) in the DRC, the Janjaweed in the Sudan and the Lord's Resistance Army (LRA) in Uganda. Outside of these groups, only the Republica Srpska, the

²⁷² Eck, Kristine & Hultman, Lisa: One-Sided Violence Against Civilians in War: Insights from New Fatality Data, *Journal of Peace Research*, 44(2), 2007, p. 238

²⁷³ Human Security Report Project: Human Security Report 2009: The Causes of Peace and the Shrinking Costs of War, statistics available at http://www.hsrgroup.org/docs/Publications/HSR20092010/Figures/20092010Report_Data12_1_OneSidedViolenceGlobalSubSaharanAfricaAmericasCentralAndSouthAsia1989-2008.xlsx (accessed on 02.08.2011)

²⁷⁴ Eck & Hultman 2007: p. 237

²⁷⁵ Lacina & Gleditsch: p. 151

government of Afghanistan and the Islamic State of Iraq (ISI) are part of the notorious top ten.²⁷⁶ However, the score can be misleading. First, the line between state and non-state perpetrators is blurry. How should we account for government-sponsored militias, such as the Janjaweed, who the ICC's chief prosecutor believes is under the command of the Sudanese state? How can we classify Bosnian Serb militias who, following the International Court of Justice's ruling, were held to be under the overall control of the government of Serbia? As soon as militias are supported and sponsored by a third state's government, lawyers and scholars of international law encounter the dilemma of qualifying whether they are dealing with a state- or non-state actor, an international or non-international armed conflict and, accordingly, which legal framework then applies. As yet, no convincing solution to this question has emerged, highlighting the intricacies of the subject analyzed here.

The second pitfall of the top ten score is that it potentially misrepresents differentials of destructiveness in OSV campaigns. While non-state armed groups represent a significant share of the ten worst perpetrators of mass atrocities, it is state governments that on average commit the gravest crimes against non-combatants.²⁷⁷ While this is true for relative summations of civilians killed per campaign of one-sided violence, the picture changes if we analyze absolute numbers, non-state actors have become the most prone to start and execute campaigns of one-sided violence, and despite the fact that they massacre fewer civilians than governments per conflict, the sheer quantity of non-state OSV campaigns has dwarfed the net-account of government-led massacres. In other words, while government massacres are highly-destructive but rare, non-state campaigns of one-sided violence are less deadly but overwhelming in numbers. The Human Security Report Project argues as follows:

In 1989, 75 percent of deaths from one-sided violence were perpetrated by governments. By 2008 the figure was just under 20 percent. Non-state groups, responsible for 25 percent of one-sided-violence fatalities in 1989, perpetrated over 80 percent of the deaths in 2008.²⁷⁸

Having said this, we should keep in mind that campaigns of one-sided violence produce relatively small casualty numbers compared with both international and non-international war.

Concerning numbers of OSV campaigns, there is no clear trend. From 1989 to 2004, there was an uneven increase from 24 to 41 one-sided violence

²⁷⁶ Human Security Report Project: Human Security Report 2009: The Causes of Peace and the Shrinking Costs of War, statistics available at http://www.hsrgroup.org/docs/Publications/HSR20092010/Figures/20092010Report_Table12_1PerpetratorsOfGreatestNumberOfDeathsFromOneSidedViolence1989-2008.xlsx (accessed on 3.08.2011)

²⁷⁷ Eck & Hultman 2007: p. 237

²⁷⁸ Human Security Report Project: Human Security Report 2009: The Causes of Peace and the Shrinking Costs of War, Simon Fraser University, Vancouver, 2010, Chapter 12, available at <http://www.hsrgroup.org/docs/Publications/HSR20092010/20092010HumanSecurityReport-Part3-TrendsInHumanInsecurity.pdf> (accessed on 3.08.2011)

Civilian Protection in Armed Conflicts
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