

Chapter II

The Dynamics of No Flying Zone

This chapter explains about what No Fly Zone Resolution is, what the mechanism to drop the resolution is, and several examples of cases that had resulted in Resolution of No Fly Zone in the world. In outlining the case, this second chapter describes in a few sub-chapters to give a more detailed explanation.

A. The Definition of No Fly Zone Resolution

No Fly Zone Resolution is one of the laws that are issued by the UN Security Council to countries that are in high tension. No Fly Zone ordinary Resolution is issued to protect the civilian population of an area of conflict of atrocities of a regime. A senior correspondent for VOA, Andre De Nesnera explains that No Fly Zone Resolution is an airspace in which Certain aircrafts, especially military aircrafts, are forbidden to fly. And they are usually forbidden to fly by the country that has a bigger air force.¹⁷

Basically, no fly zone is divided into 3-dimensional airspace, usually on the mainland territory of a country, and the country's territorial waters, where the aircrafts are not allowed to fly and pass through these areas. Taking off aircrafts from the area is categorized as a violation of the resolution. No Fly Zone Resolution is generally used to

¹⁷ "No Fly Zones: Hidden Complexities" <http://www.voanews.com/english/news/middle-east/No-Fly-Zones-Hidden-Complexities-1181981641.html>, accessed January 18th, 2012 at 10:52 LT.

limit military activities of a country, in this case to protect innocent civilians. Michael N. Schmitt (2011) mentions that in principle, No Fly Zone Resolution means a de facto occupation of the air sovereignty of a country.¹⁸

The only legal basis that is acceptable to establish a zone of prohibition is the authorization of the UN Security Council under Chapter VII of the UN Charter. In Chapter VII, the Security Council must first determine whether certain parts of the situation are "threats to peace, breaches of peace, or acts of aggression."

Practitioners and observers of international relations debate on the international authorization for the establishment of the No Fly Zone. Authorization may always be regarded as a matter of agreement or disagreement. But more than that, the authorization includes:¹⁹

- a. parameters for implementation of the mission
- b. condition where authorization terminates the operation of the no fly zone

In turn, the concept of authorization is thought to be associated with ideas of "legality" and "legitimacy". Legality of the no-fly zone operations may depend, at least on the second authorization for the operation and the extent to which way the process is operating in accordance with relevant international law. The United Nations Charter, Article 2 (4) states "All members Marshall their chorus in international relations from the threat or use of force against the territorial integrity or political independence of any

¹⁸ Schmitt.M.N., "Wings over Libya: The No-Fly Zone in Legal Perspective" retrieved from <http://www.yjil.org/docs/pub/o-36-schmitt-wings-over-libya.pdf> on January 18th, 2012 at 11.38 LT

¹⁹ Gertler.J., No-Fly Zones: Strategic, Operational, and Legal Considerations for Congress.2011.Congresional

state, or in any other manner inconsistent with the purposes of the United Nations”.²⁰

This means that the article of the UN Charter is against the territorial integrity or political independence of a member State. This is what then makes the debate among practitioners and observers of international relations, whether the application of the no fly zones violates this prohibition.

The answer may depend on the circumstances, and in some cases there may be no opportunity to indicate the general idea of what empirical circumstances are. There are at least three sets of circumstances that become exceptions to this prohibition.²¹ The first exception is based on the UN Security Council authorization power granted to the Board in Chapter VII of the United Nations Charter which contains subjects to deal with threats to international peace and security. This chapter is an affirmation of the authority of the Security Council to determine the existence of any threat to peace, breach of peace, or act of aggression, and to make recommendations or to decide the action to be taken to maintain or restore international peace and security. As was alluded to earlier, that it must have been the most obvious legal basis for imposing a no fly zone.

The second basis for the exception to Article 2 (4) is a self-defense contained in Article 51 of the Charter of the United Nations. The article mentioned that "Nothing in the present Charter Marshall impairs the inherent right of individual or collective self-defense if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and

²⁰ "United Nations Charter" Article 2 (4) Retrieved from

²¹ "United Nations Charter" Article 51 Retrieved from January 14th 2012 at 9:20 LT

security . Measures taken by members in the exercise of this right of self-defense shall immediately be reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security ".²² Some theorists and practitioners assume that there is also a doctrine of customary self defense outside the UN Charter which allows a military action conducted by a state to prevent a serious threat to peace and regional stability, even if the threat seems to happen in the border state.

According to this approach, the armed intervention in the state is not a prohibited "use of force" as long as it is not intended to take the territory of another nation, or to occupy a sovereign state for political control, and not against the intention of the United Nations Charter.

The third exception is the emergence of human rights law, where a country is no longer free to treat its citizens as it wishes based on sovereignty. Every nation must respect the basic rights of its people. When a country is undertaking a violation of human rights of its citizens, then the country will lose its sovereignty. Moreover, other countries have the right and responsibility to intervene to stop crimes against humanity. But this does not have a strong consensus of all countries to "legalize" a humanitarian intervention to protect the rights of other countries citizens. And also it is still in

²² "United Nations Charter" Article 51 Retrieved from

question whether it can be used for exceptions to the prohibition contained in Article 2 (4) Charter of the United Nations against the threat of "use of force".

International authorization has a direct impact on the countries that imposed non fly zone. If the no fly zone is imposed to a country that has not made an armed attack to another country, without authorization from the United Nations, based on Chapter VII of the Charter of the United Nations, and depending on the form of no fly zone operations taken, that state might be consider that the imposition of the no fly zone is an "armed attack".²³

Even if the operation of a no fly zone in certain circumstances does not constitute an "armed attack", it can be regarded as a subjective judgment or as regarded by the international community violation of the prohibition of Article 2 (4). Thus, on that basis, the countries in the first target of the application of the no fly zone will usually respond with military force or seek help from their allies to assist in their defense.²⁴

While the legitimacy of the no fly zone operations can be drawn from both authorization and legality, its legitimacy is by definition more subjective than that of the host country and other members of the international community. There are several

1. how the nature and extent of international authorization is likely to shape the perceived legitimacy of the no-fly zone operation
2. how the conduct of the operations is not likely to shape that perceived legitimacy
3. the extent to which that perception of Legitimacy, in turn, is Likely to shape the support of members of the international community for the effort, ranging from political support, to the provision of basing, access, and overflight privileges, to full participation
4. the extent to which perceived legitimacy is likely to affect the international community's broader perceptions

B. The Types of No Fly Zone

In this world there are several types of no fly zone. Among of the no fly zone was established on the basis of humanity. While others were founded not on humanitarian grounds, such as the Prohibition Fly Zone over the White House in Washington DC, on the territory of Moscow, Russia, at the Taj Mahal in India, on Area 51, and in the Disneyland area in the United States of America. But in practice the implementation of No Fly Zone for humanitarian reasons, more often decided by the

Within the last 20 years, United Nations Security Council has impose the No Fly Zone Resolution three times. The resolution was applied in areas of conflict to protect innocent civilians.

In August 1992, the No Fly Zone in the Resolution was enacted by the United Nations Security Council in the northern and southern Iraq. The prohibition zone is in the area of Bosnia-Herzegovina. More detail about the implementation of the no fly zone is as follows.

a. No Fly Zone Resolution to Iraq (1992-2003)

In March 1991, several days after the liberation of Kuwait, the Iraq government's regime found rebellion in their areas. The rebellion came from the northern and southern regions of Iraq. Both were rebellion by ethnic minorities. In the region of northern Iraq, the rebels were the Kurds. Meanwhile in the south, the rebels were Syriah Muslims. The rebellion was committed to escape from the regime of dictator Saddam Hussein who later on opponents with violence by the government of Iraq.

To protect civilians, the United Nations later issued a No Fly Zone Resolution in the northern and southern of Iraq air. This operation was carried out by a joint team involving the United States of America, British, and French troops. The region is considered the concentration of power of Kurds, from Latitude 36 north into the no fly zone. This action is deemed necessary to prevent the repressive actions of Saddam

attack Kurds in Halabja with chemical weapons in 1988. 5000 people from Kurds ethnic were killed in the attack.²⁶ To avoid crimes against humanity happen again, the United Nations feel the need to protect the Kurds ethnic who lived in the region led by Saddam Hussein.

After the massacre, known as Desert Storm, Iraq Kurdistan's residents fled to the northern region of Iraq. These Kurdish ethnic population fled because of the fear that Saddam Hussein would destroy them. In the northern state of very barren and hilly slopes, they became easy targets for Iraq soldiers to slaughter. This condition, then made President George Bush immediately provide assistance to the Kurdish population of the besieged and threatened.

Hence, the operation "Provide Comfort" was immediately implemented. Its main purpose is to provide humanitarian assistance, as well as establishing de-military zone in northern Iraq to protect Kurds refugees in the area of military invasion of Iraq. Feeling protected by the United States of America, and triggered by a radio broadcast calling for the United States of America to rise up against the dictatorship in their country, Northern Iraq Kurds rebelled against Saddam Hussein.

Knowing the likely result of the follow-up of Iraq, on April 3, 1991, the UN Security Council issued resolution 687. The resolution affirmed to prohibit the use of weapons of mass destruction in Iraq.²⁷ Two days later, a resolution was reissued by the

²⁶ "No Fly Zone: The Legal Position" retrieved from http://news.bbc.co.uk/2/hi/middle_east/1175950.stm on January 18, 2012 at 13.42 LT

²⁷ "RESOLUTION 687 (1991) UN Security Council" Retrieved from

UN Security Council. In Resolution 688, the United Nations condemned the repressive measures taken by the government of Iraq against the Kurds, and asked member countries to help the Kurds and others in northern Iraq.²⁸

Shortly afterwards, reinforcements began to arrive, entering the country from the southeast region of Turkey. United States of America cargo came first, and was then followed by cargo from England and France. Meanwhile, the ground operations of the task force are to set up refugee camps and protect the area as a safety zone region of northern Iraq from Iraq military attack. Fly on the Prohibition Zone enacted on Latitude 36, who commanded the Incirlik air base. Incirlik Air Force is also tasked to provide Protection for troops on the ground.

Operation Provide Comfort has two main targets, namely to give assistance to the refugees, and enforce the security of the refugees. The joint operations of Provide Comfort were to set up refugee camps, distribute relief supplies, ensure order, and provide security throughout the region, particularly from Iraq military attack. Operation Provide Comfort ended on July 24, 1991 but was then immediately followed by Operation Provide Comfort II.

Operation Provide Comfort II was immediately implemented as a continuation of the previous operation Provide Comfort. In Operation Provide Comfort II, the United States of America Air Force air patrolled, enforcing no fly zone. This operation looked like a routine. The soldiers took turns during the 90-120 days, served in the northern

²⁸ "RESOLUTION 688 (1991) UN Security Council" Retrieved from
http://www.un.org/Docs/688.htm. Accessed 18th 2012 at 11:55 LT

Iraq no-fly zone to protect and provide assistance to the Kurds who are threatened by the Iraqi military. But the real threat is very real in Iraq. Several times the Iraqi army attempted firing missiles.

On January 15, 1993, Iraqi anti-aircraft artillery shot down two planes belonging to F111Fs operation Provide Comfort. Two days later, Operation Provide Comfort Joint returned the attack on the air defense site and targeted on French reconnaissance plane. F16 Operation Provide Comfort aircraft shot down an Iraqi MiG aircraft in Iraq's north.

The next day, the F-4Gs attack surface site-to-air missile after the shooting, and F16 dropped cluster bombs on the airfield Bashiqah after shot at by AAA (Anti-Aircraft Artillery). Meanwhile, on January 19, in a separate incident, the Joint Forces of Operation Provide Comfort aircrafts clashed with Iraq air defenses. F-4G fired a missile at a SAM radar site in eastern Mosul after the radar locked into their aircraft. Meanwhile, in other places, an F-16 and F-4G escorting French Mirage reconnaissance planes in northern Iraq. They attacked an Iraqi missile battery after the site's search radar began tracking them on January 21, and the next day the F-4G fired two missiles at a SAM site in northern Iraq.

In addition, there are a lot of grits that occurred between the Force of Operation Provide Comfort and Iraq forces in enforcing the no fly zones in the Northern region. One of them is the Black Hawk Down tragedy on April 14, 1994 which killed 26 peoples including some Turkish military officials, and representatives of Kurdish political adviser for the United States of America in northern Iraq. Genesis is the result

No Fly Zone over the Latitude 36 in Iraq. The mission also includes monitoring compliance attitude of Iraq to the United Nations Security Council referral.

This operation was followed by the United States of America, Britain and Turkey. The task force includes more than 50 aircraft owned by Britain and the United States of America. There are many types of aircraft used in this operation. Among them are the EA-6B Prowler, E-3 Sentry AWACS, the F-15, F-16, Blackhawk, C-12, GR-3 Jaguar, Nimrod, VC-10 Tankers, and several other types of military aircraft.²⁹ Every day coalition fighters, intelligence, surveillance and reconnaissance assets worked as a team to enforce the No Fly Zone in the region.

In conducting the operation to enforce the No-Fly Zone, Britain and the U.S. planes patrolled an average of 18 days a month. They conducted patrols in the northern Iraq under the threat of danger from fires of Iraq Anti-Aircraft Artillery.

Enforcement of No Fly Zone in Iraq lasted for two years, witnessed a bad change of attitude towards the UN resolution in Iraq. Iraq strongly rejected the presence of the inspectors who tried to check Iraq's weapons. Their task was to find weapons of mass destruction (WMD) of Iraq. The Iraqi government banned inspectors, led by the United States of America to resume their duties, and forced them to leave Iraq within three days on January 13, 1998. However then, UN Secretary-General Kofi Annan managed to persuade Iraq to sign an agreement to let the UN weapons inspector examine all Iraq's weapons sites.

²⁹ "Operation Northern Watch" Retrieved From

Later, on October 13, 1998, the Iraqi government suspended cooperation with UN inspectors. Iraq called for withdrawing all the inspectors on November 7, 1998. United States of America then prepared to deploy military units in Operation Desert Thunder. But the operation failed because then after going through diplomatic talks, the UN once again managed to persuade Iraq to allow officers complete their duties.

One month later, a report stating uncooperative actions and violations of the use of weapons of mass destruction was issued. On this basis, then prepared an operation named Operation Desert Fox was prepared. Shortly after the conclusion, Iraq announced they did not recognize the No Fly Zone in the North and South regions of their country.

The ensuing battle was unavoidable. Saddam Hussein even offered \$ 14,000 to anyone who managed to shoot down coalition aircraft. Iraq continuously threatened the coalition air forces with the Anti-Aircraft Artillery firing them into the coalition planes. Operation Northern Watch officially ended on March 17, 2003, or two days before the liberation of Iraq operation started.

Meanwhile, in southern Iraq, Iraq soldiers also attacked the minorities, namely the Syriah Islam. Almost the same with the Kurds, Shiite Islam is a minority who was threatened by the rule of Saddam Hussein. Based on the UN Security Council Resolution 688 which was passed in April 1991, the UN asked Saddam Hussein to end the atrocities and attacks on minority Shiite Muslims in southern Iraq. But the Iraqi government did not heed these regulations and continued to launch attacks on Syriah

On March 17, 2003, President George Bush announced a decision

by the UN Coalition forces based on the UN Security Council Resolution 688 to launch Operation Southern Watch. The main task of this operation is to establish the No Fly Zone below latitude 32.

At the beginning of this operation, Iraq complied with the No Fly Zone. But Saddam Hussein began operations against Operation Southern Watch after UN's decision to maintain sanctions against Iraq, November 24, 1992. On December 27, 1992, a pilot of F-16 U.S. Air Force saw an Iraq MiG-25 Foxbat patrolling the area of No Fly Zone.³⁰ MiG fighter pilot was successfully targeting the F-16 aircraft, but the F-16 successfully shot down the MiG. Knowing that his plane was shot down, Saddam Hussein positioned surface-to-air missiles in southern Iraq, below Latitude 32. The missiles threatened aircraft pilots of Operation Southern Watch, a coalition which is supported by the United Nations that ordered Hussein to move his missiles above latitude 32. Hussein continued to ignore the warning, despite the ultimatum from the UN.

In early 1993, the four allies of the United Nations, the United States of America, Russia, France and Britain agreed to cooperate in enforcing UNSCR 688 in Iraq. A week later, coalition aircraft bombed several sites where Iraq's air defenses were, in the area under the latitude 32. Later, coalition forces also fired Tomahawk cruise missiles to destroy Iraq's nuclear facilities. Iraq's continued its violation of No Fly

³⁰ "Operation Southern Watch" retrieved from

Zone in the years 1992-1993. But in 1994, it relatively calmed until the situation in October 1994.

Iraq troops began a movement towards the south, to Kuwait. Saddam Hussein was upset with the resumption of UN sanctions against Iraq. Saddam continued to ask for clarification regarding the deadline of UN sanctions against Iraq. Saddam argued that it is his right to move his troops anywhere as long as it was in his territory.

Seeing the potential threat that could be done by Iraqis, the UN Security Council issued a resolution. UN Security Council Resolution 949 was issued on October 15, 1994. This resolution prohibits the use of force to threaten Iraq's neighbors or UN operations in Iraq.³¹

Tensions continued in areas designated as No Fly Zone area in southern Iraq. Although acting as a protector of civilians in Iraq, but coalition forces were still not able to avoid casualties among civilians. For example, during January 1999 and April 2000, operations Southern Watch had instead led to 175 people killed, and nearly 500 people injured.³²

These two No Fly Zones in northern and southern Iraq were watched by the coalition forces until March 2003, or a few days before the United States of America unilaterally announced the release of Iraqi operations which was further supported by the British and the allies of the United States of America.

³¹ "United Nation Security Council Resolution 949" retrieved from <http://daccess-dds->

b. No Fly Zone in Bosnia-Herzegovina (1992-1995)

In addition to the one in Iraq, No Fly Zone has also been applied in Bosnia Herzegovina. No Fly Zone in the area of Bosnia-Herzegovina was established in the territory of that country during the bloody ethnic conflict in 1992. No Fly Zone Establishment in this region was based on UN Security Council Resolution 781 which was issued on October 9, 1992. In the UN Security Council Resolution, it is mentioned that "The prohibition of military flights in the airspace of Bosnia-Herzegovina, especially on humanitarian grounds, and to help ensure the safe delivery of humanitarian assistance."³³

Bloody conflict that occurred in Bosnia-Herzegovina was an inter-ethnic conflict that happened a long time. Bosnia-Herzegovina is one of the fragments of Yugoslavia. This conflict occurs as a result of the plurality of the people who live the region, including the ethnic Bosnian (47%), Serbia (39%) and Croatia (17%).³⁴ After Croatia and Slovenia declared independence from Yugoslavia, Bosnia-Herzegovina parliament states separated from Yugoslavia. This decision was made on the results of a referendum conducted in the country. Bosnia proclaimed its independence through the leadership of Ali Izzet Begovic. United Nations and more than 120 countries approved the independence of Bosnia-Herzegovina. But the problem occurred when Yugoslavia

³³ "United Nation Security Council Resolution 781" retrieved from <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N92/491/64/IMG/N9249164.pdf?OpenElement> on January 20, 2012 at 11.36 LT

³⁴ Ridho.N., "Konflik antara Bosnia dan Serbia Pada Tahun 1991" retrieved from

was completely destroyed. There were 60,000 Serbs who remained in the area of Bosnia, armed and then oppress the Muslims who are the region of Bosnia.

Human tragedy began in this European region. Serbs Ethnic still wanted the region of Bosnia-Herzegovina under their authority. Then the Serbs began to try to annex the country by eliminating Bosnia ethnic, known as genocide. Serb army began to bombard the Bosnian capital, Sarajevo, Bosnia guerrillas were captured and taken to concentration camps and tens of thousands of Bosnian women were raped. The data showed the death of Muslims reached 200,000 peoples in this conflict. Serb atrocities finally made Bosnia-Herzegovina attract the attention of the world stage. Many countries expressed criticism to Serbia.

Operation Deny Flight was then undertaken to enforce the No Fly Zone based on the UN Security Council Resolution 781. NATO also accepted the task to keep the region in cooperation with the UN forces that provide protection and humanitarian assistance. NATO AWACS aircraft began monitoring operations in October 1992. AWACS then submitted data about possible violations to the authorities, and then processed. Several times, breaches in the No Fly Zone were conducted by the Serbian army, which was considered a threat.

Then on March 31, 1993, the UN Security Council extended the authority of the No Fly Zone. Through Resolution 816, the authority of UN Security Council enforced the flight ban over Bosnia-Herzegovina and covered flights by all types of fixed wing aircraft and rotary-wing aircraft. Except for the ones that receiving permission from United

Nation Protection Force (UNPROFOR). In the case of other violations, the UN members stated that authorities a permission to take all steps deemed necessary to ensure the No Fly Zone in Bosnia and Herzegovina was carried out.³⁵ In accordance with Chapter VII of the Charter of the United Nations.

Operation Deny Flight involved 100 fighters and reconnaissance aircrafts from various alliance nations. Minister of Foreign Affairs of NATO air power protectors offered the UN mandate for UNPROFOR in implementing the whole operation in June 1993. In July NATO aircraft began its mission to start a Close Air Support (CAS). Serbia still did not heed the No Fly Zone. Four warplanes violated No Fly Zone and were then shot down by NATO aircraft. UN command and then asked for Close Air Support to protect UN personnel in Gorazde, a safe area designated by UN in Bosnia Herzegovina.

At the 1994 Brussels Summit, Alliance leaders reaffirmed their readiness, under the authority of the UN Security Council, to carry out air strikes to prevent the strangulation of Sarajevo, as well as other safe areas that had been assigned the United Nations. In February 1994, Serbia succeeded in besiege Sarajevo, that it made it receive harsh criticism from NATO. Later, NATO launched air strikes to beat back the Serb troops. Meanwhile, NATO also asked Serbia to withdraw its troops, and said it would attack the heavy weapons located around 20 kilometers from the city center after February 20. During the period, the air force should not be used.

³⁵ "United Nation Security Council Resolution 816" retrieved from <http://daccess-dds->

The attempt to release some secure areas from Serb siege continued. North Atlantic Council then authorized to conduct air strikes on Serbia's Heavy Weapons within a radius of 20 kilometers from Goradze. In addition, the UN also had appointed another area, between his Bihac, Srebrenica, Tuzla, and Zepa as safe area which should not be attacked by the Serbs. If this region was attacked heavy weapons from any range, then the Council would be automatically entitled to launch an air attack.

After that, UNPROFOR often requested attacks on several sites owned by Serbia. In a reconnaissance in the north-western Bosnia, NATO aircrafts were attacked by two Surface-to-air missiles. Taking into account the threat from this site, on November 23, 1994, air strikes were launched to conquer this site.

The next day, on November 24, 1994, NATO also decided that air power could be used, under the provisions of UN Security Council Resolution 958, for room air aircraft against Croatia, which had been applied in the attacked or threatened area determined safe by the United Nations.

Peaceful Settlement attempted by the United Nations, European Union, as well as other countries did not meet with success in the period 1992-1995. NATO also later took the decision to conduct military invasion into the territory of Serbia, the Serbian government to press for a return to the negotiating table. This NATO initiative received support from the United Nations, European Union, as well as the United States of America. In May 1995, NATO began to invade the territory of Serbia, and to destroy

Serbia would return to the negotiating table in November 1995. NATO's role is very big in these peace efforts in Bosnia.

Operation Deny Flight to enforce the No Fly Zone over the territory of Bosnia and Herzegovina was officially terminated on December 20, 1995 after in November 1995, a meeting was held between the parties involved. The meeting was held at Wright-Patterson Air Force Base in Dayton, Ohio, United States of America, and then on December 14, 1995 in Paris France. The agreement is named the Dayton agreement.

The result of these negotiations is as follows:³⁶

- Bosnia-Herzegovina remains the sole country in the International World
- The capital of Sarajevo remains united under the federation of Bosnian Muslims
- War Criminals as it has been set by the International Court of Justice should not be holding the positions.
- Refugees have the right-back into place.

Those are the three examples of the Implementation of No Fly Zone, which occurred in the last two decades. Two No Fly Zones were established on the state of Iraq, in the north and south of the country, thus made the capital of Baghdad besieged by allied troops. One No Fly Zone was imposed on the state of Bosnia-Herzegovina.

It is clear that the No Fly Zone is applied as a form of

In Iraq, the United Nations Security Council passed Resolution of No Fly Zone involving the Northern region's oil-rich countries to protect the Kurds, an ethnic minority, from the attacks of Saddam Hussein's military forces. The ethnic was threatened after Saddam Hussein wanted to attack using a weapon to exterminate Kurds in the 1980s with the biological weapon. The Kurds then a to the north, seeking refuge after they tried to revolt to the government of Iraq after the Gulf war had ended in 1991.

In southern region of Iraq, the UN Security Council set up a No Fly Zone in the region to protect Syriah Muslims who inhabited that region. Saddam Hussein tried to eliminate the minority in his country. To protect these two minority groups, Operation Provide Comfort, Operation Northern Watch and Operation Southern Watch were implemented.

While in the soil of Europe, the collapse of Yugoslavia has become a new problem for the security of the world. In Yugoslavia, the Serbs tried to make the State established a Greater Serbia which includes the fraction area of Yugoslavia. In an effort to achieve that goal, they tried to eliminate the Bosnian ethnic who had proclaimed the state of Bosnia-Herzegovina based on the results of the referendum in 1992. The massacre was carried out, forcing the United Nations Security Council pass a resolution of No Fly Zone over Bosnia-Herzegovina. The core of the implementation of the No Fly Zone is also the same as the one in Iraq, namely to protect civilians.

Atrocities happening in Bosnia and Herzegovina had made the country's name

internationally. The creation of No Fly Zone was supported by the world to

top the atrocities. Serbia had protests from all over the world. The leader of the country, such as Radovan Karadzic and Ratko Mladic had been arrested and trialled at the International Court of Justice. Both men had been branded as war criminals, and became fugitives for a dozen years, so did Saddam Hussein who had been in Dead row.

The use of No Fly Zone was proved quite effective. However, unfortunately the No Fly Zone is often violated. Be that as it may the form and intention of the No Fly Zone, might be pretty effective to avoid the use of heavy weapons which fired through the Air Force to attack massively.

The use of air power is very effective in massive-scale attacks. The example is the attack that took place in Hiroshima and Nagasaki by U.S. warplanes. At that time the atomic bombs were dropped on two cities and resulted in the murdered of hundreds of thousands of innocent civilians in the attack, not to mention its impact on some of the survivors, as well as its psychological impact. These are the cases that the United Nations Security Council tried to avoid when it passed a resolution No Fly Zone.

In addition, we must remember when Indonesia was once threatened by the No Fly Zone in the air area of Aceh. It was when the Government of Indonesia faced a separatist movement called *Gerakan Aceh Merdeka* (GAM). When democratization was a trend in the Middle East region, it also struck the region of Libya. When civil war broke out in order to dethrone Muammar Gaddafi, the UN Security Council also issued

resolution of No Fly Zone over the country. As the previous, its main reason was to

Most of the resolutions issued by the UN Security Council can not be separated from the involvement of the United States of America. For instance what happened in Iraq, where the No Fly Zone in the United States of America removed the above recommendations, and implemented them under the leadership of the United States of America and its allies. The hegemony of the United States of America is very large, including in the world body of the United Nations. Similarly, in the Gulf war in 2003, the United States of America without UN's approval, unilaterally invaded Iraq. No Fly Zone Resolution issued by the United Nations Security Council is in fact the recommendation from the United States of America.³⁷

No Fly Zone was issued to protect civilians, although it still often debated on the effectiveness of its implementation. Sometimes there are countries that actually use and implement the Resolution of No Fly Zone.

³⁷ Roth.R., "U.N. Security Council Pauses In Talks On Libya No Fly Zone
Retrieved from http://articles.cnn.com/2011-03-14/world/un.libya.no.fly.talks_1_zone-security-council-arab-league?_s=PM:WORLD On January 21, 2012 15.48 LT