

The Challenges of Peacekeeping and Peace Support into the 21st Century

Peacekeeping 2015 - A Perspective (13 - 15 SEP 2000)

IN
PEACE
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UNITED SERVICE INSTITUTION OF INDIA
CENTRE FOR UNITED NATIONS PEACEKEEPING

The Challenges of Peacekeeping and Peace Support into the 21st Century

Peacekeeping 2015 - A Perspective



**UNITED SERVICE INSTITUTION OF INDIA
CENTRE FOR UNITED NATIONS PEACEKEEPING**

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INAUGURAL SESSION

South America, Angola, Mozambique, former Yugoslavia, Cambodia, Somalia, Western Sahara, and Rwanda to the current missions in Lebanon, Sierra Leone, and the Guards Contingent in Northern Iraq. We also have with us diplomats and administrators who have been associated with the UN in one capacity or another, as also some from the NGO community.

Having contributed almost 50,000 personnel to the UN for the maintenance of international peace and security commencing with the operations in Korea in 1950, with just under 100 Indians making the supreme sacrifice in the process, it is matter of particular pride to us in the Indian peacekeeping fraternity to have this seminar, the sixth in an international series on "Peacekeeping and Peace Support into the 21st Century", being conducted as the inaugural event of the USI Centre for UN Peacekeeping. We have a little under 4000 personnel, including civilian police, deployed in nine of the fourteen missions being undertaken by the UN currently.

It would have been an honour and a privilege to have with us on this occasion two of our peacekeeping living legends, namely Lt Gen Dewan Prem Chand and Maj Gen Indarjit Rikhye; but that was not to be. General Prem Chand is unwell, and General Rikhye could not make it from the USA due to commitments he cannot get away from. Both have, however, sent messages of greetings and good wishes, which I have the privilege of reading for you. First, the message from Lt Gen Dewan Prem Chand:-

"To begin with I should like to utilize this opportunity of joining you in welcoming the participants at the seminar; I also wish to convey my personal regards and very good wishes to all of them for a most interesting, purposeful and successful seminar. I am sure that your deliberations and discussions will prove to be fascinating indeed and I only wish that I could have had the privilege of being there to take part in them. As I look back with deep gratitude to my four UN sessions; the Congo (1962-63), Cyprus, negotiations as SRSG, together with Lord Carver of the UK in connection with Southern Rhodesia (1987-88) and Namibia (1989-90). I would like to take this opportunity of recording a personal tribute to our two Peacekeeping Gurus, Dr Ralph Bunche and Sir Brian Urquhart for having highlighted for us the principles, precepts and techniques of Peace Keeping. May I presume to add that we owe them a deep debt of gratitude.

With my warmest regards and very best wishes to the participants".

-- Lt Gen Dewan Prem Chand, PVSM (Retd)

Now, the message from Maj Gen Indar J Rikhye :-

"Since India's independence it has played an active role in the development of the United Nations, especially its peacekeeping role. India provided troops to assist in the repatriation of prisoners of Korean War and a military contingent to the first peacekeeping force in Egypt after the Suez war. Over the years India's support for peacekeeping operations has continued including providing key personnel at United Nations Headquarters and in the field. With the wealth of its experience and its proven ability to provide highly trained personnel and troops for peacekeeping, it is only fitting that India should establish a Center for UN Peacekeeping at New Delhi. On this occasion of the inauguration of the Sixth International Seminar on Challenges of Peacekeeping and Peace Support, I wish to compliment General Satish Nambiar for his initiative to establish this Center and for organising this Seminar. I send my greetings to the seminar participants and wish them an enjoyable and successful seminar. The nature of conflict in the new millennium became increasingly evident in the post cold war years. In a uni-polar world instant communications, advance of human fights and civil liberties have made the task of

WELCOME ADDRESS

By

Lt Gen Satish Nambiar, PVSM, AVSM, VrC (Retd)
Director, United Service Institution of India

General VP Malik, distinguished guests, ladies and gentlemen. We are meeting here this morning exactly a week after the commencement of the Millennium Summit of world leaders held at the United Nations Headquarters in New York. We meet at a defining moment in the history of this august body which has been through a great deal in the fifty five years of its existence; some tremendous achievements and traumatic failures. Whatever else may have been said and discussed during the last few days in New York, one message that has emerged loud and clear, is that in order to pursue the goals of economic and social well being of the peoples of the world, and to maintain international peace and security, there is no alternative available to the global community than the United Nations Organisation. It has therefore been recognised and emphasised that there is an imperative need to resuscitate and strengthen the various organs of this body.

At the outset, on behalf of the United Service Institution of India, allow me to extend to all of you a very warm welcome. This Institution is 130 years old. It was set up in 1870 to afford officers of the Indian Defence Forces an opportunity to study, express views, and engage in discussion, on aspects of defence strategy, national and international security, international relations and technology.

A few months back, a proposal was initiated by Army Headquarters and the Ministry of External Affairs, that the USI should undertake to set up and run a Centre for United Nations Peacekeeping. The proposal was made in context of the established experience and expertise of the Indian Armed Forces, so that an institutionalised arrangement is put in place to impart training. Not only to our own personnel earmarked for UN missions, but to share with friendly foreign countries, our experience and expertise, by the conduct of seminars, discussions and training capsules for various categories of personnel. In addition, it is intended that intensive research and study be undertaken to collate, document and record experiences of peacekeeping operations for posterity.

Enthusiasm for the project was truly heart-warming and the Executive Committee of the USI accorded approval to the proposal without hesitation. As things stand today, the interest in the project is tremendous, and there is great goodwill and support. However, for such projects to move ahead, some money needs to be put where the mouth is. That is apparently being pursued vigorously with the finance mandarins in the Ministry of External Affairs to bring them on the same wavelength as the rest of us. At the moment though, we are surviving on hope, goodwill and fresh air. Therefore if our foreign guests find themselves on short rations during their stay at the USI, you now know why.

Notwithstanding all this, thanks to the support of the Executive Committee of the USI, Army Headquarters, and the UN Division of the Ministry of External Affairs, this seminar has been put together.

We have a truly impressive participation with about 30 delegates from various corners of the Globe, and over 50 of our own participants, most of who are peacekeeping veterans. We have practitioners with experience ranging from the earliest of missions in the Gaza Strip and Sinai, and the Congo, through the missions in Iran/Iraq, Namibia, Iraq/Kuwait post Gulf War,

international peacekeeping in the old established ways more difficult. Faced with the task of peacekeeping in a New World Order, the United Nations did what nations have always done. Usually armies prepare for the next war based on the experience of the last. Similarly the United Nations attempted to deal with post cold war conflicts in the same manner as it had developed during the cold war. The challenge before the international community is to design a new system that is abreast with human development. This system should have the ability of the past Imperial forces to cope with disorder by deterrence and with minimum use of force, preferably only in providing security. Besides, it must create conditions for return to normalcy, in keeping with the, new international laws and practice".

--- Maj Gen Indar J Rikhye (Retd)

With that, ladies and gentlemen, allow me to welcome you again and to state that we are privileged to have all of you here with us. We look forward to the discussions of the next three days.

It is indeed an honour and a privilege to welcome at the USI this morning, my old friend and colleague, General VP Malik, Chief of the Army Staff, Chairman Chiefs of Staff Committee, and the Vice Patron of the United Service Institution of India, to deliver the Keynote Address.

Before requesting him to do so, however, allow me to introduce to you Ms. Annika Hilding-Norberg from Sweden who is the moving spirit behind this project. Over the last five years or so, she has been instrumental in getting together groups of people from various parts of the world, experienced in peacekeeping and other peace support operations, to share their thoughts and expertise. She will briefly explain to you the aims and objectives she set for herself, how much she has been able to achieve, and the way ahead.

OPENING REMARKS

By

Ms. Annika Hilding-Norberg
Project Director & Co-ordinator
Swedish National Defence College

Your Excellencies, distinguished guests and participants, ladies and gentlemen,

First and foremost, on behalf of the partners of the project, I would like to express my sincere appreciation to the President and the Council of the United Service Institution of India as well as to the Director of USI, General Satish Nambiar, for hosting the sixth international seminar in the series on the Challenges of Peace Keeping & Peace Support Into the 21st Century.

In particular, I would like to thank General Nambiar for his unfailing commitment to our international seminar project, dating all the way back to the first seminar held in Stockholm in 1997. Of course, we are also most grateful to Major General RS Nagra, Colonel MK Mehta and Lt Colonel Dinesh Chaudhary to mention only a few.

It has been a great pleasure working with the United Service Institution of India's highly efficient and professional staff and a great privilege receiving your friendly hospitality. Thank you.

It is a great honour to address this distinguished auditorium. As General Nambiar has discussed the issues and agenda in regards to this seminar on "Peace Keeping in 2015; A Perspective", I will say a few words about the seminar series as a whole; the Challenges of Peacekeeping and Peace Support Into the 21st Century.

Underlining Assumptions

The fundamental assumption is that the multiple nature, scope and persistence of contemporary conflicts requires a multiple response. Whether being a traditional or new peacekeeper, civilian or military, regardless of religion, culture and geographical origin, we all have challenges to deal with as well as experiences to share.

The aim of this project is to, through an open and mutual exchange of ideas, try to harness the experiences made and lessons learnt, to synthesise these ideas, formalise recommendations and develop a concluding report. Realising the necessity of staying within the boundaries of the possible, the project nevertheless seeks to provide an inclusive and informal forum for addressing critical challenges of peace keeping and peace support efforts in a proactive manner.

Objective

In short, the objective of the seminar series is twofold;

- To explore and convey more effective and legitimate ways of dealing with regional conflicts.
- To encourage and facilitate increased co-operation and co-ordination between influential organisations and agencies from a wide variety of nations and cultures.

Methodology

The methodology of the project is;

- To organise high-level workshops, seminars and conferences, each meeting with its' own particular focus and framework.
- To combine theoretical inquiry with practical issues of training and education. In connection to each session, visits to and presentations of the regional peace keeping training centre have been organised.
- To publish conference papers and seminar reports in multiple languages to increase the pool of peacekeeping literature in languages other than English.
- The development and publication of a concluding report in multiple languages. The Partners Meeting yesterday further elaborated on the overall framework and its' structure. The final product is to be presented to the United Nations, its Secretary General and its Member States in the fall of 2001.

Project Products and Expected End State

The tangible project products include the latter two points just mentioned, the conference publications and the concluding report. The expected end-state is twofold; first, an increased understanding of the challenges and issues discussed, and secondly, an increasingly widened, strengthened and truly international peace keeping and peace support network.

Partners and Seminars: Hosts and Issues

The multiplicity of actors and nations currently engaged in crisis response is also reflected by the diversity of the partner organisations in our endeavour. The group is multinational, multidisciplinary, multireligious, multiregional, and multicultural. In addition to the United Service Institution of India, let me introduce to you the other partner organisations in the project.

The Swedish National Defence College held the first workshop in September 1997. Subsequently, the Defence College, headed by Commandant General Neretnieks, is co-ordinating the overall project. At the first workshop, we made an inventory of the current challenges facing peace keeping & peace support covering a whole range of issues.

The second meeting was a conference organised by Professor Salmin, President of the Russian Public Policy Centre in Moscow in March 1998. There the main discussion focused on the role of coalitions of the willing and regional organisations covering primarily the evolving role of NATO as well as that of the Commonwealth of Independent States in peace operations. We

also addressed civil-military relations, international and national legal constraints and possibilities, as well as training and education issues.

Dr Kamel Abu-Jaber, President of Jordan Institute of Diplomacy, hosted the third meeting in October 1998. Stemming from the experiences of the region, the conference started by addressing the changing concept of security. This consequently led the discussion into "softer" issues of peace keeping, such as preventive diplomacy, confidence building measures, post conflict peace building, civil-military relations, mine action, training and education of civilian police and peace keepers.

Dr Cilliers, Executive Director of the Institute for Security Studies in Pretoria organised the fourth meeting, a workshop, in November 1999. Faced with the tremendous challenges to peace and stability on the Africa continent, the workshop was focused on issues related to capacity building in the African context. Discussions ranged from the growing challenges posed by collapsed societies, war lords, and war economies to development issues, reform and/or the out-sourcing of the security sector and its implication for peace support, the role of regional and sub-regional organisations such as the OAU, ECOWAS, ECOMOG, and SADC, as well as a case study on the DRC.

In May this year, the US Army Peacekeeping Institute and its Director Colonel Oliver hosted a seminar, the fifth session in the series. The topic was the doctrinal dimension. The subject of doctrine was linked to issues that the Challenges Project had not yet fully, or at all, explored before; Risks to Peace Keepers, Disarmament, Demobilisation & Reintegration, Public Security, Doctrine and Training. We also organised working groups assessing a range of sub issues; from how does one determine success or end state of a UN operation to how can the military element most constructively assist the civilian component in a PKO.

The suggestion by General Nambiar to take a long-term approach to the analysis of the challenges of UN peace keeping was most welcomed by the Project. Our meeting here comes particularly timely as it is only a couple of weeks ago when the Independent Panel on UN Peace Operations presented the so called Brahimi report. Many of the principal issues being raised by the report, are the very debates that we have on the agenda to discuss over the next few days. For example, the report spells out; No amount of good intentions can substitute for the fundamental ability to project credible force. However, force alone cannot create peace; it can only create a space in which peace can be built. For a UN operation, what the appropriate or required level of force and mandated ROEs should be is indeed a controversial issue due to the nature of complex emergencies and the dangers they entail.

Looking to the future; it is a great honour and pleasure to introduce to you the seventh seminar in the series. Mr Kawakami, Director of the Division for International Co-operation at the Japanese Ministry of Foreign Affairs, and until recently Deputy Director of African Affairs in the UNDPKO, will tell you more about the seventh meeting, which will take place in Tokyo between March 15-16 next year. The overall theme of the seminar will be on the challenges of safety and security for UN peacekeepers and UN personnel. In the light of recent, tragic developments in West Timor and West Africa, this is an issue of particular and urgent need of further and continued assessment.

We are also most pleased to inform that Argentina has expressed an interest to host a seminar in the series in Buenos Aires during September 2001. Details are yet to be decided.

The concluding meeting with a presentation of our report is tentatively planned to take place at the UN HQ in late autumn of 2001.

The Challenges of Funding

In addition to sincerely thanking the United Service Institution of India and the Indian Armed Forces for organising and being the main sponsor of the seminar here in Delhi, I would like to mention the other principal sponsors of the overall project effort. They incl. the hosting organisations and their armed forces and peacekeeping training centres, the Swedish, Norwegian and Jordanian governments, the Canadian L.B. Pearson International Peace Keeping Training Centre, the Susan and Elihu Rose Foundation, NATO Information & Liaison Office, the Hanns Seidel Foundation, the CIS HQ for Military Co-operation and Co-ordination as well as the Jordan Television Corporation, to mention only the main contributors.

The Spin-Offs

Before I conclude, I would like to highlight some of the tangible projects of co-operation, which have originated from contacts made during the process of the Challenges Project. One of the two main objectives of the project is, and has always been, to promote and encourage international exchange between relevant organisations and individuals. Exchanges between peacekeeping training academies were agreed between Sweden and the Russian Federation, and between L.B. Pearson Canadian Peacekeeping Training Centre and the Hashemite Kingdom of Jordan. The establishment of a multidisciplinary and regional peacekeeping training centre was further developed at the conference in Amman. An Early Warning Program has been launched at the Institute for Security Studies in South Africa, supported by the Swedish Ministry of Foreign Affairs. In short, the aim is to facilitate the building of bridges and mechanisms to improve communication and dialogue between peacekeeping experts and practitioners around the world.

Concluding, as noted by the Independent Panel, at the moment there are 32 officers at the UN HQ providing leadership for 28 000 soldiers, and nine police officers for every 7 000 civilian police, all from different countries, backgrounds and scattered around the world. This is indeed a challenge. The international community; states, organisations, think tanks and individuals, we all should try to make the only universal system to manage and maintain peace and security work -better. It is in the hope of the project partners to learn from, but also contribute to the resolution of, the peace keeping challenge, which we are all faced with.

What started out four years ago as an idea stemming from the work on my doctoral thesis to organise a small round table discussion on the Challenges of Peace Keeping & Peace Support in Moscow has now become a global process, in scope, participation, input and , most importantly, ownership. The strength of the process is the heterogeneous nature of the seminars, workshops and conferences, each meeting contributing to the process with a particular emphasis and thrust of issues. Taken together, the process, when finished, should have covered, to a greater or lesser extent, the majority of peacekeeping challenges facing us.

In order to be able to shed as many rays of light as possible on how to tackle the daunting challenges of peace keeping and peace support and in order to make our undertaking as thorough, comprehensive and representative as possible, I invite you to come forward with any insights, issues, questions or suggestions that you may have. In the mean time, I would like to thank you for your attention.

KEYNOTE ADDRESS

By

Gen VP Malik, PVSM, AVSM, ADC, Chief of the Army Staff

Distinguished delegates from friendly countries, colleagues, ladies and gentlemen. On behalf of the Indian Army, I have great pleasure in welcoming you all to this seminar.

Since independence, India has traditionally given due importance to UN peacekeeping operations and has remained in the forefront of these activities, contributing towards maintenance of international peace and security in different conflict ridden parts of the world.

Since its first commitment in Korea in 1950, Indian troops have participated in some of the most difficult UN operations and their professional excellence has won universal admiration. India has participated in thirty two of the forty eight peacekeeping missions undertaken by the United Nations and has contributed over 50,000 troops all over the world. These missions include amongst others, successful UN operations in Congo, Mozambique, Cambodia, Somalia and more recently, in Lebanon.

The price of keeping the peace has, at times, been very high. As many as ninety four of our soldiers have made the supreme sacrifice in the service of the United Nations. Their sacrifice personifies the noblest ideals that India and United Nations share and reflects our abiding commitment to the ideals of the UN Charter.

The Indian Army has the experience of operating over varied terrain, which is possibly unique in the world. Our operational deployment and sustainability ranges from snow covered mountains and glaciers in the North to the vast deserts of Rajasthan, and from deep jungles of the North-East to the marine environment of our Island Territories. Today, Indian Army has good experience of entire spectrum of conflicts ranging from conventional warfare to low intensity operations, maintenance of law and order and peacekeeping operations except nuclear warfare. We have updated our peacekeeping techniques based on the experiences of past peacekeeping missions, and have a very large reservoir of trained and skilled manpower.

We have always emphasised close rapport with local people and ethos. Respect for human rights, ameliorating the lot of the sick, poor and oppressed and to win the hearts and minds of the local populace continue to be our philosophy for peacekeeping. Patience is our national trait and yet, when it has been necessary to use force, we have done it successfully as in Congo and Somalia and more recently during "Operation Khukri" in Sierra Leone.

With our experience over the last 50 years, we have a well developed strategic thought process and the requisite doctrinal support for UN peacekeeping, which echoes this philosophy. Together with the logistic backup available in the country, India can sustain long term deployment in UN peacekeeping missions. Our contingents also have stand alone capability in terms of organisational structure, assets, equipment and logistics. This was amply displayed in Somalia. We have again demonstrated our capacity to project an integrated force in Sierra Leone. We are now in a position to rapidly deploy upto a brigade size force for UN operations using our own national means, should such a need arise.

The post cold war era has seen an undeniable change in the character of conflicts that afflict the world today. Intra state conflicts based on fierce claims of sub nationalism, ethnic, religious and cultural identities are tearing apart nations, which were once, considered as stable societies. In many cases this has led to the break down of political authority, crimes against humanity, mass killings and displacement of populations. Discernible changes too have taken

place within the character of peacekeeping. An increasing use of force and elements of coercion and intervention that impinge on national sovereignty are evident. Peacekeeping operations too have become multi-dimensional with political, humanitarian, social and economic components requiring civilians and Non Governmental Organisations working hand in hand with the soldiers. Transitional terrorism and environmental issues have also exacerbated new conflicts. Is the UN today ready to face new challenges, is a question for us to ponder.

The UN system reflects the multilateral approach. The strength and limitations of this approach also affect UN peacekeeping. As a universal body, the UN can bring to bear its unique moral authority. We cannot afford to be sucked into a conflict resolution situation because a few influential members desire so. There should be a general consensus and support of a broad spectrum of the international community.

Similarly, there is an increased importance being given to the regional arrangements in peacekeeping. While I agree with the concept of regional representation in peacekeeping, I am not in support of entirely regional groupings. I am of the opinion that the United Nations is the only universal body and its unique role especially in peacekeeping cannot be arrogated by other multinational organisations.

Regardless of technological progress and the changing character of conflict, the most important element of UN peacekeeping operations remains the soldier on the ground. This is especially so given the fact that the UN operations are based on minimum use of force which require human qualities of tact, patience and diplomacy, rather than overwhelming force or sophistication of equipment. We continue to believe that a well trained, dedicated and disciplined soldier is the backbone of any peacekeeping operation.

Areas of Concern

While it is true that the past decade has clearly demonstrated the importance of UN peacekeeping, it is equally true that our combined capacity as UN Force to deliver in this areas is not fully realised and needs to be enhanced in order to meet future challenges. Our main concerns are :-

- **Comprehensive Analysis.** Before launching any peacekeeping mission, a very careful politico-military analysis of the situation should be undertaken by the UNDPKO. To the extent, Somalia and now Sierra Leone are not good examples.
- **Efficient Planning.** United Nations should be able to act in a timely and effective manner to ensure that missions are in place at the right time, with full components and sufficient resources to achieve the end objectives. We must not take any compromises on scales of weapons and equipment. Operational effectiveness of the force must never be compromised due to political leverages. Successful accomplishment of 'Operation Khukri' by the Indian troops in Sierra Leone bears testimony to this fact.
- **Management of Peacekeeping Operations.** UN needs to have the ability to plan, deploy and manage such operations efficiently. To this end, staffing of UNDPKO with the right mix of military and civilian expertise with experience in diplomacy, military affairs or any other qualifications to deal with specific requirement like logistics etc is essential.
- **Effective Planning and Transparency.** Planning process within the United Nations needs to be made more effective and transparent. Prospective troop contributing

countries should be consulted on major decisions and be involved in the early stages of planning of a mission and preparation of the mandate to facilitate necessary coordination. To this end, we welcome the type of interactions that took place on UNAMSIL at UN HQ on 23rd of last month.

- **Achievable Mandates.** There should be a congruity between mandates, resources and objectives. When changes are made to existing mandates, commensurate changes should be made to the resources available. Besides, any such changes during a mission should be based on a thorough and timely reassessment by the UN, including military assessment.
- **Tasking of Troops.** We should not be over-ambitious in tasking and deployment of troops. Besides, multinational peacekeepers will always require longer period for orientation, though it can be reduced to some extent by proper peacekeeping training. Sierra Leone is a classical example.
- **Command and Control.** The United Nations has a well laid out structure for command and control of peacekeeping operations which takes political, executive and military aspects into consideration. Unfortunately, the structure has come under strain as a result of blurring of the chain of command due to undesirable pressures from different quarters. At times, it has been seen that the Security Council itself endeavours to micro manage the crisis. Another problem noticed is from the Governments of troops contributing countries which impose caution and restrictions that impinge on the overall success of the mission. Unilateral intervention by some countries as in Sierra Leone should also be discouraged.
- **Peacekeeping Training.** Another key area that requires immediate attention is the shortfall in training standards of troops being contributed. While I am glad to learn that certain corrective steps have been initiated by the Training Units at UNDPKO like their "Train the Trainers" programme, a lot is yet to be achieved.
- **Equipping of Contingents.** Well trained personnel need also to be well equipped to perform efficiently. The new generation peacekeeping, places much higher demands on logistics support than ever before. I feel, therefore, that it is the responsibility of the member states to ensure that their troops when deployed on UN missions are provided with the necessary equipment and other logistics back up and are well trained in their use to ensure efficient performance of the task as also personal safety and security.
- **Role of Developing Nations.** Given the hazardous nature of these operations and the fact that majority of these are in the third world, it is seen that Western nations are reluctant to commit troops on such missions. Increasingly, the developing countries are becoming major troops contributors putting heavy strain on their economy.
- **Budgeting.** Last but not the least, participation in peacekeeping operations poses considerable burden on the troops contributing countries. While we fully understand the precarious financial situation of the UN caused by the non payment of arrears and disproportionate share of contribution by some countries, timely reimbursements to the troops contributing countries need not be over emphasised. To this end, member states must meet their charter obligations and pay their assessed contributions to the UN in time.

Conclusion

We also appreciate and acknowledge the immense contribution made by other countries to the UN peacekeeping, many of whom are represented here today. As I stressed earlier, the UN peacekeeping is not a national undertaking. It is an international endeavour to which each nation brings its unique contribution.

Over the next few days, you would have an opportunity to exchange views. We look forward to sharing and learning from each others' experience. We immensely value your views and contributions in this forum. We sincerely hope that this interaction and exchange of views would be equally interesting and rewarding to you. I wish you all a very pleasant and enjoyable stay in India.

Before I end, I would like to inform you all that in the furtherance of our initiative and support towards better peacekeeping, we have established, with the help of USI and in particular Lt Gen Satish Nambiar, its Director who himself is a veteran in peacekeeping, a 'Centre for UN Peacekeeping' at New Delhi. We shall be conducting peacekeeping training seminars, capsules, training of military observers and staff officers on a regular basis at this Centre, besides providing particular training to the troops who are likely to participate in peacekeeping operations. I wish the Centre a grand success in its future endeavours.

Thank you very much indeed, one and all.

SESSION ONE

EMERGING REGIONAL PERSPECTIVES

EMERGING REGIONAL ENVIRONMENT : PERSPECTIVES FOR PEACEKEEPING

By

Shri JN Dixit, IFS (Retd)

Shri JN Dixit joined the Indian Foreign Service in 1958; he served in different diplomatic capacities in South America, North America, Europe and the Far East. He served as Chief diplomatic representative and Head of Mission in Bhutan, Bangladesh, Afghanistan, Sri Lanka and Pakistan, capping his career as the Foreign Secretary of India from 1991 to 1994. A Charles Wallace Fellow at the Department of Politics, University of Hull, he is actively involved in delivering lectures at military institutes and various Universities in India and abroad. Shri JN Dixit is a member of the Executive Council of the United Service Institution of India.

Thank you Professor Salmin, fellow panelists, ladies and gentlemen. The subject on which I am supposed to speak is "Emerging Regional Environment: Perspectives for Peacekeeping". I am glad that the plural tense has been used -- perspectives -- because it enables one to drift away just from my region and perhaps touch upon some general dimensions in other regions where peacekeeping operations are involved. First and foremost, let me labour a truism that the term peacekeeping here is being used in a somewhat specific dimension. Technically, it is not peacekeeping in general, that is preservation of peace in general terms in civil society. We are talking of peacekeeping as a specific phenomenon where the international community through various means collectively acts to maintain peace in situations which become critical, which endanger peace and stability in an area wider than where the conflict occurs.

There are three conceptual descriptions of this phenomenon which we must take note of before talking about regional perspectives. First, peacekeeping is an externally engineered phenomenon either through the United Nations or through the collectivity of regional or sub-regional fora to deal with a critical situation. Secondly, the phenomenon of peacekeeping is generally a limitation on state sovereignties based on universal norms and values, which are incrementally being acknowledged by the international community as transcending the imperatives of state sovereignties. Third, it is an assertive acknowledgement of incremental international collective responsibilities to uphold these principles which at times can be a situation that may be felt as something questioning the traditional jurisdictional concepts of state authority. It is within the framework of these three guiding terms of reference that we discuss the regional environment upto 2050. I do not think that there is going to be any macro-level qualitative change in the international environment in the Asian region. I am not limiting myself to South Asia, but am talking about the Asian region and extending it to some limits to Southeast Asia also. In the first segment of my presentation, I would like to touch upon predicaments or situations which necessitate or may necessitate peacekeeping operations in this region.

I have categorised these impulses or predicaments into seven categories. First is the nature of the nation states in this entire region and the nature of the civil societies which constitute these nation states. The most important characteristic is the plurality which characterises all, most if not all, of them. They are multi-lingual, multi-ethnic, multi-religious, and in their present form as nation states they are of recent historical origins. The second characteristic is that these pluralities of each of these states overlaps with other states in many cases. Of course, the most intense manifestation of this phenomenon is in South-Asia. All seven countries of the South Asian Association for Regional Cooperation (SAARC) share ethnicity,

language, religion, or traits of cultural and other identities. This creates problems of identities in these states and hinders the consolidation of their respective national identities.

The third factor is the problem of consolidating national identities, which remains a continuing challenge to the states in the region. In the exercise of consolidating national identity, two things happened which brings me to the fourth point. The inner plurality generates centrifugal impulses in these states, which at times evolved into separatist and secessionist movements. The overlapping of pluralities, impacts on the exercise in consolidating national identities and that generates confrontational competition between the states of the region. The Muslim minority in India is the responsibility of Pakistan. 'Hindu' India is a danger to Buddhists in Sri Lanka. The ethnic and other characteristics of the populations of some parts of Myanmar and some parts of North-eastern India have evolved into territorial claims and disputes. This phenomenon also affected Southeast Asia, till the Association of Southeast Asian Nations (ASEAN) got consolidated. Thus, the problem of consolidating national identities and coping with centrifugal impulses can create military situations which, in turn, can necessitate peacekeeping operations.

The sixth point is external competitive confrontational phenomenon or acquisitive phenomenon or the phenomenon of claims. It results in external interventions, inter-state conflict -- if not in full-scale wars but all sorts of smaller crisis. There are ample examples in Africa, the Indian Subcontinent, former Indo-China. If we look at the list of peacekeeping operations in which the United Nations has got involved, the origin of the crisis that necessitated UN peacekeeping operations was this factor of external acquisitiveness. Because where it is entirely an internal phenomenon, the international community does not want to intervene unless it is a major situation of genocide, violent violation of human rights, or something to that effect. The seventh factor is the chemistry of regional and Great Power strategy impinging on peacekeeping operations. What I have in mind are three examples, the Korean War, the situation in Indo-China after the French failure at Dien Bien Phu, and the recent critical developments almost stretching over three-fourths of a decade in the former Yugoslavia. In all these three situations, the UN peacekeeping operations originated in some steps taken by some big power. I can get into a long chronology and details of how the Great Powers for strategic purposes initiated certain action, which evolved into a critical military conflict which, in turn, to be calmed down needed the UN's comparatively impartial and positive presence. I am deliberately not going into individual cases, because this is essentially a conceptual presentation of the broad environment. All these seven factors, at one stage or the other, require peacekeeping. The eighth and most important factor -- this is not a category or a trend but a single factor -- which may necessitate collective international interventions is the nuclear weaponisation of this region. India and Pakistan, of course, are accused of the crime of getting nuclear weapons now. But the total nuclear environment has to take into account not only the nuclear weapons of Pakistan, India and China, but also the nuclear weapons presence from one platform or the other of other countries, about which much details are not known but which nevertheless exist. More specifically, peacekeeping operations might become necessary if there is brinkmanship from one side or the other. One honestly hopes that it never happens, but this is a contingency which the international community is already thinking about. I have not talked about the expressions of the centrifugal forces and external interventions, which ultimately evolve into conflict situations, cross-border terrorism or other such interventions.

How does the world, the United Nations or the international community -- how has it and how will it -- deal with these impulses which can create critical situations and necessitate peacekeeping operations. The nature of UN peacekeeping operations was more objective, more gentle, more innocent, more benign, and more rational during the Cold War than in the

post-Cold War period. Two or three things which one should recall are that, where there was a crisis and conflict between the Great Powers, most of the time they resolved it amongst themselves regardless of what stage of brinkmanship they reached. Secondly, wherever they created a crisis by their own action, like the Soviet intervention in Hungary or Czechoslovakia, though resolutions were passed and opinions expressed, there was no impulse or activity towards peacekeeping by the UN in these situations though these countries are UN members. UN peacekeeping operations beginning from Korea till Cambodia and Laos, or Angola and Mozambique, were straightforward cases; a situation develops, invitation comes, the UN Security Council meets, and forces depart. The watershed was the Gulf War. It was not just a conflict between two states on some small issue but a major strategic and political crisis. One state had invaded another and the invasion had implications in terms of energy, strategy, and security of a number of big powers. Of course, the initiative and the operational content of peacekeeping was in the hands of the United States. I do not wish to indulge in value judgement, whether the initial steps taken to quickly control the situation and the activism of the United States was right or wrong. But the point to remember is the UN was activated after some initial decisions were taken in the US; I have personal knowledge about it.

Post-Cold War, peacekeeping operations have the following characteristics. One, the motivations for peacekeeping operations are influenced more by Great Power politics. This is because ideological differences do not exist any more; the tendency is for the Great Powers to act together wherever they can; where they act together action is taken quickly and where they do not act together peacekeeping becomes a truncated exercise. Great Power strategies thus impinge on peacekeeping operations. Secondly, in some cases, the Security Council and the UN stood marginalised and were brought into the picture only to legitimise the operation concerned.

The third factor is that after a peacekeeping operation starts, instead of the UN Secretariat impartially guiding, governing and ensuring its implementation, strategic and other considerations result in decisions, policy announcements, manning and posting patterns which at times question the integrity and impartiality of the operation. UN peacekeeping operations have got more politicised in terms of power politics. This is one of the reasons why India has very serious reservations about any UN observing and peacekeeping presence in the potentially critical, explosive situation on the Line of Control in Jammu and Kashmir.

The UN itself has, under collective, particularly of the five permanent members of the Security Council, has revised the definitional dimension of its peacekeeping role. I was a participant in the Security Council Summit in January 1992, where French President Mitterand made a very significant speech about the UN's future role in peacekeeping. Two significant proposals that he made were that Chapters VI and VII of the UN Charter are too static. The United Nations should not wait till something has happened to do things. Secondly, he recommended a permanent standing military force at the command of the Secretary General to be sent out whenever there is a crisis. And from those discussions, not only between the permanent five, but other Prime Ministers and Heads of States as well, resulted Secretary General Boutros Boutros Ghali's famous *Agenda for Peace*. It is a very significant document in terms of defining the collective responsibility of the international community to deal with the maintenance of peace. It talked about preemptive diplomacy, peace-making in certain circumstances, and it wanted the Secretary General and the Security Council to have an enhanced operational activist role given the changing circumstances of the world. Though the whole document as such has not been formally adopted, the recommendations therein made are useful and have, to a great extent, served the purpose and are being gradually accepted in

actual UN practice. In some ways, it is intrusive -- nation states can have reservations -- but in overall terms it can evolve into an effective terms of reference for international peacekeeping.

In the coming fifty years, many conflict situations in the Asian region are likely to occur, which may need peacekeeping operations. These, if attempted, at the sub-regional or regional level, will only exaggerate the conflicts, because the motivations would be questioned, and national attitudes would become a factor. Therefore, whatever peacekeeping operations are undertaken, should be through the UN. Lastly, these decisions, to the extent feasible, should not be just based on a collective consensus of the five permanent members of the Security Council, but the collective membership of the Security Council. The credibility or the authenticity of the Security Council's decisions on peacekeeping will increase if it is made more representative. And where collective peacekeeping initiatives are being taken, in terms of certain idealistic framework about peacekeeping operations to meet critical situations, I don't think the permanent members should be endowed with the veto, and the decisions should be collective by the Security Council.

REGIONAL ARRANGEMENTS FOR PEACEKEEPING IN CENTRAL ASIA AN OVERVIEW

By

Bakhtiyar R. Tuzmukhamedov

Bakhtiyar R. Tuzmukhamedov, a graduate of Moscow State Institute of International Relations, is the International Law Counselor to the Constitutional Court of the Russian Federation. He provides international legal advice both to judges and the secretariat of the Court. He concurrently serves as Associate Professor of International Law at the Diplomatic Academy of the Ministry of Foreign Affairs of Russian Law and at the Moscow State Linguistic University. He is also a member of the Committee on Arms Control and Disarmament Law of the International Law Association and the American Society of International Law.

Last May the UN Security Council supported the intention of the Secretary General to discontinue the UN Mission of Observers in Tajikistan. The mandate of the six-year-old Mission expired on 15 May, 2000. The Summit meeting of the Commonwealth of Independent States that convened in Moscow on 21 June 2000 decided to withdraw its own mission called Collective Peacekeeping Forces in Tajikistan. It had been present in that war-torn country since 1993.

What had the makings of a success story was marred by the eruption of violence in early August - first in Surkhandaria Province in the South of Uzbekistan and then in the neighbouring Batken Province of Kyrgyzstan. There were conflicting reports some stating that militants linked to the Islamic Movement of Uzbekistan intruded the area from Afghanistan, others - that they came from their bases in the adjacent Tajikistan. Some sources insisted that they never left the area since August 1999 when they penetrated into the territory of Kyrgyzstan, taking several hostages, including some senior military and two Japanese scientists, and were allowed to withdraw into safety taking along \$3 million of ransom money.

The crisis, with its current phase being more intensive and enduring than last year's, has both international and internal implications. It involves several countries in the region, most directly Uzbekistan, Kyrgyzstan and Tajikistan. In fact, a declared goal of militants is the establishment of an Islamic state in the Fergana valley which is spread right where the borders of the three states merge.

Some roots of the crisis may be found in historical ethnic divisions in the region or in drawing of borderlines that resulted in emergence of significant national minorities. Most notable are Uzbek minorities in Tajikistan and Afghanistan, and Tajik minorities in Uzbekistan and Afghanistan.

There are unresolved territorial claims between Uzbekistan, on the one hand, and Kazakhstan, Kyrgyzstan and Tajikistan - on the other. New independent Central Asian states, Kazakhstan in particular, have border disputes with China.

China itself has a burning problem of Turkic minority in its Xinjiang Uyghur Autonomous District which borders on several Central Asian states. Uyghurs are Muslims and ethnically they are akin to their neighbours in Kazakhstan or Kyrgyzstan, and there is a significant Uyghur

Diaspora in those two countries, as well as in Tajikistan and Uzbekistan. Extremist Uyghur factions strive to reinstate the independent Eastern Turkistan on the territory of China. There are reports that those factions maintain close ties with the Islamic Movement of Uzbekistan.

The area is plagued with other problems that increase its crisis potential. Scarcity of water resources, depletion of soil, partly as a result of careless use of fertilisers to increase cotton production, overpopulation and poverty, to name but a few. A global concern is the worldwide proliferation of drugs originating in the area, primarily in Afghanistan.

Major actors neighbouring the region, such as China, Iran and Russia, as well as influential outsiders have their interests and stakes there. The region is abundant with natural resources. If developed and kept politically stable, it could become a global transportation hub and source of fossil fuels, as well as of gold, titanium, uranium etc. Or, it could keep Russia busy on its South-Eastern borders, and China busy in its largest province, thus distracting those two world powers and dispersing their resources.

There are several relatively young regional arrangements that have a potential for peacekeeping role in Central Asia. Those are the Commonwealth of Independent States, the Central Asian Economic Community, and the "Shanghai Five", or the "Shanghai Forum" as its participants would rather be referred to.

The Shanghai Forum is a successor to Soviet-Chinese border talks. China and the four new independent states - Kazakhstan, Kyrgyzstan, Russia and Tajikistan, following the break-up of the USSR, resumed negotiations that resulted in two agreements. Both, the confidence building agreement of 1996 and the mutual force reduction agreement of 1997 were quasi-bilateral accords in which the four former Soviet republics comprised a "joint party". However, the third meeting in 1998 was held on a five-party basis, as were the two that followed in 1999 and in 2000. The issues that are being discussed are now broader than border security issues and include regional security, nuclear-free zone in Central Asia, joint efforts to combat international terrorism and drug trafficking etc.

At the summit meeting last July, the founding five were joined by President Karimov of Uzbekistan, who had the status of a "guest", but is likely to become a regular member. Up till now the "Shanghai Forum" has been gathering at the level of heads of state. But the documents they have signed provide for conferences of heads of government, as well as for ministerial meeting.

However, from the point of view of the UN Charter, the Shanghai Forum is not a regional arrangement or agency in the sense of Chapter VIII. Nor have its participants shown any intention of going beyond the conference format and developing it into a more formal entity. But one should recall that it did not take the Conference on Security and Co-operation in Europe too long to transform into a full-scale organization.

The Central Asian Economic Community comprises four former Soviet Central Asian republics except Turkmenistan, and has some formal attributes of an international organization. There are two founding treaties signed in 1993 and 1994, and several principal and subsidiary organs. As its name would suggest, it had originally been conceived as a tool to promote economic development. Common security threats forced the Community to seriously consider military co-operation. However, lack of adequate defense capabilities along with insufficient mutual confidence and trust undermine attempts to jointly deter those threats.

The situation may change if Russia joins the Community not necessarily as a full member, but as a participant in at least some of its activities. As the Commonwealth of Independent States mission in Tajikistan proved, it would have been a complete failure had it not been for the Russian troops that made the bulk of the Collective Peacekeeping Forces. Other troop contributing states whose participation had been almost symbolic from the outset, eventually withdrew their units.

One may wonder whether the CENTRASBAT could fit here. The Central Asian Peacekeeping Battalion originally made up of troops from Kazakhstan, Kyrgyzstan and Uzbekistan is paid for by NATO through the Partnership for Peace program. The declared goal of that endeavour is to promote co-operation between the participating countries' militaries and to provide a capability that would be made available for UN peacekeeping when the need arises. Although Russia is taking part in CENTRASBAT exercises, along with several NATO and former Soviet countries, those activities are perceived as an opportunity for NATO to familiarize itself with the theater, establish and maintain its presence there, and further shrink the zone of Russian influence in the post-Soviet space.

The Commonwealth of Independent States which comprises twelve out of fifteen former Soviet republics possesses the essential attributes of an international intergovernmental organization. It has founding documents, declared goals and principles, internal structure, international secretariat and budget. It fits the general requirements of Chapter VIII regional arrangement, perceives itself as such, and is recognised by the United Nations in that capacity. Peacekeeping in the former Soviet Union is one of the principal activities of the Commonwealth. Since Russian troops make the bulk of peacekeeping forces, it is also a way of maintaining Russian military presence.

During the conduct of peacekeeping missions the CIS forces interacted and co-operated with the UN and OSCE observers. That enriched the experience the United Nations gained in Liberia where the world body's UNOMIL co-ordinated its efforts with the regional group ECOMOG established by ECOWAS.

As to Central Asia, although the CIS peacekeeping mission in Tajikistan is now formally complete, the 201 Motorised Infantry Division which until recently flew the flag of Collective Peacekeeping Forces will now man the Russian military base in Tajikistan. The Treaty on the status of the base was signed in April 1999 and is now awaiting ratification in the Russian parliament.

Much of attention of the CIS is focused on the developments in the South of the Commonwealth. The Council of Ministers of Defense has recently suggested the creation, funding, permitting, of combined mobile forces. They are designated as peacekeeping, but may be designed for missions that go well beyond most robust peacekeeping. Ofcourse, they are more likely to remain on paper unless Commonwealth members other than Russia would be willing to make their contribution.

To complete this overview, I should say that the apprehension of threats to regional peace and security in Central Asia and the recognition that many of those threats are common, has yet to materialize in a coherent and comprehensive regional strategy of coping with them.

THE EMERGING AFRICAN PERSPECTIVE **NEEDING PEACE-KEEPING INITIATIVES**

By

Lt Gen R Sharma, PVSM, AVSM (Retd)

Lt Gen R Sharma, PVSM, AVSM was commissioned into 2 Lancers in 1955. He retired as Deputy Chief of Army Staff (DCOAS) in 1994 in which appointment, he provided leadership to the premier military training establishments such as the College of Combat, Defence Services Staff College and the College of Defence Management. As DCOAS, Gen Sharma was also responsible for the training, organisation and operations of Indian contingents deployed on UN Peacekeeping operations. In the execution of these duties, he gained considerable inputs in international forums and conflict management. During his career, he held a number of prestigious appointments including command of a Division deployed on the LC in J&K and one of India's offensive 'strike corps'.

I shall cover a broad perspective of the African Region - identifying and analysing conflict prone areas which merit UN intervention for conflict management. On the African continent, the sub-Saharan region is emerging as amongst the most conflict prone areas in the world. We are witnessing a large number of states which are strife ridden, where there is instability and economic deprivation; where intra-state conflicts have newly erupted; or regions with simmering inter-state disputes with potential for exploding into full scale coalition wars. The reasons for this state of political, economic and social decline in this part of the world are not far to see. The malaise is seeped deep into the history of this African region, which is still suffering from the enduring legacies of colonialism and the Cold War.

Till about 40 years back of the 44 sub-Saharan states of Africa, except for two - Liberia and Ethiopia -- the others were European colonies under the British, French, Belgian, Italian or Dutch rule. The process of de-colonization that started in 1960s was too rapid, too sudden without preparing these countries for independent statehood and freedom, subjecting the region to severe winds of change, which these states were unable to cope with. Nearly, 30 countries attained independent state-hood in 1960s.

The colonial powers that governed these African territories had not prepared the emerging new states for nation-hood. The colonial rulers were more concerned in exploiting the rich resources of the areas, and were finding means to retain some hold on their commercial interests by creating factions which would remain loyal to the erstwhile colonial masters. By their divide and rule policies, the colonial powers weakened the institutions of governance. Moreover, since the governmental institutions were exclusively manned by the foreigners, the newly created states on attaining independence, found themselves bereft of national institutions required to govern their own areas. The only national institution which had native representation was the army, which was widely used as an instrument of governance by the new regions. In most cases the army itself seized power and took over the state. This pattern is still emerging in the 1990s- as in Nigeria, Congo, Somalia, and many others.

States were created within geographical boundaries that were drawn by the colonial rulers for administrative convenience of governance, without regard to ethnic, religious and cultural affinities. French Africa was segmented into 17 administrative units for ease of governance by the French; each of these units became one state regardless of ethnic diversities. On the other hand, Belgian Africa was formed into one massive independent unit-Congo, then Zaire and now the Democratic Republic of Congo (DRC), size of the whole of Western Europe; and it remains

ungovernable even today. Not surprisingly, therefore, de-colonisation created new challenges which the states were ill-equipped to handle, and the states are still reeling under the legacies of colonisation.

- Since the formulation of a 'State' preceded the formulation of a 'Nation', the newly born countries are finding it difficult to build a national identity.
- Transitions to independence were often bloody affairs, inviting UN intervention as in the case of Congo in 1960.
- Conflicts erupted, intra-state or inter-state, with poorly defined and controversial borders throughout the continent. Where vast ethnic, religious and linguistic diversities emerged, internal strife flared up within the borders.
- Lack of national institutions and absence of political parties or political leaders with national stature, created a power vacuum leading to struggle for power between the government, rebel groups and the army. The emergence of fractious states riddled with fractious politics is the bane of conflict prone regions in Africa.

The Cold War and its impact on the African Region

The Cold War has had a profound effect on the African Region, having its own dynamics leading to disturbances in peace and security on the continent. The new member states of the African region were born with an anti-west mood, having been antagonised by the erstwhile European colonisers. As a result quite a few states on achieving independence, turned to the USSR for patronage. A number of states joined the Soviet bloc-Ethiopia, Mozambique, Angola, Congo, Madagascar, and Guinea. The emerging pro-Soviet trend fuelled the super-power rivalry in Africa, with the US and the Western powers stepping-in to stem the states from going 'Red'. A new competition started between the US and the USSR to woo the African States and win them over to join their blocs. In the scramble for the African region, to find new allies, the super power play compromised on all principles of political morality and ethics. Where the incumbent failed to respond favourably to one or the other, the jilted super-power had no qualms in siding with rebel movement abounding in the region, and nurtured, assisted and abetted the liberation movements to overthrow the existing regimes. To win an ally, the sup-powers have even supported despotic, corrupt and inept rulers, which misruled the country for decades with outside help. Many countries in Africa fell prey to these unscrupulous political manipulations, and ended up in prolonged conflicts leaving the state devastated, economically, politically and socially. Conflicts were more pronounced in areas where US and Soviet strategic interests clashed, such as the "The Horn of Africa". Other conflict areas were created where commercial interests of East and West clashed and the state's resources were expansive and highly lucrative for exploitation. Conflicts in areas such as Congo, Angola, Sierra Leone have been termed the 'diamond wars' as the conflicts were all about the control of the diamond economy. Oil is the other rich resource, which has afflicted the Nigerian region conflicts, leaving the country in an unstable environment with power changing hands, with outside interference. Largesse for other resources such as gold, titanium and uranium is another attraction.

The end of the Cold War marked another era in the African region, creating new dynamics for conflict management in the 1990s;

- creating conditions for settlement and peace of long perpetuated conflicts.

- or creating new conflicts or exacerbating old conflicts, unleashing greater violence, tensions and animosities.

As the Cold War ended with the collapse of the erstwhile USSR in 1989, African states earlier in the Soviet camp, lost their Chief Patron. Consequently the liberation movements with Marxist hue, floundered with lack of political and financial support from outside. Even the USA and other European powers began to relax their political and monetary support to individual despotic rulers, or African states that for years had enjoyed Western patronage. The winds of change generated with the end of the Cold War affected the African Region greatly.

- Despotic rulers earlier enjoying the patronage of a super-power were overthrown-like Colonel Mobutu of Zaire.
- Liberation movements earlier curbed and kept under check by political intervention from outside, became overt, intensive, more violent exacerbating a simmering conflict, disturbing the equilibrium of the sub-region.

Yet in all this, a silver lining appeared. The UN which had been for years kept out of Africa by the super powers suddenly got activated for intervention in the earlier forbidden areas. During the Cold War the UN deployed just one mission in Africa - Congo in 1960-64; and that too with much wranglings from the Soviet camp in the General Assembly. It was only after the end of the Cold War, that the UN could act freely of super-power pressures. Members of the Security Council now in a more co-operative mood, authorised a large number of missions in Africa in the 1990s, with mandates to,

- settle old outstanding issues frozen in time with super-power dissent;
- intervene in disturbed areas ravaged over the years, and endeavour to bring peace and stability in the area.

Africa as it is Emerging in 1990s

The emergence of South Africa, as a true democracy in 1990, had a great impact on the other African states, some of whom tried to emulate the "lead-nation" and move towards renewal, reform and multi-party democracy. The African States were becoming conscious of the fact that if they required development aid from the international agencies, such as the World Bank & IMF, they could only stake their claims if they displayed political stability, promoted multi-party democracy and liberalised on human rights. Signs of stability & prosperity have been indicative in the Southern states- South Africa, Botswana, Zambia, and Zimbabwe. Though, Robert Mugabe has steered the state of Zimbabwe into a political mess with his corruption & cronyism, it is still amongst the more prosperous regions. In the west we have - Senegal, Mali, Ghana & Nigeria; to the east-Tanzania, Kenya & Uganda.

However, the much-hailed "African Renaissance" with the end of Apartheid, has not come true to a large extent. As we now read the political map of Africa, it is coloured and contoured with different hues and lines. Areas where we see signs of economic progress are governed as democracies or under authoritarian rule of benign dictators. The trouble torn areas fall in two categories.

- Transitional governments still groping for stability and economic alleviation with their newfound freedom-Mozambique, Eritrea.

- States where the Sovereignty is under challenge from within or from external threat. Governments in such states had to be propped with UN assistance, like Angola and Liberia. Or where UN is preparing to deploy UN peace keeping forces to salvage the incumbents, and save the country from economic deprivation and loss of human lives- such as DRC, and Congo (Brazzaville).

The year 1998 was labelled by the African Confidential as the year an "annus horribilis" with outbreak of a number of armed conflicts in Africa. The severity of wars and frequent coup d'etats increased in mid 1999, exacerbating the conflicts. The year horribilis actually alluded to a period starting in 1994, with the genocide in Rwanda, where over a million tribals were massacred in just two months. The tragedy of Rwanda shocked the world and was once again a reminder for the international community, of the grave afflictions of the African Region, which are borne out by statistics, data collated by various international agencies, and UN commissions.

The UN High Commission for Refugees (UNHCR) reported that as on Jan 1999, 6.5 million "People of concern" which includes refugees, internally displayed persons and returnees are a matter of great concern to the UN, as it effects the security of regions, along with a growing demand for humanitarian aid. According to the US investigative committees, the number of internally displayed persons In Africa have surpassed eight million population of newly uprooted people. The vast refugee problem is acute in Central Africa.

- The Rwandan refugees, who have migrated to the DRC, are a cause of the problem in the area. The refugee camps are being used as rebel camps, as they are on the borders of neighbouring states.
- Rebel groups in Africa are sufficiently independent that they have themselves contracted mercenaries. They are often able to finance their insurgencies by exploiting natural resources such as timber and diamonds. One fifth of the global diamond market is reportedly supplied by African rebel groups. And the sale of small arms in this region is doubling with each year.
- The UN International Commission of Inquiry (ICCI) for Rwanda in its report of Nov 1998, reported that several of the more than 20 rebel groups active in the Great Lake area of Africa, collaborate with one another, many independent of state patronage. The INTERAHAMWE militia together with members of the former army of Rwanda continue to wage a war against Kigali and are assisting rebel groups fighting the governments of Burundi and Uganda.

UN Peace-Keeping Initiatives in Africa

The Proliferation of peace- keeping missions with vast scope and mandates have their genesis in the change in the international order at the end of the Cold War. The decline in Soviet and US super-power rivalry, rendered a number of 'proxy wars' that had festered during the Cold War, now amenable to settlement as in Angola and Mozambique. In addition, the end of the Cold War facilitated resolution of conflicts that were for long outstanding on the Agenda and had been accepted for settlement, but were frozen in time with East-West rivalry. Thus major steps were taken by the UN to settle these old outstanding issues-Nimibia and West Sahara were granted independence, and majority rule was introduced in South Africa.

The new conflicts that emerged on the sub-continent were characterised by domestic violence often ethnically based. The UN as per Article 2(7) of the UN Charter is not permitted to intercede in a domestic conflict. But the severity of such intra-state wars created human

sufferings, economic devastation and in extreme cases, ended up in the total break-up and failure of the state such as secession of Eritrea from Ethiopia, and the economic and political destruction of Somalia. Now the super-powers no longer prepared to intercede in such conflicts, compelled the UN to intervene despite the embargo of Article 2(7), and tasked the UN to put these states on their feet.

With the collapse of Communism and the Soviet Union, the US and the other Western States dominated the UN and the Security Council which by now was totally controlled by them, who imposed their views and perceptions on the UN giving a new shape to its role. They averred that the UN should become more cost- effective and address bigger issues rather than adhering to a lesser important role of traditional peace keeping, monitoring and supervising cease-fires in a benign military role. The West's expectations were to enlarge the role and responsibility of the UN to include promotion of democracy, holding free elections, promoting human rights and addressing human and welfare agendas. In the "Agenda for Peace" elaborated in 1990, maintenance of peace and security was given a wider definition- 'Peace Support' operations were to include, peace-making, peace- keeping, peace-enforcement and peace-building. Thus in 1990s the UN's agenda was shifted in focus from benign military peace keeping to multifaceted civil military political operations.

The resurgence of the UN with its added importance on being awarded the Nobel Peace Prize in 1988, and with its newfound freedom without superpower pressures and curbs, changed its concepts of peacekeeping agendas. The UN now launched into more complex and ambitious missions, with the guidance and support of the US. The new peacekeeping concepts that now emerged, were multi- dimensional and had vast mandates and scope, with military and civil administrative elements. The UN was now treading totally new grounds requiring large investments in men, money and materials. The new peacekeeping operations are unprecedented, adding new dimensions to the UN role. This was the beginning of the second generation peacekeeping operations. There is no official definition of the new peacekeeping concepts but these could be elaborated as under-

- "Second generation peace keeping operations are, multi- dimensional and are not limited to an exclusive military mandate, but usually will have a substantial or pre-dominantly non-military mandate and composition. These operations primarily aim at assisting a state or group of states in executing an agreed political solution to conflict, and these may be executed in an active civil war scenario".

With such a vast, complex and a hazardous scenario and the assignment of a new role, the UN had to be circumspect in undertaking missions centred around the new concepts, and review-

- the areas that warranted such missions, as an inevitable role for the UN;
- the conflicts that would be considered "doable" and manageable within UN's capacity with good chances of success.

The Bosnian intervention had livened the UN to dangers of under-taking such mandates in a developed country in Europe, where warring factions were heavily armed with tanks and artillery as in any army. Such scenarios were highly dangerous, and not doable within UN's resources and without additional US support. In the quest for more manageable conflicts, the UN picked on the sub-Saharan African region as their testing ground for executing and experimenting with their new peace-keeping concepts- where the conflicts had no internal solutions, and where the UN felt more confident in asserting its military and political power. The

African states in this region were in the developing stage, and the rebel or warring factions were not heavily armed, and seemingly were amenable to international pressures.

The by-products of the expansion of the UN peacekeeping concepts was the obscuring of its traditional definition. Along with new concepts came a new set of rules and principles, eroding the established principles of traditional peace keeping.

- Principles of consent, impartiality, use of minimum force in self-defence alone, were no longer considered imperatives. Missions were established where 'consent was forfeited', impartiality was foregone and force was used to enforce peace. The distinction between peace keeping and peace enforcement became blurred.
- Peacekeeping was now authorised under Chapter VII, whereas it was earlier strictly executed under Chapter VI, which extols settlement of disputes by pacific measures. The UN was now being mandated to intervene in intra-state conflict, circumventing Article 2(7) debarring UN from intervention in domestic disputes, by giving a broader definition to maintenance of peace and security.
 - Where a spill-over of a local conflict could endanger peace and security of a region.
 - Where a local population had to be protected from genocide and atrocities inflicted by a despotic and a harsh ruler.
 - Where the conflict created a huge refugee problem, requiring humanitarian aid.

Somalia- a Unique UN Operation

UN intervention in Somalia is a turning point and a classical example of the new dimensions of UN peacekeeping operations. When it was authorised, there was great enthusiasm and expectation from the UN's new role, with the US permanent representative to the UN, Ms Madeleine Albright making a statement.

"The Somalia UN venture is an unprecedented enterprise aimed at nothing less than restoration of an entire country, for which we are proud, functioning and viable member of the community of nations". From the statement it was obvious that "Operation Restore Hope" was conceived and ordered by the US, for UN execution. UNOSOM-II was a unique second-generation peace-keeping operation, authorised under chapter VII and mandated to restore peace; demobilise and disarm rebels; to provide humanitarian aid; to endeavour national reconciliation and restoration of a viable government for self-rule. The mission was launched with a force of 30,000 strong with military and civil content, and was supported by a US multinational coalition of 16,000 force level, which worked alongside the UN and provided the additional firepower and logistics to the UNOSOM.

The UNOSOM ended up in failure with loss of life in the UN and US forces. In March 1995, three years after UN intervention in Somalia, the UN withdrew leaving, Somalians to their fate. The UNOSOM operations had a fair resemblance with the UN's successful operations in Congo in 1960-64. However, there was marked difference in the environment and the conditions under which the two were executed. Somalia was a failed state, having been ravaged over decades of civil war within the local warlords. It became independent in 1960, and in 30 years of gross misrule and feudal wars the country had no government, no administration and no economic activity. There was total lack of infrastructure or any national institution to build peace on with no national army, no police and no authority to impose law and order. Perhaps the UN was applying the Congo template in Somalia, which would not fit. In Congo the civil war and UN

intervention started soon after independence, where the President and Government were intact, the infrastructure and the national institutions in the hands of the colonial powers were still operative, and were available to the UN for their operations.

The failure in Somalia made the US and UN to review their new ambitious concepts and to question the feasibility of second generation peacekeeping methods and mandates. It also affected the US policies and the UN psyche and about the wisdom of investing UN peacekeeping resources in troubled Africa. The immediate ramification of the Somalian failure, was the international community's retreat from Africa which had a direct effect on the Rwanda Civil War in 1994. Unable to summon the necessary political 'will' as also principal support and humanitarian aid resources, the UN failed to intervene in Rwanda and prevent genocide. And came the form of medical and food supplies for millions of refugees ousted from their homes, but the UN efforts was too late and too little.

In the aftermath of the Somalia setback, the UN has scaled down the African peacekeeping missions from 15 in 1995 to only three in 1999-2000. Of these, the mission in Western Sahara (MINURSO) is an old UN initiative. Two new initiatives were deployed in 1998 - the mission in Central African Republic (MINURCA) and a major mission in Sierra Leone (UNASIM). The new UN peace initiative in Sierra Leone is another mega initiative in a civil war scenario. It is surprising that UN should have risked another major initiative after having adopted the posture of - "No more Somalias". Perhaps stung by the criticism that US was not allowing the UN to operate in Africa with the US Congress adopting a racist attitude - "that a white man will not die for a black- man's cause"- the US congress had prevailed on the administration to push UN into activity in Africa, which started with the Liberian mission in 1993-1997; and Sierra Leone is only a sequel to the Liberian intervention.

Presently, the US ambassador is in dialogue with President Kabbila of Congo (DRC), which is the next likely UN initiative. The French are also pushing UN for intervention in Congo (Brazzaville).

The Somalian failure should in no way underscore UN's successes on the African region, where they have restored peace and security.

UNTAG in Namibia (1989-1990)

The erstwhile state of South West Africa was mandated to the Union of South Africa by the German colonisers, after the First World War. The UN demand for trustee-ship was denied by South Africa, for years. In 1998 vide a Security Council Resolution, the UN directed that the area be included as a UN Trustee, and later accorded self-rule. This was resisted by South Africa and SWAPO (the liberation movement) for ten years. Finally the UN Transitional Assistant Group was established in 1988, and after free elections under UN supervision, Namibia was born as an independent state. This successful UN endeavour completed the decolonisation process under the UN.

ONUMOZ in Mozambique (1992-1994)

Since its independence in 1975, Mozambique has seen continued civil- strife between the Governments FRELIMO forces and the RENAMO rebels, supported by Malawi & South Africa. ONUMOZ was established in 1992 around a peace accord, and the conflict was resolved under the UN aegis. The civil war has ravaged the state, being the poorest in the Sub-Continent. A number of African countries are providing financial aid for reconstruction of Mozambique.

UNAVEM in Angola (1989-1997)

Angola, after independence has been ravaged by a 16 years civil war. UN intervened to bring peace by series of peace accords between the Government and the UNITA rebel group. In March 1992, UN enlarged the mandate to include, observation and verification of Angolan elections which were held under the UN aegis. The elected government was restored, but UNITA has not accepted the results and continued a low-key civil war. UNAVEM has been partially successful in their mission, despite its perpetual involvement for eight years, under separate missions UNAVEM I, II & III.

African Regional and Sub Regional Organisations

UN intervention in Africa with its vast ethnic, religious and cultural diversities, has to be undertaken in concert with regional organisations whose participation and co-ordination is imperative at all stages of conflict management. Africa has an effective regional organisation - the Organisation of African Unity (OAU) and a number of sub-regional organisations some of whom have contributed to peace keeping in their own regions. Currently there are five main sub-regions in Africa, with each hosting a sub-regional organisation.

- Arab Maghreb Union - UMA (North)
- East African Co-operation - EAC (East)
- Economic Community of Central African States. - ECCAS (Centre)
- South African Development Community. - SADC (South)
- Economic Community of West African States. - ECOWAS (West)

OAU

The OAU founded in 1963 with 53 member states, has been a very useful and an effective regional organisation. The charter of the OAU is conflict prevention rather than conflict management, as it rules out military intervention from its perceived roles. However in 1993 the OAU created a mechanism for conflict prevention, management and resolution. Even prior to creation of this mechanism, the OAU has fielded observer missions in Rwanda, Burundi and Comoros. The OAU is most effective in diplomatic negotiations, and arbitration which it has done on behalf of the UN. In Somalia, the OAU assisted the UN in maintaining dialogue with war- lords, and was instrumental in brokering various peace accords, particularly the Addis Ababa Accord of 1993, which became the basis for UNOSOM. Besides this, the OAU has monitored elections, and has rendered good service to the UN- providing pre-warning of an emerging conflict, and providing information, advice and recommendations to the UN for undertaking peace initiatives.

The sub-regional organisations are equally useful to the UN for peace keeping. Presently two ECOWAS and SADC have been effectively involved in peace- keeping in the region, and merit mention.

ECOWAS

ECOWAS is a very dynamic and effective sub-regional organisation. It is the only organisation which has undertaken peacekeeping operations on its own and in concert with the UN. The ECOWAS is deeply involved in UNAMSIL in Sierra Leone which provided the basis for UN intervention. The first sub-regional peacekeeping operation was undertaken by the ECOWAS in Liberia, deploying regional peace keeping under their military observer group ECOMOG, which was deployed in 1993-1996. The ECOMOG was initially successful in controlling the conflict, but in the later years, its operations ended up in exacerbating the Liberian conflict, and triggered off the civil war in neighbouring Sierra Leone. This is the bane of employing regional forces for conflict management as they invariably get involved in the conflict, and are accused of partisan and biased attitudes. ECOWAS's role in the UNAMSIL has been commendable, and the organisation along with the Nigerian contingent has rendered great service to the UN in this complex and major operation.

SADC

The SADC developed into an effective sub-region organisation in 1992, after South Africa assumed the leadership of this well structured set-up with 15 member states. The SADC was primarily conceived for economic co-operation and economic development, but its charter emphasises - "Solidarity, Peace and Security". It has now under its constitution, the "Organ", for dealing with political, military and security matters and for developing capability in regional peacekeeping. Presently the SADC has had only a low-key peacekeeping involvement in Lesotho in 1994. But now since 1998 the SADC is involved in Congo (DRC), a somewhat controversial involvement of SADC in peace keeping in this area.

In August 1998, a rebellion broke out in the DRC, and President Kabbila requested for Political and military assistance from the SADC. Robert Mugabe of Zimbabwe on his own in the capacity of Vice President, accepted provisioning of a coalition force comprising troops from Zimbabwe, Namibia & Angola and authorised their intervention in the DRC against the rebel group (RCD). Since South Africa has not approved of this, the SADC, intervention is not legalised. Nevertheless the contingents - 8000 troops from Zimbabwe, 7100 from Angola and 300 from Namibia are located in the DRC with forces from Uganda & Rwanda arrayed against them. Though there is presently a stalemate, the DRC is a divided country with large areas in the North East under rebel control. This is indeed an explosive situation, and the UN is actively involved in the DRC in preventive diplomacy, with likelihood of its deploying a peacekeeping mission at a later date. Simultaneous UN diplomatic contact is being maintained with Congo (Brazzaville), another potential conflict area, needing UN attention.

No doubt, regional conflicts require regional solutions. Yet the African regional organisations have not developed adequate capability to act without UN support.

Conclusion

In the uni-polar world, the US support is vital for UN peacekeeping missions, particularly in Africa. The US policy in any form of military engagement in the African region has been deeply affected with their grave experience in the Somalian fiasco. Consequently, Presidential Policy Decision (PPD 25) issued in May 1994, on the "Clinton's Administration Policy on reforming multi-lateral peacekeeping operations" is indicative of a profound shift in the US policy.

- PPD 25 has made it difficult for the US to intervene in Africa, directly or indirectly.

- It directs that US would wield its power on the Security Council to prevent it from establishing ill-defined and imprudent missions. As a result, the US Congress was not forthcoming in releasing funds for UN peace initiatives in Africa.

With this change in policy, the US adopted a new scheme – the “African Crisis Response Initiative (ACRI)” – aimed at training, preparing and funding certain African countries to improve their peacekeeping capabilities. Presently, the US has entered into bi-lateral agreements with six countries – Mali, Senegal, Ghana, Malawi, Uganda & Ethiopia. The basis of selection of contenders of this scheme is seemingly on request of the recipient. Perhaps it would be more appropriate to implement the scheme on sub-regional basis. The French and the British too are involved in the “P3” initiative which is designed to assist African sub-regional organisations in improving their peace keeping capability, as also harmonising donor assistance to these areas.

Notwithstanding the change in US policy under PPD 23, we find the UN having got involved in another mega mission in Sierra Leone, a multi faceted initiative in a civil war scenario. It is as if history is repeating itself as in Somalia. The mandate and the concept of operations are parallel; but this time, the UN is supporting an incumbent Government with the support of ECOMOG and a British Reaction Force. Yet the UNAMSIL is imperilled as the UN troops find themselves lacking in firepower, an imperative deterrent to curb the rebel groups from defying the Lome Accord, and even attacking UN troops. The US too is involved in the conflict management by diplomatic initiatives. The irony is, the US at the behest of Liberia an ally of the US, finds itself in support of the rebel groups, indirectly. The situation is messy in the “diamond war”; there are commercial interests in clash with pragmatism and impartiality. Yet the UN has raised the ante, by calling for additional troops beyond the present strength of 13,000. Sierra Leone operations are on the brink-hopefully this time the UN will pull out from the quagmire with success and dignity.

UN initiatives with such mandates as in Sierra Leone must have wider consensus, where they can be deliberated with greater impartiality with clear understanding of the dynamics of the conflicts. Presently, the Security Council, which emerges more powerful than the General Assembly, is the decision making body of the UN. And the Security Council means the P5, in reality the US who directs the Security Council as per US perceptions. However, the Security Council needs enlargement of its permanent members with third world representation. Till that happens major peacekeeping initiatives like the UNAMSIL should be approved by the General Assembly and authorised under the “Uniting for Peace Resolutions”.

The African regional and sub-regional organisations have shown their willingness to assume greater responsibility for peacekeeping in their regions. However, their capabilities need to be enhanced with US and UN help, for which the Security Council has special responsibility.

- Build mutual confidence and respect for each other, as co-partners to share the burden in peace keeping in Africa.
- Deploying UN observers alongside the sub-regional organisation during initial stages of the conflict management is a good idea, but the groups must integrate well with the African contingents. However, the greater need of the sub-regional organisations like ECOWAS & SADC, is to provide them with “specialist communication, engineers or logistic units” – something what they truly lack to be effective in such roles.
- The vital need is to build an integrated intelligence and data base networks between the UN, OAU and the sub-regional organisations. Providing timely inputs on potential

or on-going conflicts will greatly facilitate UN decision-making preparation and deployment of UN contingents.

The African continent is blessed with rich flora, fauna and natural resources. Yet the continent with 710 million people is afflicted with disease, famine and wars, especially the sub-Saharan region. Earlier the colonisers exploited these areas. Now, the new African leaders have brought depravity, poverty and sufferings to their own people by their inept, corrupt and harsh regimes. Peacekeeping initiatives will be required in this region, but UN must be selective and judicious in engaging in conflict management; to provide assistance to states that display the will and desire to stand on their own feet. And when UN decides to deploy peacekeeping missions with due deliberations, there should be no half way measures. The UN must match the concept of application of force with the mandate; and empower and equip the peacekeeping contingents appropriately to avoid humiliation and failures.

I end my perspective of emerging Africa by quoting the UN Secretary General Mr. Kofi Annan who on 13 April 1998 expressed his concern for Africa which is so apt and relevant today:

“Within the context of the United Nations primary responsibility for matters of international peace and security, providing support for regional and sub-regional initiatives in Africa is both necessary and desirable. Such support is necessary because the United Nations lack the capacity, resources and expertise to address all problems that may arise in Africa. It is desirable because wherever possible the international community should strive to complement rather than supplant African efforts to resolve Africa's problems.

SESSION ONE

EXTRACTS OF DISCUSSION

Lieutenant General Satish Nambiar (India) : There are 10 million refugees in Africa as a result of conflicts. It is interesting to note that India too is a host to an equal number of refugees from Palestine, Afghanistan, Tibet, Nepal, Bhutan, Myanmar, Sri Lanka, etc.

Secondly, at the 1995 Vienna Seminar, Professor Ali Mazrui made a call for an embargo on all UN operations outside Africa for the next fifteen years. He made this call in the knowledge that there would be many conflicts in Africa which would need the undivided UN's attention. The Conference, of course, ignored the call. It is interesting to note out of fourteen peacekeeping missions now being undertaken by the United Nations, five are in Europe, four in the Middle East, and only three in Africa. In the context of the resources available to the United Nations, five missions in Europe do not make too much sense when looked at from the perspective of developing countries. Moreover, these five UN missions are in addition to the NATO commitment.

Christopher Lord (UK) : In Eastern Europe, there has been a great deal of discussion on nationalism. And there is, of course, this paradox that the UN, NATO and, to a degree, the European Union have tried to intervene in the Balkans to promote multiculturalism. But the objective results are the promotion of nationalism and the increase of conflict. In academic circles, there has been much discussion and one particular interpretation of this, **which is that nationalism is a product of modernisation and that as societies modernise they become more nationalistic**. In Eastern Europe, there was a sudden shock of modernisation with the collapse of Communism, and a result of this was that nationalism became more and more viable. Communism it seems to me was an ideology of a particular stage of industrial development. It suddenly became obsolete when societies developed, as computers came in and communications improved and so on. It seems to me that the UN is now similarly trying to use an obsolete ideology — an ideology from fifty years ago, an ideology of paternalism of the permanent members of the Security Council, and an ideology based on promoting nation-states as being the main solution to the problems of the world.

Now, I would suggest that the problems of Africa are qualitatively different because this modernisation and the growth of technology is not happening in Africa. In most of Sub-Saharan Africa, development is standing still or going backwards. But if we look at much of the rest of the world, we can see that technology and the spread of communication, particularly international communication, is unstoppable. I think that reflects a real change in society. **The UN should adopt a much more regionally based approach to running the world**, because the solution to this nationalism and the radicalisation of minorities in particular is not to be found in nationalism but in regional and integrationist projects which is something that we see as happening already in the more advanced countries of the world. For example, in Western Europe, minority nationalism is contained within the regional structures. So, that would be an appropriate project for the United Nations and an appropriate basis for its future interventions.

J N Dixit (India) : First, you asked why that this did not happen before, referring to the issues which I had listed that create situations. This may sound sceptical. But the fact that this did not happen before was because most governments were authoritarian and elitist. There was no international collective awareness — political consciousness — about value systems. These

value systems have become instrumentalities of two things. Trying to create a moral world on the one hand, and on the other using them as instrumentalities for strategic purposes by individual states. We thus have a very volatile and complex chemistry with which we have to deal.

I do not agree that the United Nations is trying to base its orientations on peacekeeping to build up nation-states. The question should be reversed. While there is an incremental acknowledgement that the concept of the nation-state as it emerged out of the Treaty of Westphalia is no longer relevant. The concept of the nation-state is undergoing gradual and indiscernible changes. You mentioned regional arrangements. Yes, but when the chips are down, you have a France and a Britain who refuse something or the other in Europe. So the question has to be reversed. Regionalism at the normative level is fine. But the question is how far is the international community ready to give up in a more formal way the commitment to a geo-territorial-national identity for civil societies. We have not reached that stage as yet. **What the UN, to my mind, is trying to do is to see that state structures do not disintegrate due to internal centrifugal impulses thus creating an atmosphere of great instability affecting the global economic and social order.** This is my interpretation of what the UN is trying to do. There can be aberrations and mistakes. You pointed out the example of Europe. Nearer home, we look at ASEAN, where there were intense antagonisms. Though Marxism is not terribly fashionable now one point of Karl Marx that is proved by the point you made is that **where there is general economic prosperity and well-being centrifugal impulses do not come. Centrifugal impulses emerge and create conflict situations where there are inequities and social injustice characterising civil societies.**

Bakhtiyar R. Tuzmukhamedov (Russia) : Let us look at it from a different perspective. If we consider the former Soviet Republics in Central Asia, of course national minorities existed there, of course several borders were drawn both in the Soviet times and before 1917 that did not take into consideration the distribution of nationalities in the region. However, the Soviet state declared internationalism as its official ideology, and went to great lengths to suppress any exhibition of nationalism. On the other hand, what Mr. JN Dixit referred to, a state relatively prosperous is unlikely to become a fertile ground for nationalist expressions. So, as long as the Soviet Union was there with all the perversions of its economy, it still allowed those several states in Central Asia to develop more or less harmoniously. Although, for example, the soil depletion that I referred to in my presentation was a true part of the Soviet economy. Because Uzbekistan as well as other countries in Central Asia were major producers, in fact world producers, of cotton. However, that was achieved by totally irrational use of fertilisers. The Soviet Union was gone and so were injections of funding into those economies. They were on their own; there was no ideological imposition of internationalism, and so we have the eruption of nationalism and the problems of national minorities that had been dormant for long are no longer so.

Mr. Virendra Dayal (India) : I would like to thank Mr Dixit for making an extremely perceptive set of observations about what's going on, in particular his comments on the UN. The Gulf War was a turning point. It could not have been handled in that way during the Cold War. In the case of that War, it was not just strategic interests of the major powers. In addition, it was the degree of the **travesty** of the Charter which precipitated an action from which there was no escape. The UN had no option but to wage war. It was a cruel dilemma for an organisation devoted to peace. What greater act of aggression could there be than marching into a member state and annexing it.

After the War, the consensus began to take a beating. Here, the point Mr Dixit makes is important. There were acts by major players outside of the central consensus. For example, the declaration of the 'no-fly zones'. Initially, there were three and then two permanent members declaring a kind of a sub-policy of their own, which was not covered by any Council Resolution. This was what first showed that not only have times changed but they have changed in a strange way. The other thing that happened that was perplexing was the business of sanctions. Everybody thought that there was need for the punishment of the Iraqi regime for the travesty that had occurred. But the fact is that nobody wanted to punish the children of Iraq. And now we have an odd situation, where the veto system is being used not to prevent an action but perpetuate an action *ad infinitum*. This is a very peculiar situation.

In the case of the Former Yugoslavia too, there was a very curious situation at that time. It boiled down to how factors outside of the UN began to force the hand of the UN and things went quite out of the control of the Secretary General. Let me mention what the Secretary General viewed as the premature recognition of Croatia and Slovenia. Don Javier Perez de Cuellar had no doubt that it was in the nature of things the way Yugoslavia was going. But he begged the Europeans, particularly Germany, to take it easy until some overall dispensation could be dreamed of. He said that if recognition is rushed through, then rivers of blood would flow assuredly. Nobody listened. In fact, he was reprimanded. He felt a duty to answer that and put on record this warning.

Colonel Annette Leijenaar (South Africa) : Reflecting on the statement made by President Clinton and several other leaders at the Millennium Summit that we should never forget that in Africa violence, war and poverty cannot be separated. Poverty is a critical issue in Africa and it has to be resolved before conflict can be resolved in Africa. From my desk in New York, I experience a critical problem when it comes to coordinating efforts in Africa. Not only from the donor, but also from the Africans themselves. There is a work group on the enhancement for peacekeeping in Africa in New York, where the Africans cannot pool themselves together and get the group working again. When it comes to training in Africa, each sponsor or donors is doing its own little bit. And while we step-up efforts in certain parts of Africa, other parts go unattended.

As for support in terms of peacekeeping in Africa, we are over-training people in Africa without giving them the logistical support and communication and specialist unit support which they do not have. We can train and train. But if they are not well-equipped to participate in UN peacekeeping operations we are losing.

When it comes to the DRC, no one wants to go to it. The one critical reason for this is that there is no political will within the DRC to solve the problem. If Africans expect the rest of the world to assist them in solving their problems, they must first show the political will. Political will is also important when we look at the Organisation of African Unity (OAU), which is a toothless organisation, and even in the case of the South African Development Community (SADC), there is no coordinated political will in regional and sub-regional organisations in Africa to participate in their own well-being.

Lieutenant General R Sharma (India) : Although African countries have been free for a few decades now, they have been really free only for the last ten years, i.e., in the post-Cold War period. This is something that we have to keep in mind.

Secondly, training for peacekeeping and the will of the African countries, as Col Leijenaar pointed out, are very important. Although the P-3 initiative and the African Crisis Response Initiative have been initiated, surprisingly the countries that have been selected do not have UN peacekeeping capabilities: in the West, Mali, Senegal and Ghana; in the East, Ethiopia, Eritrea and Malawi. **What should have been done instead is to select countries that are capable of peacekeeping operations like Nigeria and South Africa.**

As far as the regional organisations are concerned, they are still coming of age. I mentioned in my presentation the SADC taking part in the UN operations in Congo. But the fact of the matter is that South Africa and Zimbabwe have fallen out over the involvement of the SADC. As a result, the SADC is going to pull out when the war in Congo starts. The point is regional organisations have still a long way to go before they really come of age.

Colonel George F Oliver III (USA) : As we look at the future of peacekeeping operations, all the comments about regional organisations point to interests, national or regional, in participation in many of the operations around the world. **Most nations do participate in peace operations either through the UN or through regional organisations because of their national interests.** It is because of national interests that countries commit troops. We have two distinguished representatives from India on the panel. I would be interested to know why India is involved in Africa the way it is, particularly Sierra Leone which is a very difficult operation.

J N Dixit (India) : I advised the then Indian Prime Minister on getting into Somalia. And I did it with great reluctance. Why did we get involved? Because of a very insistent request by Mr Thomas Pickering, the then Ambassador of the United States in New Delhi. The second request came from the then Secretary General directly to the Prime Minister.

As India's Foreign Secretary, I dealt with two peacekeeping operations. The UN not only wanted an Indian commander but also an Indian contingent for peacekeeping in Yugoslavia, to which I strongly objected. As has been mentioned earlier, the break-up of Yugoslavia was precipitated not by internal centrifugal forces but by the precipitate actions of certain European countries. There was a great deal of insistence and India agreed only with extreme reluctance to depute one of its senior Generals. We have only gone where we were called insistently.

So far, wherever we have intervened militarily on our own, it has been in a bilateral context. We have never participated in any UN peacekeeping operation unless a request was made.

Then again, when Gen. Nambiar was deputed, it was on a clear understanding that he will have a unified, integrated command. India has two experiences in recent years where the Indian commander takes over and then is saddled with additional advisers because he proves to be a little too inconvenient at times. He has a limited objective, limited to the operation at hand. Since India is not a Great Power, there are no strategic compulsions on the Indian commander to follow a particular agenda. But others have agendas, which he stops and proves to be a hurdle. So, advisers are sent. And commanders who do not approve of this mechanism come away. Gen. Nambiar was one of them.

Lieutenant General R Sharma (India) : In a seminar while the Somalia operations were on, India was criticised by one speaker who said that it was very reluctant to intervene in Somalia. There were two aspects to our reluctance. Firstly, we were not sure about the situation on the

ground. So we sent three delegations to analyse the situation. Secondly, we held that the principle of consent and request had not been complied with. It was only after the Addis Ababa Agreement in 1993 where all the warring factions actually signed this under the aegis of the Organisation of African Unity that we accepted the responsibility of sending a contingent to Somalia. When we did, we went the whole hog and did a very good job.

Colonel Gurmeet Kanwal (India) : The UN should evolve a mechanism to deal with a contingency that cries out for intervention, particularly humanitarian intervention. But the situation has no regional sponsors because the national interests of none of the countries may be very seriously affected or impaired. For example, in Afghanistan, there is a very strong case for immediate intervention to restore normalcy there. There is an obscurantist regime in power in Kabul, the Taliban, sponsored by Pakistan. Pakistan has a vested interest in keeping the Taliban in power. But the others in the region — India, Iran and the Central Asian Republics — have interests that are being vitiated, but not very seriously. So, how does the UN deal with such a situation. Do we just let it fester on or is there some method that can be evolved.

Bakhtiyar R Tuzmukhamedov (Russia) : Like India, Russia has a vested interest in the area. In our system, the decision to deploy troops abroad is taken by a joint decision of one of the chambers of Parliament and the President, who is the Commander-in-Chief, and the President may not unilaterally deploy troops. The most controversial debate took place in the Russian Parliament when for the first time the question was raised about Russian participation in KFOR. On the one hand, legislators were quite offended when the initial action to deploy a Russian company in Pristina airport was taken unilaterally by the military without prior consultations with the legislators. On the other hand, some of the legislators who represented areas in Russia where Islam is the predominant religion were saying that it is a little bit controversial to send troops who will be perceived as essentially protectors of Orthodox Christians in the area. There are areas where there is a vested interest of a particular country which is likely to become a major troop contributor. Or there is a request from the United Nations to come and help. Suppose there is a situation or an area in which there is no interests of potential major contributors, what happens then? The United Nations file the request and no one answers. That is the situation where regional arrangements need to be activated especially when the situation demands and justifies immediate action.

Lieutenant General R Sharma (India) : As long as the Soviet Union was there in Afghanistan, there was no question of the UN stepping in. Dr Rabbani, before the Taliban came in, requested the UN for help. All the United Nations did was organise a kind of a liaison group, which was never expanded. While the UN has gone into Sierra Leone in a big way, Afghanistan was left for Pakistan to handle, which is inexplicable.

J N Dixit (India) : I served in Afghanistan as Ambassador for three years, and had the privilege of interacting with Perez de Cuellar and Diego Cordovez. The answer has been partly given by Mr Bakhtiyar. Where there is vested Great Power interests involved, political or military intervention occurs, at times directly and where possible through the UN. It is an interesting contrast that as long as the major powers were interested in getting the Soviet Union out of Afghanistan, there was an active UN participation. I was witness to sixteen visits one after the other by two gentlemen who later on became very prominent in the UN system and I got to know them very well. When asked about the frequency of their visit, they frankly replied that there is a very great interest among very important powers to get the Soviet Union out and it had nothing to do with the internal social dynamics of Afghanistan or the real ground situation. But the moment the Soviets withdrew and a so-called government of Islamic identity came into

being, that interest diminished. If you analyse in terms of statistics and facts, the situation in Afghanistan is as bad as it was in Cambodia or Somalia or Rwanda. But nobody is interested. The point Mr Bakhtiyar made is right. Unless there are countries willing to contribute financially and militarily, a conceptual mandate that there should be intervention when such a humanitarian situation arises cannot work, though desirable.

Ambassador Prakash Shah (India) : It is clear now that a majority of peacekeeping operations are in response to intra-state conflicts, and not inter-state conflicts. Perhaps, the Iraq-Kuwait was the last major inter-state conflict to which the UN responded the way it did. As Mr. Dixit mentioned, the Westphalia concept is no longer being accepted in terms of intervention by the United Nations. At the same time, most of the intra-state conflicts arise because of minority issues, be it on ethnic or nationality or religious grounds. It seems to me that quite ironically the UN and the international community try to solve this problem by **creating new nation-states, while at the same time saying that the nation-state concept does not exist anymore.**

Colonel Cariappa (India) : My question relates to the timeframe in which the UN peacekeeping missions are applied. There are three timeframes: proactive — well in time; pre-emptive — just in time; and post-crisis. In all UN peacekeeping missions, the trend generally is post-crisis, which is very painful. Mr. Bakhtiyar suggested **a good proactive peacekeeping approach for Central Asian countries.** The one pre-emptive mission I can think of is Macedonia, which anyway is by NATO. Why is it that we always arrive at a place after the crisis?

J N Dixit (India) : Peacekeeping missions arrive only after the crisis blows up because International Law and convention still recognises that where there is an internal crisis the nation-state's jurisdiction is of a certain level of absoluteness. Only after a particular state requests can any peacekeeping missions be undertaken. This is the general trend. In my presentation, I had stated that the document *Agenda for Peace* took note of the point you made and talked about pre-emptive diplomacy and peace making and even use of coercive diplomacy. But things change slowly.

In response to Mr. Shah, the United Nations indeed seem to be finding solutions by creating new nation-states. But if we look at concrete examples, perhaps the UN is faced with the predicament where that seems to be the only option open.

Bakhtiyar R Tuzmukhamedov (Russia) : We are too far from a world government, which could police the whole world. We are too weak at predicting those conflicts. Moreover, there are conflicts which develop without us even paying attention to it. For example, Sierra Leone, where the conflict was on for a while before the world decided to pay attention to it. Who is to be blamed? The inability of the world community in trying to predict and prevent such a conflict! Or should we further develop the CNN factor so that whenever there is a conflict there should be a CNN crew informing the world community about it!

Lt Gen. VM Patil (India) : From the early 1950s to the late 1980s, the UN peacekeeping mission initiative has always been undertaken on the basis of certain principles — the international border between two nation-states was violated by one party and if either party or both parties approached the UN Security Council for help. But in the last decade, in the name of intervention and peace enforcement, when a stable society or a so-called stable nation-state had disintegrated for reasons well-known, the UN has tried to intervene and enforce peace without much preparation. After the end of the Cold War, we are witnessing a new kind of inter-state competition in the form of economic reforms. Market domination and market capture is on,

primarily because competition and conflict between the 'haves' and the 'have-nots', between the stronger and the weaker, is inevitable in our imperfect world. For this type of emerging conflict in the next decade or two, is the UN Security Council with its present membership of five and veto power structured to effectively undertake preventive diplomacy and preventive enforcement operations. For example, there was no UN intervention in Northern Ireland or in Vietnam. Unless the UN has the will and the broad-based majority to intervene and prevent, the peacekeeping operations as we have seen in the last four decades is not likely to succeed in the type of conflicts the world is going to witness in the coming decades.

Gene Dewey (UK) : I would argue that the trigger for most of the peacekeeping operations today is humanitarian where there is horrific violations of human rights, and not the traditional values of national security or national economic or political interests. It is hard for the geopoliticians to come to grips with this because it is not respectable for nation-states to intervene for humanitarian reasons. My question to the panel is: are we not seeing an evolution, however, slight, in the definition of national interest. Most of the countries involved in the 14 UN peacekeeping operations have very little to do with the traditional national interests, except for the Balkans where there may be some geopolitical prerogatives. Otherwise, there seems to be an evolution. I'd appreciate your comments on a possible evolution.

J N Dixit (India) : If you recall the definitional perspective that I gave at the beginning of my presentation, these are the precise points that were made while defining what peacekeeping is today. That it is a negation of traditional perceptions of national sovereignty, that it is an incremental acquisition of collective international responsibility about higher norms for management of civil society in terms of human rights, development, and so on. The third point which I made was that, in this context, the pattern of interests that motivate international peacekeeping are quite different and are qualitatively undergoing a change. These are the three overarching predications within which all peacekeeping operations would take place in any region of the world.

Chairman: Prof. A Salmin (Russia) : We had a chance to listen to three brilliant presentations that provoked a very interesting discussion. I have to draw attention to the fact that it so happened that Africa became the focus of this discussion. What is more, it is the African experience that is a challenge to the practises of peacekeeping as we know them today. What was especially interesting to me was an attempt to reconsider, or at least to raise a question, about the role of the United Nations Organisation and its Security Council in future as far as peacekeeping operations are concerned. The second point I would like to stress is the attention to the possible regionalisation of peacekeeping in the world today. In the changing context of the world today, where the role of the UN as well as that of the Security Council is changing, we have to discuss the possible approaches to the regionalisation of peacekeeping. This is not the end of the discussion, but only the beginning. I will be glad if we are able to go on with these problems in subsequent sessions.

SESSION TWO

CONDUCT OF PKOs IN EMERGING
INTRA-STATE AND CIVIL WAR CONFLICT
SITUATIONS. MANDATE FOR GREATER
USE OF FORCE. STRENGTHENING
RULES OF ENGAGEMENT

**CONDUCT OF PKO IN INTRA-STATE AND CIVIL WAR CONFLICTS - SITUATIONS
DEMANDING A MANDATE FOR GREATER USE OF FORCE &
STRENGTHENING RULES OF ENFORCEMENT**

By

Brigadier Chandra B Khanduri, FICHR, FABI

Preamble

The UN has emerged as a harbinger of peace in the chaotic world of 20th and 21st Century. While its efforts have succeeded in several conflicts, they have not been so in a few others. There have always been reasons to attribute to them, which in a way justify the theory of 'cause and consequence'.

After all war and peace are two historical phenomena and truths of human history. They have alternated virtually to an assigned regularity. The activity of war, as JFC Fuller remarked, must be related to cycles of peacefulness into which it sinks. Peace may be the *raison d'être* of the UN but it can hardly wish wars or conflicts away. The UN already had its share of war(s) one of which I will dwell in some details while the others I will mention in the passing. I trust, it will generate some interest, for, to paraphrase Thomas Hardy, 'War makes a rattling good history'. Hope it will make one.

Aim

Three case studies are specifically proposed to be examined here with a view to see their relevance and recommend major structural needs of a future UN capable of intervention on intra-state conflicts warranting a mandate for greater and effective use of force in critical situations.

Scope

The paper attempts to examine two cases of UN intervention during the so called 'Cold War Period'. The first case relates to the ending of the secession of the Province of Katanga (now Shaba) of the Republic of (Belgium) Congo by the ONUC (Organization des Nations Unies Au Congo), in 1961-1963. The second case pertains to Cyprus where UN prevented a head-on collision between Cyprus and Turkey besides avoiding itself from getting embroiled in the conflict.

From here we move on the recent, and current case, of Sierra Leone where the UN had to fight the local rebels to retain its own identity - and fulfil its task - as enforcer of peace. Included also will be reflections on the politico- military problem of East Timor, where combined with the Kosovo problem, the UN appears to face a challenge of a new dimension.

Congo : A Case Study of UN Peacemaking from ONUC to MONUC

When General K S Thimayya, completed his assignment as the Chairman of the NNRC In 1954 he observed that his job had been to 'reconcile the irreconcilable view points of ideological conflicts of the Cold War'. During the repatriation of some 120,000 PsOW from Panmunjon, Korea, he had observed a marked degree of 'cynicism and sterile competition' beside, 'mutual hatred' between the main adversaries of the Cold War.

This very Cold War manifested itself in the Congo in 1960 when civil strife devastated the country following the declaration of Independence. It is here that destructive diplomacy by the feuding warriors of the Cold War confounded the chaos whereas as senior UN Members they ought to have helped a sibling democracy stand on its feet. In stead, there began a scramble for exploitation of the vast economic resources of a newly independent country with out a political infrastructure.

At the time of independence, the former Belgian colony of Congo inherited a 30,000 strong Force Republic which became mutinous and took to streets forcing the Belgian officers to abandon them. Taking advantage of the situation and on prompting from the colonial friends, the diamond rich South Kasai Province and the Copper abundant Katanga seceded from the central control of Leopoldville, headed now by inexperienced and almost virtually illiterate leaders. Barring Patrice Lumumba, the Prime Minister, who had some formal education, President Kasavubu and Colonel (earlier a Sergeant) Mobutu, the new Chief of Staff were semi-literate, at the best.

And as the UN intervention was sought, the Secretary General, Dag Hammarskjold promised help and deputed Ralph Bunche, his Under Secretary for Special Affairs, pioneering thus the formation of the ONUC. But it was not with much deliberation. Operation ONUC received its forces in theatre before a commander was selected or a clear mission was established.

Congo has had its designations, so to say. While as a colony it was 'Belgium Congo'. It became 'Congo', after Independence. Mobutu changed its name as 'Zaire', which replaced by 'Democratic Republic of Congo', in 1997. And as rebellion has begun against Kabila, it might acquire another name !

When the force commander requested the deployment of six brigades, a tank squadron, field and anti-aircraft artillery regiments, fighter-bombers and transport aircraft, the UN Secretary General said, "Are you mad ? Do you think I want to start an armament race?" This then opened an unprecedented chapter in the UN history in bringing into focus the dramatic interactions of the Cold War, colonialism, geo-strategy and nationalism vis-a-vis the tribalism.

As situation developed by June 1960, the UN Security Council Resolution authorised Hammarskjold to provide to the Congo, military help until the former Force Republic and now Army Conglais Nationale (ANC) was able to look after the national security and those of the Belgian settlers. Forestalling ANC's action, however, Belgium inducted over 3,000 paratroopers into all vital sectors of the country. The Congolese Government of Patrice Lumumbanow asked the Secretary General to remove the Belgians failing which they would call the Russians to evict them. A call, therefore, came from the Secretary General to provide contingents post haste for the ONUC. The response from the Nordic, African and Asian countries including India became exemplary and some 11,000 strong contingent moved into the Congo under the military command at the UN HQ of Brig Inder Rikhye of India. Three brigades, one from Ghana, Morocco and Ethiopia, a Tunisian battalion, a United Arab Republic (UAR) battalion, an Irish battalion and a Canadian Signal unit quickly arrived in Leopoldville. These units were lightly equipped and had no land or air transport. Although there was no military headquarters initially, the ONUC commander was charged with establishing law and order, acquiring freedom of movement for UN relief efforts, disarming and retraining local military forces and preventing unilateral Superpower's intervention.

However, as time passed their missions became : Firstly, internal security and, Secondly, Consolidation of the Republic of the Congo except Katanga. But Congo's internal problem showed no signs of abetting, despite the fact, the ANC was partially tamed but was in a way an ineffective military force under ill trained but hastily elevated officers. Notwithstanding all the UN build up, the contingents of combat troops were very small and the UN could, at best, maintain essential security and very essential services.

The Gendarmerie

The unfortunate part of the Congo's history was exacerbated by tribalism which, as history of mankind proves, has led to balkanization and fragmentation. In the Congo while Kasai, was generally brought under control, Katanga under Moise Tsombe with full support of the Belgian mining company Union Miniere, Roy Wellinsky's Northern Rhodesia (now Zambia), the South African apartheid regime and the Portuguese in Angola remained out of control. Tsombe, a wily businessman turned politician assiduously built up his Katangese Gendarmerie as a force du frappe which the UN too found difficult to cope up with. Trained by the Belgian and capable South African mercenaries and equipped with the latest NATO weapons of all calibre with a small Air Force based on Magister Fougas and armoured force of better quality armoured cars, it was a formidable enemy.

The Cold War Game

Lumumba played his cards impetuously again. He asked Ralph Bunch to liberate Katanga and should he fall, he would ask the Soviets to do it. The Secretary General dithered and soon Russia despatched some transport aircraft for Lumumba. As a consequence, more UN troops began to arrive in Leopoldville. Tsombe refused permission for the UN troops to land anywhere in Katanga. It was only on August 12th that two Swedish companies landed at Elizabethville, the Capital, under direct command of Dag Hammarskjold, with the hope that Tsombe should send the Belgian troops that he had with him. This was very brave act of the Secretary General which enabled some 2,000 more troops to build up and compelled Tsombe to send the Belgian troops from Katanga.

Now Rajeshwar Dayal replaced Ralph Bunche and Brian Urquhart became responsible for the Katangan affairs. About this time in a shrewdly manipulated internal feud Lumumba was deposed, imprisoned and transported to Elizabethville, where he was killed. Joseph Ileo replaced him. All these created storm at the UN General Assembly as the Soviet Union asked the Secretary General to resign. Hammarskjold's reply to it speaks of the calibre of the man that Dag was :

"The representative of the Soviet Union spoke of courage. It is very easy to resign, it is not so easy to stay on. It is very easy to bow to the wish of a big power. It is another matter to resist... I have done so before on many occasions and in many directions. If it is the wish of those nations who see in this organisation their best protections in the world, I shall do so again".

The new Congo threw up some interesting characters : Patrice Lumumba, Kasavubu, Mobutu and Tsombe. Lumumba was a product of the Moscow University and he was not only mercurial but socialist beside anti-West in thoughts. Kasavubu, a tribal chief, was wily. Mobutu proved a villain of the higher order as he initially rose with support of Lumumba and later joined hands with others in eliminating him. Later he overthrew everyone to become President for life

until his death in 1998. Mobutu's three and half decade long rule (or misrule) saw a Congo suffer poverty and mismanagement. His stay in power was supported by the Western Industrial World.

Interested in exploiting Katanga's copper and Cobalt, his game was dangerous and little wonder he lost it. The new leader Laurent Kabila, an opportunist rebel from the eastern Province, has thus far managed. It was a scene from the pages of 'Cold War'. Dag survived but not for too long.

The UN Resolution for ONUC Adds Some Sinews

The initial UN resolution for formation of the ONUC stipulated use of force only in self defense but the Katangese obduracy compelled to modify it to adopt Resolution No 161/1961 permitting the UN to 'use force to prevent the civil war'. It gave a mandate to build up ONUC to about 18,000 troops. This had been particularly accelerated by the ANC's killing a Ghanaian detachment at Port Franqui.

From April 1961 ONUC was:

Special Rep Cdr of UN Force (Lieut Gen Seon Me Keon)

Civilian Affairs CAO (HQs. at Albertville & Elizabethville)

UN Tpt Lgs Air Force (a detachment of Canberras)

Contingents

Malayan; Nigerian; Indian; Irish; Ethiopian; Swedish;

Ghanaian ; Moroccans

India provided a Brigade Group along with a detachment of Air Force. It had earlier some 750 all ranks for administration. There then built up some 6,000 Indian troops, almost 1/3rd of the Force.

The Indian Brigade Group

I must now dwell on the Indian Brigade Group, for my Battalion was part of it and it has had major responsibility to clear Katanga of the Gendarmerie. The first Brigade was commanded by Brig KAS Raja and the latter by R Naronha, MC. And Maj Gen D Prem Chand became the UN Force Commander in Katanga from 1962 to 1963 when Katangese Gendarmerie was finally defeated and reunification achieved.

The first brigade built up by mid April 1961 and was quickly deployed in Albertville, Kamina, Manono and Nyunzu, all in Northern Katanga, much against the wishes and designs of Moise Tsombe. Elizabethville, Kolwezi, Jadotville remained with the Swedes and the Irish. Some Nigerians were in Kasai, as the Malaysians were in Kivu, further North and East.

Psy War

And as Tsombe saw in the Indians a greater threat than the others, he began a well orchestrated psychological warfare against them. An unprecedented and never-ceasing propaganda warfare against, especially the Gorkhas continued. Letters from Dickson Konkola, a Minister of Moise Tsombe went to Nehru, the UN Secretary General, the President of US, the

General Secretary of USSR and Senator Dodd. The letter to Nehru said : "We are firmly resolved that if the Indian government does not recall her INDIAN GORKHAS, this party is prepared to boycott with violence all Indian shops in Northern Rhodesia.... Your Gorkhas, Mr Nehru are condemned without any reservation like species of human beings who are very brutal in this part of Africa..... We request you to pressure UN for recognition of Katanga". And again it read in another piece of diatribe, "Gorkha are mercenaries and are no good as gentlemen to represent UN in the delicate situation in the Congo."

Some one even caught on Gandhiji's 'Salt Agitation'. The Katangese let brigades of females dressed in their birthday suits threaten assaults on the UN troops all over Katanga. Along with it went an unceasing campaign of intimidation and kidnapping. But the UN's orders were clear : 'Put up with no nonsense'. It kept its task unambiguously clear.

We were seeing three kinds of warfare there : the Cold War, The Psy War and the ONUC War. If the Russians, smarting from the Cuban missile retreat were lambasting the UN on the Lumumba issue, the American Senator Dodd was against the UN. So were Roy Wellinsky and Botha feeding Tsombe with mercenaries and weapons.

The ONUC Takes the Resolution Seriously

Operation Rum Punch (August 1961)

The operation was undertaken to round up more than 600 mercenaries. But because there was no way to stop their re-entry, they returned back avowing to take the 'fight to its conclusion'.

Operation Marthor (September 1961) and Death of Dag Hammarskjold

The aim of the operation was to paralyse the Katangese Government and disarm the Gendarmerie and destroy it. It was to be done in two phases : first, to occupy strategic points in all the major cities; and, second, to destroy Gendarmerie. A very ambitious plan, indeed. But in execution it proved otherwise.

An ill-conceived and ill-prepared operation which lacked surprise. In the three week of fighting the Gendarmerie ably led by the Belgians and mercenaries struck hard at the UN positions at places such as the airport, post office, radio station. They laid a siege to a company of the Irish at Jadotville and beat back a half hearted effort at link up and succour, causing large number of casualties and damage. Tsombe himself moved to Northern Rhodesia.

While the UN was already a shaken up organisation as the Katangese Fougas struck at targets ad lib, the Indian Canberra's remained grounded at Leopoldville for lack of spares which the British Government refused to provide. The worst was the death over N Rhodesia near Ndola of Dag Hammarskjold where he was to attend the cease-fire parleys with Tsombe. So Lumumba and Dag Hammarskjold became the important casualties of the UN Cold War.

December 1961

The Katanga command which was responsible for operations began to be harassed by the Gerdarmerie. Urquhart was almost murdered but for the intervention of Maj Ajit Singh's company of Gorkhas! But the UN stuck to its position and even the US and British counsels were saved; the Baluba refugees had to be guarded and so were the communications and

In Sierra Leone, despite the Organisation of the African Unity (OAU) promoted 'Abidjan' and 'Conkary' Peace Accords, peace has eluded the population. Even the UN Peace Observer Group of 1997-98 saw little improvement in endorsement of the Accords. The UN, therefore, accepted the Nigerians of the ECOWAS into the UNASMIL. More forces built up, which included the Indian contingent initially one battalion which was augmented by another battalion besides a squadron of helicopters. It soon became a large international force of the strength of a division. Placed under command of an Indian Major General it nonetheless lacked both cohesiveness and 'punch' to deal effectively with critical situations, It was, however, hoped against hopes that with the induction of the UN Peace Keeping Force it would turn the situation for the better. The UNAMSIL were tasked to disarm the RUF and remnants of AFRC which were responsible for the Civil War and running the 'gangster economy' in Sierra Leone. For these roles, it was deployed from Free Town to the Eastern Province.

The transition between the handing over by the ECOMOG and the UNAMSIL in April-May 2000 led to a 'void', which the rebels used to their advantage.

The UNAMSIL's trouble with the RUF really started as the troops moved into Kailahun and Pendembu in the diamond belt. With their poor quality of equipment and communications, besides loose control, the UN troops seemed to become vulnerable to the RUF. From April 2000 they began to target the UN troops by small scale ambushes and subsequently laid siege to some 500 African soldiers and 220 Gorkhas of 5/8 Gorkha Rifles. While they disarmed the Africans but dared not get closer to the Gorkhas. In a daring move, they even captured 13 APCs of supply column. It then saw a two month long drama at the UN and in Sierra Leone as to what to do. While the African group was released through courtesy of Charles Taylor, President of Liberia, the siege of the Gorkhas warranted a full scale military Operation Thunder Bolt or Khukri. It involved co-ordination of reconnaissance by British Sea Harriers and attack by Helicopter gun-ships off HMS Illustrious and HMS Ocean along with the Indian and the African troops on ground manoeuvre. The Indian force was supplemented by two companies each of Commandos and Mechanized Infantry.

The role of the Indian Air Force Contingent consisting of four Mi-8, four Chetaks and three Mi-35 helicopters was as laudable. It was a treat to see the Mi-35s pound the RUF held positions on July 15, 2000 which were followed by the use of other helicopters in ferrying commandos beside extricating the besieged troops to Kenema, Daru and Hastings. For the IAF, UNAMSIL seems to recollect fond memories of the Kargil operations beside, indeed, ONUC where, its Canberras added to the victory on the ground.

Today, the UNAMSIL is 13,500 strong and it has onerous duty of disarming the elusive RUF, which has support from Liberia and Libya. How far it will be able to carry out this mission is yet to be seen.

The success of the mission which is likely to take gruelling years of eliminating the RUF and the remnants of AFRC will, of course, depend on the effectiveness of the troops some of whom have primitive weapons, equipment and communications. And although, the South Africans have agreed to provide more reliable facilities for communications to UNAMSIL now, much will also depend on the effectiveness of command and control. For, if the media reports are to be believed, then the Nigerians, Jordanians and Guineans have dragged their feet rather than promptly and implicitly obey Major General VK Jetley, the Force Commander.

This is where ONUC differed from UNAMSIL. There was unity of command, more so when D Prem Chand took over (and even earlier). The Indian brigade took the brunt of fighting but the Swedes, Irish, the Ethiopians co-operated admirably. It was a cohesive ONUC, unlike UNOMSIL, further vignette of whose problem was evident from what PTI Washington narrated on September 11th : Major General V.K. Jetley, the head of the UN peacekeeping force in Sierra Leone, has in a memorandum circulated among diplomats in Freetown, said the mission's Dy commander, General Mohammad Garba and UN Secretary General Kofi Annan's special representative Oluyemi Adeniji, both Nigerian nationals, were profiting from illegal diamond trade.

By September 20th , the Indian Government decided to withdraw its contingent, calling the process as part of the UN relief . The facts of the matter are that serious differences had grown between the Force Commander and the African contingent Commanders especially the Nigerians on the concept of the UNPKO. The ulterior motives of the African countries on the one hand and the Western nations with deep economic interests in Sierra Leone, on the other saw the straight and soldiery ways of handling the UNAMSIL force and fulfilling its mission by the Indian Force Commander and his Indian (and Bangladeshi troops) vis-a-vis others, as a threat. And they had persistently engineered their removal -cum -replacement.

One of the boons of history is that it helps to learn and relearn its lessons provided we have wit and will. Our success in the Congo as part of the UN in Peace Keeping Operations (ONUC), was due to the strong policies Secretary General Dag Hammarskjold and U Thant followed against the break away Province of Katanga. When the UN Peace Keepers became the target of the Gendarmerie and the mercenaries, they authorised not only the use of force in self defence, but in liberating the province. Such strong policy is unheard of these days except in Somalia where the Americans used it with devastating consequences and then pulled out. But even there, where the Americans failed, the Indian Brigade succeeded with its characteristic resoluteness.

The author sought the views of Lt Gen D Prem Chand on the Sierra Leone situation. His candid remarks are:

"It looks to me that the UN may well be going in for a conflict situation with the Rebel Groups there, on the line of the Congo in 1962-63. Once again some major powers are directly involved and interested because of the diamond deposits in the North East of the country..."

New Dimension in Peacekeeping East Timor : A New Kind of PKO cum UNPSO (UNTEAT)

And finally to take the case of East Timor where after a struggle by the Timorese first under the Portuguese for 400 years and later under the Indonesians for two decades, it became free in 1999.

East Timor is a divided island, with western part being with the Indonesians, Dili, its capital, some historical references suggest was established during the Harsh Vardhan Period AD 400 or so and later the Chola Period when Indian sea-farers made forays into East Asia and the Pacific. The Remnants of Indian religions and cultures in most of these countries vindicate the belief.

One of the noteworthy characteristic of East Timor is the availability of an enclave, the Oecussi Enclave in West Timor, beside most of its inhabitants practising the Christian faith.

The civil war that erupted at the end, compelled the UN to position a Police Force of 300 to supervise the voting process for a referendum for autonomy. The voting process was twice deferred. As the Timorese voted against continued relationships with Indonesia, the militants struck further when they looted and burned property forcing people to flee to the mountains.

It became a case of Rwanda repeated. Fortunately, a 'coalition of the willing' saw contingent from Australia build up a brigade group under Major General Peter Cosgrove in September 1999. It restored faith and stabilised the situation, which actually was the mission of Operation Stabilize. But much damage had already been done and some 200,000 people are said to have been killed. The Australians did a marvellous job and then paved the way to UN Transitional Administration, UNTEAT, to move in. It was an excellent example of Peace Support Operation on which UNTEAT built up.

The Australians air transported not only a whole Infantry Brigade but ensured it had adequate fire power and mobility. In addition its gun ships which moved in close vicinity of Timor offered reliable fire support and even logistical and communication help to Peter Cosgrove. The military operation lasted for about a fortnight when the Island and the Enclave were cleared of the rebels.

Along with it the civic and civil actions commenced well, paving the way for UNTEAT to begin its work.

The 8,500 strong UNTEAT is rebuilding East Timor, which includes its democratic institutions of Judiciary, Legal System, Banking, Education, Agriculture and Industries. It has several problems but it is a new dimension of the Peace Support Mission of the UN, somewhat like KOSOVO, for example.

UN Peacekeeping in the 21st Century

The challenges to the UN have not decreased; nor have they substantially increased. What we have to see is how a large number of UN Operations conducted for the past 55 years have enriched our knowledge and experience. The lessons learnt from each operation need to be imbibed to improve the quality of the future operations. Vision is also very necessary to see the dangerous spots where UN would or could be called to serve the humanity. It is there is a need for strategic analyses and working out contingencies so that genocide like RWANDA or BRIGANDAGE like Sierra Leone and East Timor do not take place or go unchecked. For, It is quite evident now that had UN sent adequate force, many thousands of civilians would have been saved from being slaughtered.

There is also talk of UN HQ being restructured for generating better staff work, working out contingencies and reacting to operational scenarios that may build up. Positioning of very experienced multi-national staff and commanders will, therefore, be necessary at the UN HQ. Along with these if the UN is to operate successfully and effectively, it will have to find right type of field commanders to man it. The type I can recommend are already in UN history.

Similarly some troops have performed better than the others. The UN could ask nations to earmark those in preference to the others. They are the envoys of the UNO during their

missions. They will have to work with scrupulous neutrality and impartiality as required by their charter, although intelligent interpretation of these words. May be required in situations like Congo, Sierra Leone and East Timor.

At the UN HQ itself, the need to improve staff work, analyses, intelligence gathering and interpretation demand a larger staff than 32 military officers and 9 Police Officers it has to oversee operations of some 27,000 troops in 14 operations and some 9,000 Policemen.

Then there is the question of payment of its budget shares. While the Third World countries are showing eagerness to contribute their shares and more, the Super Power drags its feet. For instance whereas India now pays \$ 80,000 against its share of \$18,000, US still has to clear over \$ 1 billion arrears.

To sum up :

Principles of UN Peacekeeping Operations in Multilateral Operations

The mission must confront a real threat to international peace and security or an emerging humanitarian tragedy and must be part of a larger strategy that includes developing long term solutions in the affected region. There must be :

- A clear and enforceable mission mandate.
- An appropriate force structure consistent with the mission.
- An effective means of consultation between national contingents.
- A division of military and civilian resources in-theatre, with a recognised authority and mutually agreed to operating procedures.
- A defined concept of operations, an effective C2 system and clear understanding on using force.
- And finally identify the probable hot spots; keep plans updated for them and implement them with speed.

All the above can succeed only if the following assumptions are accepted in principle, if not in their entirety. Firstly, the UN would continue to be supported by all member nations, rich and not so rich, beside the USA, the world's sole power.

Secondly, even if the world is divided into some sort of the new ideological groups, as of the former Cold War, the US would play its useful role.

Thirdly, the tendency of some of the countries of the Western world to try to resolve some contentious issues by use of military force in the first instance and then pass them to the US 'to take care' of them (e.g., Korea 1950-1953, Iraq 1991, Bosnia 1995) would be curbed.

And finally, the UN's charter, role and deployment would be enhanced not only to act as a 'fire and ambulance brigade', but enable it to act speedily to put out the fire before they engulf the world in 'Third World War', holocaust, nuclear conflict, besides what has begun to be called 'clash of civilisations'. From the days of Butros Butros Ghali to Kofi Annan, there has been a constant plea for a UN Rapid Reaction Force, available to the UN. This I gather had been one of the agendas of the Summit. In the words of Kofi Annan 'Rapid deployment can prevent enormous agony'. He wanted the time of Reaction Force to be decreased.

Epilogue

The UN Summit that ended on September 10th, 2000 adopted what it called Chartering the Future Course of Action for the UNO. Among the several measures it adopted were two significant ones: one, to provide the necessary wherewithal to the UNPKOs for 'Conflict Prevention'; Peace keeping and related tasks'; and two, to restructure the Security Council. While the restructuring of the Security Council is a matter of international politics, the means to the UNPKOs for prevention of conflicts is most welcome. The UN will have to busy itself by carrying out strategic analyses and identify the areas of latent/potent conflicts and be proactive in conflict prevention vis-a-vis its past records.

My study itself serves an example. Sierra Leone and Congo, some four decades apart, have striking resemblance. Both have been former colonies with no worthwhile political structures or institutions. Both had armies which had no tradition of being the national armies with poor military leadership. Both had abundance of rare and costly minerals-Copper in case of Congo (Katanga) and diamonds in case of Sierra Leone. And finally the former colonisation and world traders had their stakes on their mineral wealth and they retained their roots there.

Another issue that should serve as a starter to this conflict study is the geo-strategic factor. Any geo-strategic incongruity can become a cause of serious conflicts. It was so in the case of Alsace-Lorraine after Treaty of Versailles; Berlin became a cause of endless strife between the West and the Soviet Union after World War II; the Enclave of Oecussi in West Timor has the making of a fissure of the, future East Timorian-Indonesian relations which might perhaps drag Australia into it.

Peace Keeping/Peace Making will have to be done by creating Rapid Reaction Force – Brigade, Division and so on. Included in these conflicts should be flash spots due to those of demographic aggressions, human rights violations, disasters, and, of course, the war. Out of these analyses should emanate the concept, the early warning the force level essential for handling the situation, their liaison, mobilisation, besides training and psychological training. But considering various needs it may be prudent to earmark anything about a brigade group kept ready, as ready strategic reserve to fly into the troubled area(s). It will have to be given an operational instruction giving out contingencies and priority of deployment.

REGIONAL ORGANIZATIONS IN PEACE OPERATIONS

By

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In June 1997 the UN Security Council heard the details surrounding the death of two Austrian peacekeepers. In the preceding 49 years of UN peacekeeping, the UN Security Council heard similar reports on the deaths of over 1500 peacekeepers. All had a desire to make the world a safer place, and volunteered, and unfortunately died, for this important and dangerous work. Ambassador Karl Inderfurth, Special Alternate Representative of the United States to the United Nations, turned to his military advisor and asked, "what does the UN do for someone killed in the performance of their duties?" The answer was, the UN did not have a system for publicly honoring the death of these brave men and women. Besides compensating the family, monetarily, the soldier's family was given a service ribbon - the same service ribbon every member of the operation receives. The bottom line is the UN did little to honor its fallen heroes. Within days the UN Security Council passed a resolution calling for the establishment of the Dag Hammarskjold Medal. The award was one small way the United Nations could honor those who paid the ultimate sacrifice, not for their nation, but for a higher goal - to prevent the scourge of war by working with the United Nations to maintain international peace and security.

The passing of the resolution initiating the Dag Hammarskjold Medal began a yearlong process to plan for the 50th Anniversary of UN peacekeeping. In the preceding 50 years the United Nations experienced many successes and many failures as it tried to do, at times, impossible missions. Caught up in East West tensions for the bulk of this period, the UN was essentially unable to effectively undertake the tasks envisioned by the drafters of the UN Charter. Only in the last ten years, has the UN be able to fulfill its rightful place in the world. The Security Council passed three times as many missions in the last ten years as it passed in the previous 40. With experience of almost 50 missions conducted in every corner of the globe, force commanders and Special Representatives of the Secretary-General flocked to New York on October 6, 1998 to commemorate the Fiftieth Anniversary of UN Peacekeeping.

In the grand General Assembly Hall the UN Secretary General Kofi Annan presided over the awarding of the first three Dag Hammarskjold Medals. Three families representing the first soldier killed in a UN peacekeeping mission, the first civilian killed, and Dag Hammarskjold, the second Secretary General who died trying to broker a peace agreement for the Congo received the award. Following this moving ceremony, over 150 former special representatives, force commanders and other distinguished peacekeepers assembled to discuss the lessons of the last 6-8 years. These were the formative years of UN peacekeeping. The years that really defined how the UN conducts business today. One of the many revelations of the day was a general agreement that the United Nations can NOT do peace enforcement operations. The

purpose of this paper is to discuss why the UN should not do peace enforcement and discuss the role, regional organizations can perform in these types of operations.

Historical Setting

Why did the conference at the 50th Anniversary of Peacekeeping come to this conclusion? It was simple, they learned it the hard way, with the blood of far too many soldiers and civilians. They tried to conduct the missions assigned to them by the UN Security Council, often with limited resources, a very politically oriented decision making process, and with parties who had no desire to resolve their differences peacefully. We who do not learn the lessons of history are ripe for repeating them again. Although UN peacekeeping goes back fifty-two years, the lessons of today really began at the end of the Cold War. After the fall of the Berlin Wall, UN peacekeeping began to take on the challenges that were envisioned by the drafters of the UN Charter – “to save succeeding generations from the scourge of war.”¹

Throughout the history of UN peacekeeping there are many examples demonstrating that the nations of the world are getting better at handling complex contingencies. In the same light there are significant challenges associated with the UN executing peace enforcement operations. The responsibility of conducting peace enforcement operations should rest with a coalition of the willing, lead by one nation, or a regional organization with an experienced and effective military arm. Peace enforcement operations, where there is limited or no consent of the parties, are very close to combat. If the use of force or the threat of the use of force is the only way to compel the parties to resolve their differences peacefully, then a capable military organization is absolutely essential. It takes effective command and control, a refined decision-making process, and a well trained and disciplined force to effectively carry out the operation.

By analyzing past missions, it is easy to see general trends emerge. During the early days of the UN, Cold War tensions kept the UN from engaging in the more complex operations. On a few occasions, the UN Security Council approved peacekeeping operations, but these first generation missions are now viewed as traditional peacekeeping. When nations involved in a conflict needed a force to monitor a peace agreement, military units under the UN flag were the best method to insure pure neutrality. A small interpositional force was deployed to monitor the peace and report and investigate violations. At the close of the Cold War the UN became the preferred solution for all crises. Additionally the explosion of information technology made the world more aware of wars around the globe. Consequently, UN peacekeepers were asked to take on missions well beyond their capability. Somalia and the early days of Bosnia were good examples. These second-generation peacekeeping operations were, in many cases, peace enforcement operations. Force size and capability were often limited during debates in the Security Council. More often than not, the force did not have the necessary combat power to be considered a credible force by the parties to the conflict. Lastly the UN's concept of a multinational headquarters and the political decision-making apparatus made it cumbersome if the use of force was required.

As peacekeeping evolved in the mid 1990s, with the failures of Somalia, Bosnia and Rwanda fresh in governments' minds, the UN was relegated to only peacekeeping duties. Reduced Cold War competition and nations struggling to find their way in the post colonial world, however, created conditions where more and more intrastate crises emerged. Added to this was a vastly improved global awareness of world events. People and governments felt something needed to be done to stop the ethnic cleansing and human rights abuses associated

with civil wars. The UN was usually the best answer. Through this period the UN was successful in operations like Cambodia, Haiti, El Salvador, Eastern Slavonia, Macedonia, Mozambique, and Guatemala. Other missions like Cyprus, Western Sahara, the Middle East, Georgia and Tajikistan lingered with no resolve, but no war either. The tide was gradually changing, but UN peacekeeping was becoming more complex. Non military missions like election support, civil policing, humanitarian relief protection, nation building enterprises, arresting war criminals, and support to refugee resettlement were added to the traditional military functions of maintaining a safe and secure environment, disarmament and demobilization of combatants, demining, and investigation of cease fire violations. The face of peacekeeping was changing into a third generation of missions, and nations were volunteering in greater numbers to participate.

In 1999, the UN undertook two large missions, one in Kosovo and one in East Timor. These were different from missions of the past because instead of assisting failed states, the UN became the administrator for the failed state. The UN experience in the Congo in the 1960s and the UN Transitional Administration in Eastern Slavonia (UNTAES) guided them. While the UN ran the country, regional organizations and non-governmental organizations helped. In some cases, the regional organizations, as is the case of NATO's Kosovo Force (KFOR) provided the military cover so the UN could go about the task of nation building. This new concept emerging may well be a fourth generation of UN peacekeeping.

It was the second-generation missions like Bosnia and Somalia that caused those who attended the Fiftieth Anniversary to say the UN could not do peace enforcement. Likewise, the recently released comprehensive Secretary General's report on peacekeeping, or more commonly known as the Brahimi Report drew the same conclusion. It states: "where enforcement action is required, it has consistently been entrusted to coalitions of willing States, with the authorization of the Security Council, acting under Chapter VII of the Charter."² The following historical accounts of past UN operations will further articulate why the UN can not do peace enforcement and show how peace enforcement operations were conducted.

In 1992, Somalia became center stage for world news. Images of thousands of people dying of starvation and disease were broadcast all around the globe. Nations and individual citizens felt something needed to be done. The UN Security Council passed a resolution calling the establishment of UNOSOM I. The mission was humanitarian in nature, but the challenge was beyond the UN's immature structure.³ With no established government in Somalia, and a civil war raging around the peacekeepers, the force was too small and did not have enough resources to meet this challenge. The United States responded by sending in a force of over 27,000 troops to assist in the mission. Responding initially with Marines, and then the 10th Mountain Division, the U.S. led force, Operation Restore Hope, combined with 17,000 soldiers from 25 countries to overcome the malady of the millions of starving people. Once the situation was relatively under control, the mission was handed back to the United Nations to provide a more long-term solution. The United States remained engaged, but coordination and synchronization of effort was lacking. In October 1993 the United States attempted to capture the Somali warlord, Aideed,. The mission went terribly wrong, and images of a U.S. helicopter pilot being drug through the streets of Mogadishu and the death of 18 Rangers caused the United States to reevaluate what it was doing in this failed nation. The end result was the United States pulled out, and the UN was left to go it alone. Again the challenges were insurmountable and beyond the organization's capability. Within a few months the UN was gone as well. This for all practical purposes was a peace enforcement operation where there

was no signed peace agreement and the parties to the conflict had no intention of resolving their differences peacefully.

As tensions rose in Bosnia-Herzegovina in 1991 and 1992, the UN seemed to be the most likely organization to resolve this conflict as well. Again there was no signed peace agreement and an unwillingness of the parties to the conflict to solve their differences peacefully, but the UN Security Council established the UN Protection Force (UNPROFOR). Its task was not entirely clear, but essentially they were to protect innocent civilians caught up in the civil war. Over the next three years in an attempt to find the right solution, several conflicting Security Council mandates were passed. UN protection zones were established and well-intentioned peacekeepers were spread out across the war torn region to both protect the civilian, and where possible disarm the warring factions. While the UN force was attempting to protect civilians, the civil war intensified. Humanitarian convoys were attacked and civilians continued to die. Negotiators tried to find a solution, but were unsuccessful. Finally, under the pressure of NATO, whose nations provided the bulk of the UN force, a plan was developed where a UN force commander could call for NATO attack aircraft. This was a heavily debated issue. The final result was a dual key approach. Both NATO and the UN had to agree before aircraft could be launched. When the time came, there was a fundamental disagreement on the targets to strike, and plan failed to have the intended effect. The dual key never proved to be effective. Additionally, the decision making process was much too cumbersome to provide timely support.

The end of the UNPROFOR came in July 1995 in the safe area of Srebrenica. The Serb Army surrounded and captured a Dutch Battalion. Shortly after the Dutch Battalion was removed from the area civilians were gathered in the stadium and the men were separated from their families. What happened to them is still not known, but a few escaped and reported back that adult males, young boys to old men, were separated and taken to a nearby factory. Most were never seen again.⁴ This event led to more intense diplomatic efforts. In December 1995 a hard fought peace agreement was brokered in Dayton, Ohio. The Dayton Accords were complicated and tenuous at best. To keep the peace NATO deployed almost 60,000 troops to create the conditions for peace. It was definitely a peace enforcement mission, approved by the UN Security Council under Chapter VII of the Charter. NATO's highly effective and combined headquarters worked for years perfecting its planning and decision-making apparatus. The military force was well trained and the bulk of the force came from the best-trained armies in the world. Armed with tanks, attack helicopters and all the elements needed to fight a war, NATO came prepared to solve this problem once and for all. The effective combat force deterred further outbreaks of violence and brought peace to the region. Today, SFOR's strength is still over 20,000 troops, but the mission has devolved to peacekeeping rather than the more challenging peace enforcement.

Probably the lowest point in the entire history of UN peacekeeping came in 1994. Following the Arusha Peace Agreement, a small UN force was deployed to Rwanda to assist in the monitoring in the peace agreement. In April 1994, the plane carrying the President of Rwanda and Burundi was shot down. That event sparked a violent outbreak of mayhem where marauding bands of militia singled out people and brutally murdered them – many with machetes. The UN Security Council met many times to find a solution, but the Council was deadlocked. The Council realized the UN did not have the capability to deploy a force rapidly, and no nation was willing to send in its troops to solve an internal conflict. The Organization of African Unity, the regional organization closest to the issue, did not have a military capability, and neither did any other nation close by.

Over 800,000 people died in this ethnic war before an international force could stop the melee. The UN peacekeepers on the ground were helpless, and many died trying to do what they thought was right. The force was too small and did not have the Security Council's authority to step in. This was another lesson learned the hard way. Secretary General Kofi Annan felt personally responsible for the genocide,⁵ but in reality the blame should go to the nations of the world. The Security Council was left with few options. The UN was incapable of responding rapidly, and the Organization of African Unity had no capability to assist. Lastly no nation was willing to step forward. The task would have required immediate deployment of a relatively large force with the combat capability to conduct operations under Chapter VII (peace enforcement). Finally the French responded in Operation Turquoise, but the response was too late. At the opening session of the 1999 General Assembly, Secretary General Kofi Annan stood before the assembled heads of state and declared that the world should never allow another genocide like Rwanda.

In 1994 the U.S. experienced the political unrest in Haiti first hand. Hundreds of boats filled with people tried to leave their troubled homeland. Coast Guard cutters picked up the fleeing refugees and whisked them off to a U.S. run refugee camp at Guantanamo Bay, Cuba. As the situation came to a head in September, the Security Council authorized a multinational force under Chapter VII⁶, and the U.S. was willing to take the lead role. A negotiating team, headed by former U.S. President Jimmy Carter, met with General Cedras, the self appointed military head of the country. Negotiations were stalled until President Carter whispered in Cedras's ear that the 82nd Airborne, America's most elite fighting force, was in the air headed for the island. The U.S. was willing to solve this crisis forcefully if it could not be solved politically. Cedras consented. The U.S. military in mid stream altered its plans, and ceremoniously executed Operation Uphold Democracy. A smaller military force came ashore to establish security and General Cedras was escorted out of the country. The headquarters and decision-making authority of the force rested with the United States' contingent, but CARICOM, a Caribbean regional organization, and several other nations helped round out the multinational force. As law and order was restored and the Haitian military neutralized President Aristide, the duly elected president, came forward to assume leadership of the country. Several months later the U.S. handed over the peacekeeping mission and the rebuilding of this nation to the United Nations. This mission established a model for others to follow – a lead nation taking charge of the peace enforcement role, followed by a United Nations peacekeeping operation.

Several years later, unfinished business in the Balkan region erupted in Kosovo. President Slobodan Milosevic, President of the Federal Republic of Yugoslavia, wanted to regain control over the historic Serbian province of Kosovo. The majority of the people in the region were ethnic Albanians. Albanian freedom fighters wanted an independent country, and Milosevic was determined to reassert his control. Throughout 1998 and 1999, Milosevic carried out a campaign to cleanse Kosovo of all Albanians. The world again witnessed the ethnic cleansing in living color. With Rwanda still in the minds of world leaders, something needed to be done. Human rights were being abused and action was necessary. U.S. envoy, Richard Holbrooke, and other world leaders tried in vain to negotiate with Milosevic. He repeatedly refused to meet the demands of the international community.

The only alternative was to use force. This time, NATO took the lead and conducted a massive air campaign to force the Serbs back to the bargaining table. The Yugoslav people and leadership demonstrated enormous stamina. Most felt they would give in to NATO demands in a few days, but the air war lasted 78 days. Finally Milosevic signed an agreement

to move his forces out of Kosovo, and allow the UN to administer the country while NATO troops provided security. As the air war ended NATO immediately deployed over 40,000 troops to make sure the Serb military and national police lived up to the agreements. NATO would have done everything, but because of disagreement among Security Council members, it was determined the best administrator for Kosovo would be the United Nations. The UN was assisted by several European regional organizations. In this mission the UN took on a new role - total control of a country. The Secretariat had some experience in this type of mission, but not to the magnitude it faced in Kosovo.⁷ Today there are still over 30,000 NATO troops keeping the peace and the United Nations is coordinating the many facets of nation building. The synchronized efforts of the European Union (EU), the Organization for the Security and Cooperation of Europe (OSCE), and the UN High Commissioner for Refugees are making considerable progress. In this case a very capable regional organization conducted the peace enforcement role, while the UN with the help of other regional organizations rebuild the nation.

In another part of the world the status of East Timor was being discussed. Since 1975, East Timor, an old Portuguese colony, had been administered by Indonesia. President Habibie of Indonesia felt it was time to find a final solution. The people of East Timor would be given the opportunity to determine their own destiny – independence or remain a part of Indonesia. The situation was precarious. Many Indonesian Muslims controlled much of the property in East Timor, and the predominately Catholic East Timorese had never been given much authority in running the country. In March 1999, Portugal, Indonesia and the UN signed an agreement that called for the UN to conduct a referendum so the people of East Timor could determine their future. Tensions were high, and the neighboring country of Australia knew it. While the UN worked out the details for the referendum, Australia sent a team to the UN Headquarters in New York to lay out the options of what might happen and recommendations on how to deal with the situation. The Australians were exactly right - the people of East Timor would vote for independence, and when the vote was announced there would be wide spread violence. When the UN Secretary General announced in September 1999 that the people voted overwhelmingly for independence, violence broke out and what little the country had was destroyed. The UN Security Council immediately passed a resolution authorizing a multinational peace enforcement force under Chapter VII. Australia took the lead, and with the help of many countries in the region, quickly deployed a force to stop the violence. Australian leadership was key to the success of the enforcement force mission. In a few months the violence was under control, and the mission was turned over to the United Nations. Today 42 nations make up the United Nations Transitional Administration in East Timor. Like in Kosovo, the UN found itself running a country. With the help of other nations and many non-governmental organizations, the UN is making excellent progress.⁸

A New Model for Peace Operations

What has emerged in recent years is a new model to handle the full spectrum of peace operations in failed states. Lead nations or effective regional organizations carry out the difficult, combat oriented, task of peace enforcement while the UN is the best organization to handle peacekeeping. Once the situation is relatively stable, and an effective peace agreement is in place, the mission can be transferred to the UN. During the transition of power from a lead nation or regional organization, the UN conducts detailed integrated planning with the peace enforcement force, and establishes an effective transition plan. This is what happened in Haiti and East Timor.

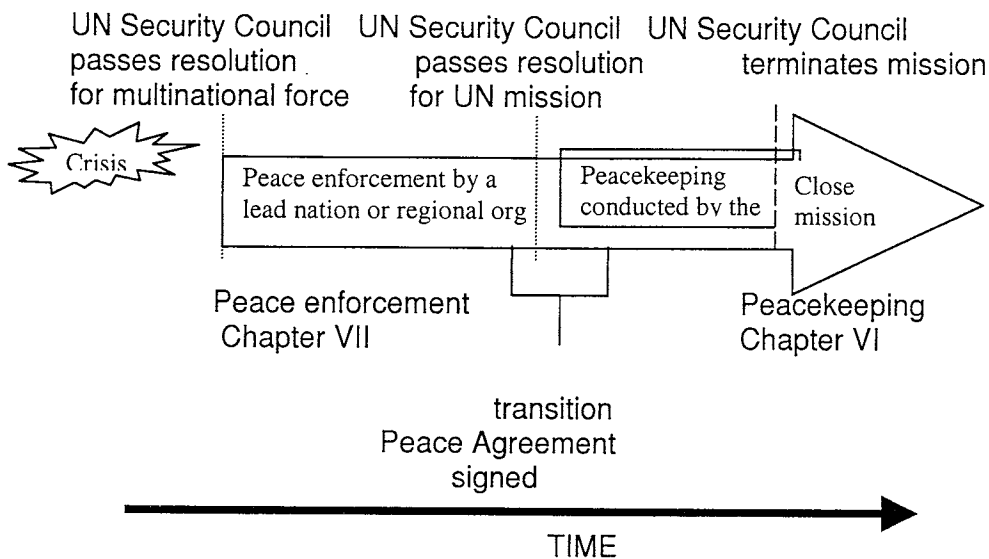


Figure 1 – Model of a peace enforcement mission transitioning to a peacekeeping mission.

An important point to note is the initial Security Council resolution authorizing a lead nation or regional organization to conduct the peace enforcement operation. Ideally, the UN Security Council should authorize this action as it adds to the legitimacy and credibility of the operation. In fact Article 53 of the UN Charter states: “no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council.”⁹ Amidst the “realpolitik” of the UN system, it is not always possible to gain UN Security Council approval for a regional organization to conduct a peace enforcement operation. This was the case during the crisis in Kosovo. This did not stop NATO. There were fundamental differences of opinion among the permanent five members of the Council, yet something needed to be done quickly and NATO had the authority and power to do it. Consequently for the greater good of protecting thousands of abused people, NATO went forward with its air war despite not gaining UN Security Council approval. It is quite possible that a regional organization will understand the issues of military action better than the Security Council. Consequently when regional security is threatened, a regional organization may have to make a unilateral decision when the UN Security Council is deadlocked. A lead nation, however, should not undertake such an operation without the approval of a regional organization or the UN. If it did, it could be seen as an aggressor.

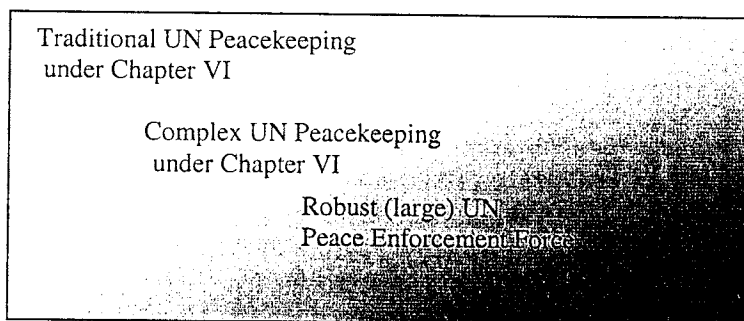
This model seems simple, but in reality there are a lot of gray areas. Traditional peacekeeping has always been the role of the UN. As for peace enforcement, in its purest sense, Chapter VII operations like Operation Desert Storm clearly fall to a lead nation or capable regional organization. In between the two is the gray area. Some UN Security Council resolutions authorize UN peacekeepers to take “all measures necessary” to conduct the operation, or specifically state “under Chapter VII.” This is where the term “Chapter VI and a half” comes into play. The tricky part is to determine when to use a lead nation or regional organization and when to call for a UN peacekeeping force. This requires a good mission analysis. The two critical factors that will determine what kind of force to use are consent and risk.

Consent is often difficult to measure. Simply because the parties signed a peace agreement is not enough to determine consent. In some cases leaders sign the agreement, but

the people are not committed to it. If the people have the will and capability to resist the peace process, they will. When this happens, there is likely to be unrest and violence. In other cases, the fact that the paper was signed has relatively no meaning to the leader who signed it. They may sign the peace agreement only to buy time to refit their military force for the next campaign. If consent of the parties is determined to be low and the parties to the conflict have the capability to continue fighting, then the risk to peacekeepers will be high. In this case, a capable military structure (coalition of the willing under a lead nation or a regional organization) is the only way to effectively conduct peace enforcement operations. The use of force may be the determining factor that brings about peace. The following diagram outlines this challenge pictorially. On the vertical axis is the consent of the parties to the conflict to allow the presence of an international force. On the horizontal axis is the resources needed to conduct the mission. If the risk is high and consent of the parties is low, then a large military force with robust combat capabilities is essential.

High

Consent



Low

High

Resources and Risk

There are many reasons why the UN can not and should not conduct peace enforcement operations. First the very essence of the UN Charter is peaceful in nature. In fact the Brahimi report states: "use of force in only self-defence should remain the bedrock principle of peacekeeping."¹⁰ Peace enforcement operations call for the use of force or the threat of force to compel the parties to the conflict to solve their differences peacefully. Should the mere presence of a robust, combat capable force not stop the violence, the use of force is necessary. Many nations who volunteer their forces for UN duty do not allow its military to participate in a Chapter VII operations. Secondly, since peace enforcement operations are close to combat operations, it takes an effective, well-trained military force to manage the violence of military power. The use of force also requires an effective decision making apparatus. When the time comes, there is usually little time. The UN is encumbered by a slow decision making body, the Security Council. If the UN Secretariat determines it has the authority based on the mandate, some nations may balk to gain time for its national level decision-makers to consider the situation. This severely limits a UN force commander's capability to solve the problem quickly. Any delay in the decision could mean the difference between success and failure.

Regional forces or a multi-national coalition organized by a lead nation will be better equipped to handle these types of situations. First, they are used to working with each other. Additionally, they have more capabilities for rapid deployment of forces. As all military leaders understand about combat, reserve forces may be necessary - a concept unheard of in UN

operations. Should the situation escalate, a reserve force properly placed and dispersed may save the day. Whether the reserve is composed of additional ground forces or combat aircraft, the requirement to make this decision and employ the force rapidly is critical.

There are only a few regional organizations around the world involved in peace operations (NATO, CIS, and SADC), yet there are many organizations that could be used to help in a time of crisis. Some regional organizations were formed for collective security reasons, others economic, and still others for trade and development. For whatever reason they have a common interest and a process for making decisions. When a crisis erupts in their region, they generally have collective concerns and interests. It behooves all these organizations to explore their roles and responsibilities when faced with a complex contingency in their region. This needs to be done before a crisis occurs. Often in an attempt to "do good things", plans are thrown together to meet a need. The OSCE never envisioned it would become monitors during the crisis in Kosovo. Most organizations do not have effective planning capabilities and command and control structures. For years many have been encouraging the Organization of African Unity to develop a capability to manage and handle the many crises on that continent. There are many reasons why they have not.

Could the UN be ignoring the lessons outlined above? UN peacekeepers are conducting peace enforcement operations in Sierra Leone and the Congo. Both of these nations are embroiled in a civil war. Although peace agreements have been signed, they are not worth the paper they are written on. Cease-fire violations occur regularly. The bottom line there is no consent. So why is the UN there? The reason is simple. There are no capable regional organizations in Africa, and Africa problems do not sit high on the developed world's list of national interests. The good news is organizations like the South African Development Community (SADC) stepped forward to help in Angola and the Congo, and the Economic Community of West African States (ECOWAS) provided considerable military support to both Liberia and Sierra Leone. If we, as the community of nations want to make a difference in the world, we must truly work together in innovative new ways. Strengthening regional organizations in the areas of managing complex contingencies may be the way ahead to expand the world's capability to respond more effectively to complex issues.

Success in UN Operations

From 1996 to 1999, the UN Secretary General's Military Advisor, Major General Franklin van Kappen, was in the midst of the evolution of UN peacekeeping. General van Kappen participated in several UN operations, and served the organization during these formative years. Additionally, his thorough understanding of the UN system coupled with his first hand experience managing UN peace operations, provided him with some incredible insight. The following six principles listed below are his thoughts on what it takes for the UN to conduct a successful peacekeeping.

- Genuine desire on the part of the warring faction to solve their differences peacefully.
- Political accord and consent on the part of the factions to a UN presence.
- UN Security Council must provide clear political objects and the UN Secretariat must translate those objectives into clear mission statements.
- A robust force is necessary. One that is capable of conducting the mission and able to protect itself.

- Robust rules of engagement are necessary to handle the full spectrum of threats the force may encounter.
- The force must be credible – in the eyes of the factions.¹¹

In carefully looking at these criteria for success, it is clear General van Kappen understood that the UN should only be used in peacekeeping operations. He would have argued against the UN undertaking another peace enforcement operation where the UN force was required to compel the parties to reestablish peace and order. Having been part of UNPROFOR, van Kappen understood the need for clear political direction. The Security Council must be a responsible organization that thinks through the issues facing a UN peacekeeping force, and passes resolutions that can be translated into clear military mission statements. General van Kappen also understood the need for a robust force – one that can handle the myriad of tasks associated with third generation peacekeeping. Likewise the Secretariat needs to develop rules of engagement that cover the entire spectrum of potential threats. Van Kappen often articulated that rules of engagement are the “bit in the mouth of the military force.”¹²

Van Kappen's last criterion, force credibility, is an interesting concept. Force credibility comprises two concepts. First, the countries that make up the peacekeeping force, and secondly the capabilities of that force. Credibility must be from the eyes of the parties to the conflict. Should a nation(s) who provides forces have hidden agendas, then the impartiality and credibility of the whole force may be in jeopardy. Since peacekeeping operations are multi-national in nature, each nation's contingent comes with varying degrees of military capability. It is the task of the force commander to weave these capabilities and national interests into an effective force – not easy by anyone's standards. The most challenging issue during the initial phases of a UN operations is to effectively determine the missions assigned to each national contingent. Both national interests and force capability must be taken into account. Each nation participates in UN operations for national reasons. The force commander must understand this, and use it to the mission's advantage rather than disadvantage. The credibility of the force is of paramount importance. A credible force not only limits violence, but also enhances the peace process. Regardless of how benign the operation may seem, there will be some people not wholly committed to the peace process. They will test the credibility of the peacekeeping force.

The Force Commander can not expect to make a silk purse out of a sow's ear. Nations have the responsibility for deploying well trained, disciplined peacekeepers. As Dag Hammarskjöld said, “peacekeeping is not a job for soldiers, but only soldiers can do it.”¹³ He was referring to credible and capable military units who understand the use of force, but have the discipline to limit its use. Militaries around the world have different training standards for their forces. If multi-national contingents are involved in peace enforcement or peacekeeping missions, the nations must ensure its soldiers are prepared to carryout their part of the mission. An effective military force that understands the demands of peace operations can be a credible deterrent.

Today military operations are multinational. There were 40 nations involved in Desert Storm, 39 nations work together in Bosnia, 30 nations in Kosovo, and 49 in East Timor. A principal of war and an imperative to peace operations is unity of effort. With so many nations contributing to a peacekeeping mission, unity of effort is critical. What happens in one sector must be the same in another. This requires the militaries of many nations to understand one another. This is most effectively done through international exercises and seminars. We must also understand the UN for all its strengths and weaknesses. To do this we must train with the

United Nations. The Department of Peacekeeping Operations is a small organization with a huge mission. Where possible, they should participate in training exercises, but can't always break someone free. The best method to fully understand the UN is to have a military advisor assigned to the Permanent Mission in New York. Only about 50 nations have military advisors. An officer assigned there will work with and understand the UN. The dividends this officer will provide to his nation will be beyond imagination.

Initiatives like the Nordic community's Standby High Readiness Brigade should be looked at closely. This 5000 men brigade is prepared to carry out UN missions. Nine nations provide troop units and personnel for the multinational headquarters. They train to the same standards and routinely do exercises to improve their effectiveness as an organization. Another composite battalion from Latvia, Lithuania, and Estonia is employed in Bosnia. Kyrgyzstan, Uzbekistan, Kazakhstan are now in the process of forming another battalion. This very well could be the future for improving not only force credibility, but also command and control, unity of effort, and response time for UN operations. Units like this may be the answer for meeting the rapid deployment requirements in UN operations.

Summary

The last century taught the world that wars destroy civilizations. Although the threat of global war is much diminished, small-scale wars rage on. These brutal wars are affecting huge populations. Additionally the rise of global information makes us more aware of the suffering of people caught up in conflicts. With this increased awareness, people will call for their governments and world bodies to find solutions. Both the United Nations and various regional organizations may have to respond to these crises, quickly and with a well-trained force. Regardless of whether it is a UN operation or one sponsored by a regional organization, nations are responsible for providing the forces. Therefore, every nation who wants to participate in peace operations must prepare its soldiers for these missions. We all share in this responsibility.

¹ Department of Public Information, Charter of the United Nations and Statute of the International Court of Justice, UN Headquarters, New York, New York, page 1.

² The United Nations, "Comprehensive review of the whole question of peacekeeping operations in all their aspects," document number A/55/305-S/2000/809, 21 August 2000. Better known as the Brahimi Report, page 10.

³ Few know that in 1992, the Department of Peacekeeping Operation, the agency at the UN Headquarters responsible for managing peacekeeping, had just been formed. At this time, only eight people were in DPKO, and Kofi Annan was the head of this organization.

⁴ UN Secretary General's Report, "The Fall of Srebrenica," November 1999. Author highly recommends this be read – a very honest and eye-opening report.

⁵ Kofi Annan, "Secretary General Report of the Genocide in Rwanda," December 1999, UN Headquarters, New York, New York.

⁶ UN Security Council Resolution 940, 31 July 1994.

⁷ The UN gained some experience in the challenges of running a country in the Congo (1960s) and Eastern Slavonia (1995-1999)

⁸ Author visited East Timor in September 2000.

⁹ Charter of the United Nations and Statute of the International Court of Justice, 26 June 1945, Article 53, page 29.

¹⁰ Brahimi Report, page 9.

¹¹ Major General Franklin van Kappen, UN Secretary General's Military Advisor from 1996-1999. Author was the US Military Advisor to the United Nations during the same period. He heard General van Kappen articulate these ideas many times.

¹² *Ibid.*

¹³ United States Army, *Field Manual 100-23, Peace Operations*, December 1994.

CONCEPT OF THE UN GUARDS IN NORTHERN IRAQ

By

Col Philip Campose

Col Philip Campose, commissioned into the Infantry in 1974, is presently on secondment with the United Nations as Chief of the UN Guards Contingent in Iraq (UNGCI). The officer is a graduate of the Defence Services Staff College in Wellington, India and has held numerous staff and instructional appointments. Colonel Campose's peacekeeping experience spans a period of thirteen months, in that he served the UN in the former Yugoslavia as staff officer to Lt Gen Satish Nambiar, Force Commander and Head of Mission; UNPROFOR. He represented the Indian Army in various seminars and workshops at the International level.

Introduction

Let me start off by introducing myself. I am Colonel Philip Campose of the Indian Army, presently with the United Nations and appointed as Chief of the UN Guards Contingent in Northern Iraq since the beginning of July this year. My previous experience with UN peacekeeping relates to the thirteen months I spent in the former Yugoslavia in 1992 –1993 as Staff Officer to the Force Commander and Head of Mission of UNPROFOR. The experience of the last two months in Northern Iraq, which was preceded by four days of briefings in New York, have introduced me to a unique and innovative experiment which the UN is engaged in since the end of the Gulf War in 1991, namely the UN Guards concept. To quote from the conclusions of a report by the Institute of World Affairs, Washington who were commissioned in 1998 to do a study on the UN Guards in Northern Iraq ;

“The UN Guards Contingent in Iraq is a proven concept for the provision of enhanced security to humanitarian operations in places where, while UN military forces cannot or should not be provided, sole reliance cannot be made on local authorities and the small security staff inherent in most UN missions.”

That brings me to the question “What is the UN Guards Concept?” The Guards concept, when it started, was an innovative means derived by the UN to address a peculiar security situation which developed in Northern Iraq at the end of the Gulf War, wherein humanitarian agencies had to be deployed post haste into a potentially volatile situation. Today, after eight years of experience combined with continuous need based refinement, I would go further and define the Guards concept as a mechanism available to the international community, which can provide early protection of personnel in low conflict settings, without the long political decision making process required for deployment of military peacekeepers.

As many of you would be aware, elements of the Coalition forces had been employed in operations to enable the return of the Kurdish population from where they had evacuated to avoid the events which followed the end of the Gulf War. The coalition elements thereafter had to return to their home countries and a suitable force was required on the ground to provide security to the operations of the UN humanitarian agencies in the Kurd majority areas. The situation was complicated to some extent by the fact that the Government of Iraq did not accept the UN proposal for deployment of UN peacekeepers in the Kurdish areas of Northern Iraq. Subsequently, the UN was able to negotiate an alternative arrangement, acceptable to the Government of Iraq, which allowed for a suitable force, called the UN Guards, to be deployed.

At its inception in 1992, the UN Guards Contingent looked like a peacekeeping contingent of the size of a light infantry battalion (without the firepower, of course). Today, the UN Guards contingent looks more like a milops mission, with an element of civpol. Over the years, many need based modifications have been incorporated and therein lies the relative strength of this Concept vis-a-vis peacekeeping, i.e. the flexibility in approach, tasking, organization, composition and numbers which have been evident in its functioning. The fact that this force is not mandated by a Security Council Resolution but instead, by an MOU between the Government of Iraq and the UN, is another peculiar feature. Of course, there is also an implication that budgeting is not from peacekeeping sources but through voluntary donations by some member countries; while this may mean some problems for the UN in terms of additional legwork to seek these donations, however, the fact that countries have been most forthcoming in their support has implied that funds have not been lacking and UNGCI has also been able to even maintain some flexibility in its approach to internal administration.

The experience of the last eight years has highlighted the viability of the Guards concept as one of the available mechanisms to the UN for provision of security to personnel working in environments defined as war torn areas where personal security is of concern. In spite of its relative success, the Guards concept has rarely been examined as a model for application elsewhere in similar conditions. Presumably, this is due to lack of awareness. Today, I would like to project this concept as a mechanism which can be considered, in certain circumstances, as a viable alternative to deployment of 'military peacekeepers.' However, I would like to emphasize that Guards contingents should not be used for tasks other than those related to provision of security in humanitarian operations.

Scope

My presentation is set out in the following parts:-

- Part I - Background.
- Part II - Facts and Figures – UNGCI.
- Part III - The Concept.
- Part IV - The Principles.
- Part V - Variations from Peacekeeping.
- Part VI - Conclusion.

Part I - Background

To understand the background to the UN Guards Contingent in Iraq (UNGCI), one must look back at the conditions prevailing in Northern Iraq at the end of the Gulf War. Member states of the UN required some sort of protection for the humanitarian activities mandated by the Security Council. The creation of a peacekeeping force was out of the question and refused outright by the Iraqis. Thereafter, it was a combination of circumstances that paved the way for the deployment of UNGCI, i.e. the unsafe conditions for the humanitarian programs in the Northern and Southern parts of the country, the demand for protection by Member countries and the participation and persuasive efforts of Prince Sadruddin Aga Khan. The latter, as Executive

Delegate of the Secretary General to the UNHCR, was able to negotiate acceptance of the UNGCI by the Government of Iraq.

Some landmark events related to the UNGCI in the period since its inception are as follows :-

- 18 Apr 91 - MOU signed and ratified between UN and GOI allowing
- 22 May 91 - 500 UNGCI personnel to be deployed to protect UN
- 24 Nov 91 - personnel, assets and operations linked with the UN Humanitarian Program.
- 1991- 1992 - Initial deployment of UNGCI to Baghdad, Basra and three Northern Governorates. UNGCI significantly enhanced security, facilitating return of hundreds of thousands of Kurdish refugees and safe delivery of large program of Humanitarian assistance.
- 22 Oct 92 - UNGCI reduced to 300 personnel; activities restricted to three Northern Governorates with small liaison team in Baghdad.
- 1993 - Numerous attacks on UN vehicles and premises.
- 1994 - ●● Attack on UN vehicles and premises continues.
●● UNGCI strength reduced to 89.
- 1995 - UNGCI strength increased to 150.
- 07 Dec 95 - Last direct attack on UNGCI (bombing of UNGCI patrol).
- May 1996 - Eruption of fighting between two major political factions in the North and change of control of Erbil.
- Dec 1996 - Oil for food program under SCR 986 commences; UN Agencies commence administrating expenditure of 13 percent of oil sales proceeds for Northern Iraq.
- Jun 1998 - UNGCI strength reduced to 89.
- 1999 - Last direct attack against UN (UNOPS).
- 2000 - No attack (so far) against any UN agency.

Operations of UN agencies are increasing manifold due to increased oil sales under SCR 986.

Part II – Facts and Figures – UNGCI

Role. To protect the personnel, assets and operations of the UN in Northern Iraq.

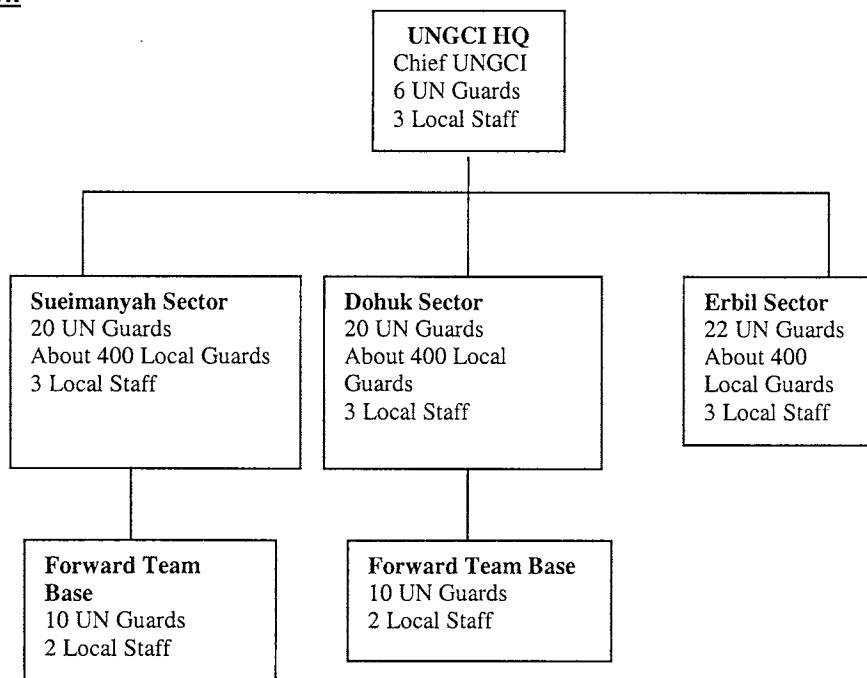
Composition.

- UN Guards - 88 personnel, with suitable military/ police background.
- Local Guards - About 1200 local guards (police) are under control for physical security duties.
- Local Staff - 18 (admin personnel and interpreters).

Tasks.

- Carry out security related assessments and provide advice to UN humanitarian agencies.
- Provide advice for safety and security of UN international staff.
- Arrange / supervise protection of UN assets.
- Carry out escort duties, where essential.
- Provide communication support, especially movement tracking.
- Carry out investigations of accidents and incidents.
- Provide medical support, including emergency medical evacuations.
- Prepare evacuation plan for all agencies and practice related procedures.

Organization.



As you can see, UNGCI is organized as a Headquarters at Erbil and a subordinate sector in each of the three northern governorates. Each sector operates five or six "teams", each comprising two vehicles and four UN guards. Teams are used for emergency response and to conduct field security assessments (FSAs) and escorts. Static protection is provided at about 100 locations by approximately 1200 local police guards, coordinated and supervised by UNGCI sectors. In order to improve responsiveness and local knowledge and to reduce transit times for FSAs, forward team bases have been organized at two locations.

Operational Activities

- **Field Security Assessments (FSAs).** FSA teams are sent out as mobile patrols on a daily basis to collect all possible information pertaining to security of a designated area. Information is gathered through physical reconnaissance as well as random interaction with local officials, the local population and UN agencies / NGOs. The information thus gathered is collated and analysed at the Sector HQ and thereafter at UNGCI HQ as part of a process to prepare the security assessment which is then disseminated in the form of security advice to the UN agencies and NGOs.
- **Security Monitoring Patrols.** These patrols are sent out in a random manner during day and night to monitor the alertness and efficiency of the local guards who are deployed at UN installations.
- **Escorts.** UNGCI escorts VIPs coming to the north and also escorts all UN movement through areas classified by UN as "Restricted". UNGCI provides escorts, where essential, for movement of UN critical equipment and also escorts refugee movements within northern Iraq.
- **Regular Interaction with UN Agencies and Local Authorities.** Periodical interaction is carried out with:
 - Local population and officials of local administration/ authorities.
 - Local security agencies, through regular meetings and 'on need' basis.
 - Heads/ representatives of UN agencies and NGOs on weekly, monthly and on 'as required' basis.
- **Security Verifications.** UNGCI members also carry out security verification of UN installations, offices, warehouses and designated hotels in the north and recommend measures for improving security.
- **Evacuation Exercises.** UNGCI has prepared the Evacuation Plan for the international staff in the North and carries out periodic exercises to practice various contingencies.

Security of Assets

- Local Guards provided by the local authorities are deployed for physical security. UNGCI monitors the performance of local guards in the north on a regular basis.

- UNGCI conducts regular Security Patrols both by day and night to check efficiency of the local guards.
- UNGCI carries out security verifications of all UN installations including hotels as and when necessary.

Security of International Staff. Security of internationals are ensured by the following:

- By allowing internationals to stay only in Designated Hotels in the north.
- By providing periodic security advisories.
- By conducting weekly, monthly and 'as and when required' security briefing.
- By daily evening Radio Check at given time in all three governorates.
- Through Zone Warden System.
- By maintaining security environment in the residential areas through local guards and security patrols.
- Over and above, UNGCI remains on 24 hours stand by to respond to all eventualities.

Operational Communication. UNGCI provides the following communication support to all UN agencies in Northern Iraq:

- VHF - Evening Radio Check.
- HF/ VHF – Tracking of movement of all internationals.
- Mail - Receive and Dispatch Official and Private Mail.
- Fax - Provide Fax Support as needed
- Repeater Stations.

Investigations. UNGCI investigates all types of accidents and incidents involving UN assets and/ or personnel in the Northern Iraq.

Medical. The medical team of UNGCI covers all three governorates in the north. They provide the following types of medical support:

- Provide medical treatment to all UN international and UN local staff in the north.
- Conduct medical evacuation.
- Carry out hygiene inspection of UN restaurants, clubs, offices and residences.
- Provide medical advice as when necessary.

Part III – The Concept

Before we discuss the Guards concept, let us have a look at the various mechanisms available to provide security support to a UN humanitarian assistance program, i.e., in case it is decided that such support is indeed required:-

- Peacekeeping units under Chapter VI or Chapter VII.
- Military observers and / or civilian police.
- Local guards.
- Police forces – gendarmerie.
- Privately hired independent guards.

Requirement. Peacekeeping forces and other similar are mandated by decisions from the Security Council. These processes are time consuming and have, in the past, been hampered by various influencing factors. In humanitarian operations and in latent conflicts of limited intensity, where immediate provision of security may be necessary, a mechanism is required which can be flexible in structure and deployed within a much shorter time than previous experiences indicate. Considering this, the UN Guards concept probably has the most interesting potential.

When we discuss the Guards concept, it is recommended that the following conditions/ scenario prevails:-

- Post conflict and/ or latent ongoing conflict, low threat scenario, where UN humanitarian agencies are required to undertake assistance activities as part of a humanitarian mandate.
- Expressed support from the international community.
- Consent and assurance from national and local authorities.
- Institutional financial arrangements.

The Concept

- **Mandate.** Guard contingents should not be used for other tasks than those related to provision of security in humanitarian operations not involving peacekeeping forces.
- **Deployment.** The first elements of the UN Guards Contingent who are deployed could be from any existing Guards Contingent. Alternately, they could be from within the UN safety and security section if the section is augmented and trained accordingly. Thereafter, the strength can be reinforced by assigning individual “experts on mission” from nominated guard contributing countries.
- **Uniforms.** UN Guards should wear UN uniforms, as in the case of UNGCI and not national military uniforms as worn by peacekeepers.
- **Cost.** Guards should be considered part of humanitarian operation; its costs should be included in the overall humanitarian budget as an institutional arrangement.

- **Legality.** Legal status must be secured through an appropriate MOU between the UN and the host country.
- **Organization.** The strength could vary from a maximum of 500 to a minimum of 50 or so. Various organizational options, based on the Iraq experience, could be considered. The organization must include necessary competence for analytic security assessments.
- **Management.** The overall management which includes the overall policy, preparation and operational guidelines could be the responsibility of the United Nations Emergency Relief Coordinator (UNERC) in coordination with United Nations Security Coordinator (UNSECOORD); that UNSECOORD could have the responsibility for training and UNERC for implementation and operational management till any other humanitarian department, which is mandated, takes over the lead role.
- **Operations.** Future operational concept of guard contingents could be based on the current concept for the UNGCI which is a combination of humanitarian activities, overt security and institutional involvement of local authorities. Exit strategy should be worked out based on the prevailing security conditions. Sidearms should not be excluded (but not to be provided by host country).
- **Training.** The IWA Report had recommended that if the Guards Concept is accepted, 30 to 40 officers should be selected, trained and based possibly under control of the UN Safety and Security Section, so that they can form the vanguard for any future guard deployment.

Part IV - The Principles

The success of the UNGCI is partially attributable to the fact that respect for certain basic principles have been ensured in UNGCI functioning. The principles that have been achieved are as follows:-

- Consent.
- Assurance.
- Impartiality.

Consent. Consent implies an overall acceptance of the deployment and mandate/ policies by the contending parties. The contending parties including Government of Iraq, have given their consent for the UNGCI operation, as part of the overall humanitarian program. This includes acceptance of relief activities such as freedom of movement, access to beneficiaries, use of communication means, employment of local staff etc.

Assurance. Assurances involve not only the host government and/ or local authorities, but also the humanitarian community. UNGCI functions with security assurance from both the Government of Iraq as well as the local authorities on the North. Likewise, UNGCI has secured assurance from various UN organizations involved in the humanitarian operation to fully comply with established security arrangements. UNGCI has a non political mandate and its operation is fully understood partly because of UNGCI's continuing and consistent efforts to obtain reassurance and thus to restore confidence as soon as an incident takes place or it is perceived that the situation has changed.

Impartiality. UNGCI continues to be totally impartial and its actions are based on objective, even handed and consistent pursuit of the mandate and objectives regardless of numerous challenges. UNGCI does not see the use of force as an option at all and hence does not run the risk of destroying the confidence and cooperation of the parties concerned.

Part V - Variations From Peacekeeping

The UN Guards concept was conceived when the Government of Iraq did not accept military peacekeepers. There have been a number of similar instances in the recent past wherein the deployment of UN military peacekeepers have not been accepted by one or more of contending parties or, on occasions, even by the humanitarian agencies themselves. The latter sometimes view the military appearance as a threat to their security and sometimes as a hazard affecting the impartiality of humanitarian efforts.

Consequently, though the UNGCI, in its staffing, composition and functioning, resembles a milobs/ civpol mission, a deliberate effort has been made throughout to develop the UN Guards as an entity which is distinctly different in appearance and character so that it is more acceptable to national Governments and to the humanitarian fraternity. Some of these differences are as follows:-

- The primary role of UN Guards is related to supporting humanitarian agencies whereas other roles are secondary; in case of peacekeepers, normally, humanitarian support tasks, if allotted, are secondary.
- UNGCI has a dynamic and flexible structure which absorbs police investigators, medical doctors and communication experts.
- Not controlled by DPKO but by one of the Humanitarian Aid Departments of the UN.
- Funding is not from peacekeeping sources.
- The personnel recruited are considered to be in individual capacity and not as representing militaries of contributing countries.
- UN blue Uniforms worn with no indications of nationality of the Guards.
- Only side arms (pistols) are carried, and that too only during escort duty.

Conclusion

The experience of the last few years have shown that humanitarian operations, empowered to create confidence between and among contending parties, through economic and political development and capacity building, have become one of the most important and useful mechanisms to enhance international and regional security. Simultaneously, the use of traditional peacekeeping operations has become less intensive. Although the UN is obliged to provide security for humanitarian assistance projects, member states are less inclined to contribute military personnel or units for these operations because they are politically risky. These challenges imply an obligation to find other more efficient and cost effective instruments capable of conforming to the demanding requirements of a new security environment.

The UNGCI, which has been effectively achieving its mandate of protecting the operations of the UN in Northern Iraq for the last eight years, has proved its credentials as a viable security mechanism which can be used as a model to be applied in similar situations in other parts of the world. The UNGCI functions not only as a security provider and facilitator but is also a communication link between the humanitarian community and the local structure responsible for law and order. Despite a malign environment, significantly hard living conditions and tight financial constraints, the UNGCI has proved to be a useful, innovative and cost effective operation which holds valuable lessons for the international community.

SESSION TWO

EXTRACT OF DISCUSSION

Gen. VM Patil (India): Colonel Oliver mentioned that the UN must not get involved in peace enforcement missions. I will put across three cases where the United Nations did not get involved in regional conflicts, leading to their prolongation. First, in Cambodia, though ASEAN and Vietnam tried to manage the crisis, ultimately the UN had to intervene. Iran and Iraq fought a war for eight years. The Gulf countries tried their best to bring about negotiations but could not succeed without UN support. In South Asia, in the conflict between Tamil militants and the Sri Lankan Government, India tried to resolve the issue regionally but could not succeed. **To my mind, in any conflict, belligerent powers are not likely to agree to regional intervention because, within the region, there are always supporters and opponents of the parties to the conflict. Therefore, there is always an element of doubt about the intentions of a regional power. Moreover, 'enforcement' in peace enforcement requires the support of certain enforcing agencies as well as the moral and material support of the international community.** Therefore, the United States, which is promoting economic globalisation and which demands regional and international peace, should not shy away from getting the UN involved in peace enforcement missions.

Colonel George F Oliver III (USA): There are times when conflicts erupt, for which there isn't any good solution. You brought up a couple of examples that almost had to run their course. This is what happened in Ethiopia and Eritrea recently. We have to let the conflict run its course until the parties are ready to solve their differences peacefully.

Sometimes the reasons for disagreeing with each other may not be tied exactly to the issue. And there are other times when there may be fundamental reasons why members cannot come to an agreement resulting in a deadlock in the Security Council, like in the case of Rwanda. So, the UN Security Council will not be able to always come up with international legitimacy for UN involvement. Then it falls to the regional organisations, and they follow the same process. When you send in a peacekeeping or peace enforcement force, essentially what you are doing is freezing the situation as it exists right there. If you freeze it too late, the disaster has already happened, if you freeze it too early, you are putting a lot of peacekeepers at risk. You have to find the happy median of when to freeze it and then send in peacekeeping forces and that is not an easy decision.

Lieutenant General R Sharma (India): Colonel Oliver is propagating the 'regocop' theory instead of the 'supercop' theory. The perception is totally biased by the European theatre. European regional organisations have the capability — the men, the material, and the resources in the form of NATO, money, and the equipment. But the same template cannot be applied to either Africa or to Asia. Through their regional and sub-regional organisations, the Africans are trying very hard to do their bit. But they totally lack in money and the hardware. The least that could be done is to give them logistics support and fire support by either the UK or the US, without which they cannot operate on their own. African countries can only provide the base, but ultimately the United Nations has to take over the whole situation.

Colonel George F Oliver III (USA): My purpose of bringing up a controversial issue is guided by the fact that the aim of this conference is to look ahead fifteen years from hence. If we are going to build regional organisations that are capable of doing things, then we need to start today to be ready fifteen or twenty years down the road. I realise that NATO is probably the only regional organisations that can do something like this. In the future, there may be others. I

used the examples of the CIS, SADC, ECOWAS, which were formed for one reason but then they got into peacekeeping missions. May be they could expand and build up their capabilities. The ACRI programme's purpose was for the United States to help African countries to be able to provide peacekeepers so that they can help solve the problems themselves. I will not go into the debate on why the US will get involved in Africa. We do to a certain degree and the ACRI is one of those programmes. We do have some peacekeepers already on the continent. We in the United States have interests throughout the world, but we cannot be the policeman around the world. We will have to balance carefully where we can put in our military forces and that is what PDD-25 is all about which takes a comprehensive look at why we are getting involved and determine whether we are doing the right thing.

Takahisa Kawakami (Japan): I cannot believe that the UN could have intervened in the form of peace enforcement in Cambodia either in favour of the Phnom Penh regime or in favour of the CGDK - the Coalition Government of Democratic Kampuchea. I fully agree with Colonel Oliver that the UN should not be involved in peace enforcement operations. **Peace enforcement operations, in my view, are those like in the Gulf; it is not war, but operations against a regime which violates international law, endorsed by the Security Council and supported by the international community.** But there is something else. Even if the UN cannot involve itself in peace enforcement, a UN operation can take some enforcement action like what happened in Sierra Leone or like what is happening in East Timor where police is carrying out law enforcement activities everyday. **Enforcement action is possible but should be based on the mandate and understood and agreed to by the parties.** So the title of this session "Mandate for Greater Use of Force" should be used rather differently — "Use of Force or Greater Use of Force to Protect the Mandate". That should be the line to be put in the Brahimi Report.

I have a question for Colonel Campose. I know how the UN guard was established, how it operated. I understand its political background, why it is UN Guards and not a peacekeeping operation. But I do not agree when you say that this task cannot be carried out by peacekeeping operations. Setting aside political elements, operationally or technically speaking, this operation can be conducted by formed units of police — not civilian police unarmed but formed units of policemen. What is your opinion on this?

Colonel Philip Campose (India): The UN Guards concept has come in to address a peculiar situation as it existed in the Gulf after the War, where the coalition forces wanted to withdraw but wanted a security mechanism on the ground. The UN said that it will be as per UN principles, where the consent of the national government concerned must be taken. The national government in this case being the Government of Iraq, which refused to grant consent. So, we came up with this mechanism to address this peculiar situation. As the events of the last eight years have proved, this is a successful operation. I am not suggesting that this operation cannot be carried out by somebody else. I only focused on this operation as it has developed and has been refined over the last eight years as a model which can be used somewhere else. I agree that if there is some other mechanism which meets a peculiar situation on the ground and is better suited, then let that be called the UN Guards.

Christopher Lord (UK): The Brahimi Report obviously envisages the development of peacekeeping in a certain direction. And Colonel Oliver's remarks would seem to tend in another direction. In your judgement, do you think that the US military in particular is likely to support that kind of a development in the medium term? Also, do you think that the US military

would be likely to support the strengthening of regional organisations along the lines that you stressed?

Colonel George F Oliver III (USA): I think the Brahimi Report exactly supports what I just said. To quote from page 10 of the Report: "The United Nations does not wage war. Where enforcement action is required it has consistently granted trustee to coalitions of the willing." So, I use the Brahimi Report as support for what I learned in the conference back on 6 October 1998 - the fiftieth anniversary of peacekeeping. I think the Brahimi Report is taking us a step further in peace operations.

Professor Ove Bring (Sweden): Colonel Oliver talked a lot about credibility. It is indeed important for a peace operation to be credible. The Brahimi Report tries to arrange for credibility by exactly recommending capacity for enforcement action in certain circumstances. Here, Mr. Kawakami's distinction between enforcement action and wider enforcement operations like liberating Kuwait is indeed very useful. Because the Brahimi Report foresees the need to sort of glide over from a Chapter VI peacekeeping mandate into a peace enforcement situation. This did not function so well in Bosnia; it has to function better in the future. So the Brahimi Report has suggested better equipment, better training, more robust rules of engagement, and enforcement action in situations when it is needed like a humanitarian disaster, for example.

Colonel George F Oliver III (USA): Certainly today, there are situations where there is no regional organisation to carry out a peace enforcement role. Even if they went in as peacekeepers, the situation could soon escalate, thus necessitating peace enforcement. For this, peacekeeping forces would need the necessary capability. This is where the Brahimi Report is going by advocating better training, more credible peacekeepers so that they can handle worst-case situations. **It is necessary to have robust rules of engagement and expect the worst-case situation. The UN has to be prepared to do that.** In Sierra Leone, we may be stretching that limit right now. We can look at Sierra Leone today and think of Somalia back in 1992, and ask should the UN be there. I will say 'yes' they should be, because there is nobody else who could do it.

Ambassador Peggy Mason (Canada): Going back to the categories of peacekeeping operations, I was struck by Colonel Oliver's listing of possible fourth generation nation-building activities where he mentioned East Timor. I would actually say that the East Timor mission is a second generation operation. We have forgotten this category in the heyday of the post-Cold War period when operations were being authorised. I would argue with the ideal case that you had a comprehensive peace settlement which not only had all the factions on but also had all other relevant players on board. It had the regional players and the Permanent Five. One starts with Namibia where it did not have all the elements, but then moving to Cambodia where clearly that was there. Backtracking a little to Angola, where there was more or less the peace settlement but not the resources and it did not work. In Mozambique, they put the resources in and there was a comprehensive settlement and there was a provision of security function, including security for the disarmament, demobilisation and reintegration process where the UN was providing security and had sufficiently robust forces to do it. To me that was the model that is too often forgotten. And there are two key elements there: the resources and the political element are required throughout. The fact that you have the mission deployed does not mean that the political diplomatic partner, as I call it, does not need to stay engaged every step of the way. And the Permanent Five, for example, have to be pushing in the same direction.

As for peace enforcement, where it is clearly a situation of trying to bring some stability so that then you can have a follow-on UN mission, that is probably in most cases going to be a coalition force. But if we go back to your list of various missions, Somalia started with a coalition operation which was very limited in objective, was very limited in geographic scope, had no disarmament mandate, and was a very quick operation. The UN comes in after with a much enlarged area, with geographic responsibility for the whole country, a disarmament mandate, and much less resources and lo and behold could not do the job. So, part of all this is to understand very clearly the categories and what is required at each step of the way. Given the cost of coalition operations, it would be tragic if we got ourselves into a situation where the UN is asked to come in prematurely.

Bakhtiyar R. Tuzmukhamedov (Russia): Colonel Oliver is giving a little bit of a broad interpretation of the phrase from the Brahimi Report about the United Nations not waging war. Does it therefore mean that the Brahimi Report suggests that the whole Chapter VII be rewritten, which I don't think it appears to do, as well as the system of agreements between contributing nations and the Security Council which has been a dormant provision all the way. But who knows by some miracle it may not become dormant. However, I don't want to see in the Brahimi Report the suggestion that this portion of the United Nations Charter should be rigged which ultimately would lead to the undermining of the whole UN system and the UN Charter.

I was very much fascinated by the concept of the UN Guards, which I personally have not encountered in UNPROFOR. However, my experience with UNPROFOR prompted me to question UN Guards is a unique institution which was tailored specifically for the needs of the aftermath of the War in the Gulf. When you described the functions and the mandate of the UN Guards, I thought that some of these functions in UNPROFOR were performed by UN military observers, others by contingents, still others by UN civpols, and others by UN Security which was a part of the civilian component of UNPROFOR. Do we not face the possibility of some confusion in future mandates if UN Guards continue to perform tasks which overlap with the tasks of rather well-established parts of peace missions.

Colonel Philip Campose(India): I would like to reiterate that the concept of the UN Guards comes into effect where peacekeepers are not there. It is an alternative, not an add-on. And it is there because of delays foreseen in the Security Council getting through a resolution allowing for peacekeepers to be brought in. So to get around the Security Council resolution, this basically is worked out as a Memorandum of Understanding between the United Nations and national government without the Security Council coming in. A UN Guard is somebody that the Secretary General can provide from within the United Nations set-up to provide security to a humanitarian mission. It is the MOU which sanctions the deployment of the Guards as against the peacekeepers who will always require proper Security Council authorisation.

SESSION THREE

PREVENTIVE DIPLOMACY AS A TOOL

INTRODUCTORY TALK

By

Lt Gen Satish Nambiar, PVSM, AVSM, VrC (Retd)

I request the Chairman of this session for his indulgence to give me a few minutes to make a couple of points. The points that I wish to make are related to my personal experience in UNPROFOR, which I thought, may be of some use in the context of the discussions that will ensue. First, comments are made on the inadequacies of some of the peacekeeping operations undertaken by the United Nations in some fora, there is a tendency to be very patronising about it. It is important particularly in the context of the enforcement actions to recall that the original provisions of the Charter was never really implemented; which is why the deficiencies actually exist. And the fault lies with some of the member states not the UN as an organization. In Chapter VII of the charter for instance, the Provision of Forces for Enforcement Actions and the role of the Military Staff Committee in that context. The main inadequacy is that this Committee never got going in undertaking the role or the task that was set for it in terms of the Charter because of the Cold War constraints. This is at the root of all the problems, and this is something we should keep in mind. UN peace keeping operations are the invention of the Secretariat; it is not reflected in the Charter. So when we try to relate it to the Charter, we are being rather unfair to it, particularly in the context of the fact that peace keeping has served the UN pretty well over the years. It is only the euphoria generated by the Gulf War success that propelled application of Chapter Six of peacekeeping well beyond the scope that it was designed for. This comes out with clarity in the report that is now being submitted.

As we know and has been brought out by Brigadier Khanduri, the use of force is possible within the framework of the peace keeping scenario itself. A point was raised on the politico-military support. I will relate it to my experience. All of us stress on the mandate. It is asked why this stress on the mandate. As Force Commanders, Heads of Missions, we have to work within the framework of the mandate that is given to us. To cite UNPROFOR – oft-forgotten because it is history. We went in with a mandate to set up three UN Protected Areas in the Serb dominated areas of Croatia. Our task basically was to protect those areas, that were in fact areas where the Serbs were in majority or a significant minority, till a political solution to the problem was arrived at under the aegis of the European Conference on former Yugoslavia. It was clearly designed as a Chapter VI operation. I did not agree with it but then I do not think we were asked about it. This is one of the points made in the Brahmi Report that the Force Commanders, Heads of Missions or some senior representatives of theirs must be associated with the preliminary negotiations.

The other forgotten aspect is that while UNPROFOR was deploying for operations in Croatia, Bosnia-Herzegovina literally blew up on our faces. Till 2 March 1993, after completion of a full year in the post of Force Commander, UNPROFOR did not have a peacekeeping mandate for Bosnia-Herzegovina. Neither the media nor most commentators realise this. One cannot fathom my position when I was often asked to do something about happening in some place or the other. I asked them to understand the position I was in, Firstly, I had no Indian troops whom I could have used. If I were to request some other contingent's battalion commander to send his contingent to sort out a problem and they were to incur a few casualties, that country's Government would be well within its rights to query the authority of the Force Commander to have sent this contingent there without the mandate for it. An alternate scenario could be that the battalion commander asks me whether I was not exceeding my mandate. Such are the problems that people do not appreciate.

To cite a situation again, because it is a personal experience. In October, 92, things were getting worse. Srebrenica was not in news then; but Sarajevo, Bihac, Gorazde, Tuzla and Mostar were. I received a call from Marroch Goulding, Kofi Annan's predecessor as Under Secretary General for DPKO. I was informed of the pressure they were under and so we had to declare some of these areas as 'safe havens'. It required a clear concept of the term in order to be able to tell whether I could do it or not, with the troops at my disposal. In turn, I was asked what the concept was. I replied that safe havens were geographically delineated areas that we determine, around which UN troops would be deployed to prevent any armed troops from intruding, and it is ensured that there are no weapons inside – it is demilitarised inside. This definition was okayed and I was asked for the number of troops that I required. My reply was that if this concept was to apply to Sarajevo, Bihac, Tuzla, Gorazde and Mostar, I would require four and a half divisions to implement the concept. The requirement was for about fifty five thousand troops. It need not be considered a great coincidence that NATO brought in 55,000 troops when they came in. A lot of work had gone into this; we have also done our homework.

Once Goulding heard my requirement, he said he would get back to me. This conversation took place in October. Till I left on 2 March 93, I did not hear from him. When I read later that Michael Rose had been tasked with Srebrenica, with a handful of troops, I was sorry. A disaster was invited.

The issue of Macedonia has also been mentioned. Preventive deployment was set up here while I was still the Force Commander. We did not have the troops for it. The mandate was conferred on us and we had to juggle around. There was a Canadian battalion awaiting deployment in Banja Luka because the Serbs had not agreed to their deployment. The question now is why did President Grigorov ask for the deployment? He had requested Cyrus Vance for the deployment, who then spoke to the Secretary General. The impression generally conveyed in the media and in political circles at the time was that President Grigorov asked for the deployment in order to prevent the Serbs from invading Macedonia. This was far from true as the Serbs were not bothered about such things. At that time they had enough on their hands. The Macedonian concern was about the Albanians, the spillover effects. Way back in December 1992, as the President of Macedonia, he had expected that Kosovo would explode with spillover effects on Macedonia. All of us there at that time expected this explosion. The fact that it took so long is surprising.

PREVENTIVE DIPLOMACY : A TOOL OF CONFLICT PREVENTION

By

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General Introduction

Peace Studies emerged in response to critical social problems in the immediate post World War II era and surged in the wake of the Vietnam War when there was a need to present new perspectives on the "Global Problematique". Peace Studies has served to broaden the realm of legitimate foci for the study of International Relations. During the 1940's emphasis was on reducing the glorification of war in textbooks. The 1950's and 1960's stressed the importance of increasing co-operation and international understanding. The 1970's saw the development of a curriculum for survival, with an emphasis on the oneness of this planet and the nuclear threat. In the 1980's the vision of a disarmed planet began to take form, and more topical issues surfaced with Human Rights in the early 1980's, the environment in the mid 1980's and the arena of ethnocentrism and culture in the 1990's.

The equally interdisciplinary sub-field of Conflict Resolution began amassing a significant scholarly constituency and literature base in the 1970's and 1980's with the highly visible arms negotiations. The studies focused mostly on demonstrating how it is possible to "vary" the, aspects of conflict negotiations, initially restricted to "official" actions. "Track Two" was the phrase, coined by Joseph Montville of the US Foreign Service Institute in 1982, given to methods of diplomacy that were outside that formal governmental system. From that point in the evolution of each field the convergence of issues being addressed both by Peace Studies and Conflict Resolution (PCR) (i.e. human rights, environment, culture) revealed a complimentary role for each field of inquiry to play for the other.

Although the study of war and peace has always been a major concern of international relations, during the Cold War era this concern was marginalized as security studies became dominant. The end of the Cold War provided scholars and policy makers not only with a golden opportunity but also with a challenge to focus on the analysis and resolution of conflicts locally and globally. While acknowledging that the need for defense against military threats is legitimate for national security concerns, PCR recognizes that hunger, poverty, and exploitation are also breeding grounds for violence, and therefore pose a significant challenge to national as well as global security.

PCR generally focus on the security of the global system as a whole, and illuminate the new international relationships that are increasingly possible in the post-Cold War era. The present interdependent global system carries the promise of security that is durable not the elusive security with which we have been familiar. Enhanced security for one state requires improved security for all states. Accordingly, the concept of common security which postulates the existence of common interests results in increased security for all states. The maintenance

of the system as a whole thus becomes a priority of national policy. Hence, the futuristic vision offered by Peace Studies provides a venue for the mechanical tools of conflict resolution to operate and to be assured of a meaning and direction, while the format of conflict resolution illuminates the path to realize the vision formulated from the action/reflection of proscriptive peace theories.

For many years the attention of conflict researchers and theorists was directed to the laudable objective of conflict resolution. This term denotes as an outcome a state of attitude change that effectively brings an end to the conflict in question. In contrast, conflict settlement denotes outcomes in which the overt conflict has been brought to an end, even though the underlying bases may or may not have been addressed. The difference here is akin to Herbert Kelman's (1958) useful distinction between the three consequences of social influence : compliance, identification, and internalization. If conflict settlement implies the consequence of compliance (a change in behavior), then conflict resolution instead implies internalization (a more profound change, of underlying attitudes as well as behavior). Identification as a third consequence, denotes a change in behavior that is based on the target of influence valuing his or her relationship with the source, and it serves as a bridge between behavior change and attitude change.

Only recently has there been a subtle shift in focus from attitude change to behavior change. Underlying this shift is the view that, while it is necessary that attitudes change if conflict is to be eliminated, such elimination is often simply not possible. Merely getting combatants to put down their weapons - even temporarily - is a great accomplishment in its own right, even if they continue to hate each other. This simple act of cessation, when coupled with other such acts, may eventually generate the momentum necessary to move antagonists out of stalemate towards a possibility of the settlement of their differences.

The gradual shift over the past few years from a focus on resolution to a focus on settlement has an important implication on the conflict field: it has increased the importance of understanding the role of third parties in the process of conflict settlement. (individuals, groups, or organizations, who are in some way external to a dispute and are, through identification of issues and positive intervention, attempt to make it more likely that a conflict can be moved to settlement).

Parallel to this development was a shift in favor of conflict settlement techniques that are considered to be instrumental in changing the behavior of the conflicting parties by means of skilful third party intervention.

A quick review of conflict resolution practices/ techniques since the late eighteenth century reveals a gradual transformation from techniques aimed at managing crises and containing active wars (such as peacemaking, peace enforcement, peacekeeping, post-conflict peace- building, crisis diplomacy... etc.) to techniques aimed at conflict prevention. More specifically, the transformation has been on adding the "when" to the "who" and "how" in conflict resolution. Historical experience in conflict resolution suggests that efforts to resolve conflicts occurred through self-defense alliances and was at best crisis management or a reactive responses. Reactive responses that await until crisis or wars materialize are not likely to be effective. Conflicts should be addressed before they escalate. Pre-crisis and pre-violence interventions into conflict would generally be easier, cheaper, and save more lives than a reactive responses that aim to manage, contain, or terminate all out wars.

Preventive Diplomacy : Definition and Requirements

From 1989 through 1993, ninety large and small armed conflicts occurred. The number in any year remained steady, at about fifty. Previous civil wars and government minority conflicts persisted or re-erupted, as in Afghanistan, Sudan and Eastern Turkey. New conflicts erupted, in Tajikistan, Yugoslavia, Algeria, Chechnya. The vast majority of these conflicts have been national in nature, dealing with secessions, ethnic, or ideological issues. In 1993, not a single active conflict occurred between states; all the forty seven were internal. This promoted the rethinking of security policies which has reshaped military means and increased the room for political, economic and even cultural tools in managing regional security.

As new conflicts erupted, the international community exercised its collective will to end them by means of diplomacy and peacekeeping and in some cases through military interventions as seen in Kuwait and Bosnia. Since 1991, peacekeeping missions have increased exponentially. Thirty six peacekeeping operations were approved by the Security Council during the period 1988 and September 1998. In 1993, the cost of UN peacekeeping personnel and equipment amounted to approximately \$4.0 billion. Albeit this relatively high cost, peacekeeping missions were not successful in all cases. In countries like Angola, Liberia, Somalia, Bosnia, and Rwanda, peacekeeping missions failed to stem violence and achieve order. This fact, however, evoked a backlash from politicians and scholars in countries that provide troops and financing, a debate on alternative approach emerged. Proponents of the new approach argue, that, since major countries can not turn away from addressing these conflicts, proactive measures of conflict prevention are preferable. Rather than trying only to mitigate conflicts when they reach a virtually unmanageable scale, deliberate efforts should be made to keep them from erupting in the first place. Early involvement is not only likely to save lives, but will obviate the need for the often dangerous, costly, and politically troubled peacekeeping and humanitarian rescue operations. The debate has resulted in the conclusion that "Preventive Diplomacy" would be the much less demanding approach to conflict resolution.

Preventive diplomacy as a conflict prevention mechanism is not a recent phenomenon. The term preventive diplomacy was originally coined by UN Secretary General Dag Hammarskjold in the early sixties to describe UN mediation and peacekeeping efforts to keep regional conflicts like the Suez, Lebanon, and Congo from provoking confrontation between the two superpowers. Thus, at its inception, this term referred to containing regional conflicts, not necessarily keeping them from arising. Hammarskjold intended preventive diplomacy to refer to both military and non-military methods.

However, earlier versions of conflict prevention generally differed from the distinctive post-cold war notion. The end of the Cold War has elicited more interest than ever before in the idea of addressing conflicts at an early stage through specific preventive procedures. Therefore, the last decade of the Twentieth Century enjoyed considerable support for preventive diplomacy from both academics and politicians.

Secretary General Boutros Boutros Ghali's Report "Agenda for Peace" which was produced at the request of the Summit meeting of the UN Security Council in January 1992, lays great emphasis on preventive diplomacy and preventive measures of various kinds. The "Agenda for Peace" was meant to be an "analysis and recommendations on ways of strengthening and making more efficient, within the framework and provisions of the charter, the capacity of the United Nations for preventive diplomacy, for peacemaking and for

peacekeeping". Preventive diplomacy, for Boutros Ghali, is an "action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur". Preventive diplomacy, Boutros Ghali continues, is to "ease tensions before they result in conflict or if conflict breaks out, to act swiftly to contain it and resolve its underlying causes". Requirement for preventive diplomacy include: measures to create confidence (CBM's); early warning based on information gathering (EW); formal or informal fact finding (FF); preventive deployment (PD); demilitarized zones (DZ).

Although it opened the way to more serious discussion from all parties concerned, Boutros Ghali's "Agenda for Peace", definition of preventive diplomacy came under criticism. This definition, as Michael Lund argues, "spreads preventive diplomacy across almost the entire life cycle of a conflict". Other scholars suggest that defining

Preventive diplomacy as actions adopted at virtually any conflict stage is too inclusive and that it obscures important operational distinctions among the interventions made at different stages of conflicts. These differences virtually affect both how conflict prevention is carried out and its chances for success. In sum, it is true that keeping violence at any level from getting worse is "prevention" in a loose sense, preventive diplomacy as a means to controlling the advanced stages of a violent conflict confuses it with crisis management and stopping wars. Calling a hot line, a cease-fire, or a peacekeeping force after a war preventive diplomacy, as Lund says, "strains meaningful terminology".

Another criticism is directed towards Boutros Ghali's methods or techniques and to his identification of the parties who will perform preventive diplomacy. Conflict prevention need not be restricted to the five techniques suggested by Boutros Ghali (CBM's, FF, EW, PD, DZ) indeed. a variety of intercessory diplomatic, political, military, economic, and judicial-legal methods might be used. Other tools such as mediation, track-two or multi-track diplomacy, power sharing, problem-solving workshops, peace commissions, politically conditioned and targeted economic assistance, indigenous dispute resolution procedures are just a few. Furthermore, restricting preventive diplomacy's performance to UN agencies and personnel and to regional organizations that work in co-operation with it, overlooks the capacities of a wide range of third parties. Implementers of such tools, in addition to the essential role of the UN, must include governments, multi-lateral organizations, non-governmental organizations and individual, as well as the disputant themselves.

Given all these criticisms, the concept of preventive diplomacy requires a narrower focus, less ambiguous, and a more promising, workable definition that helps clear up much of the confusion between preventive diplomacy and other terms used for other conflict resolution techniques. Thus, a more precise, policy oriented definition was suggested by Michael Lund of the United States Institute of Peace. To Lund preventive diplomacy, is:

[An] action taken in vulnerable places and times to avoid the threat or use of armed force and related forms of coercion by states or groups to settle the political dispute that can arise from the destabilizing effects of economic, social, political, and international change.

Lund's notion of preventive diplomacy, as indicated, is built around the idea that pro-action as opposed to a policy of non-involvement is better than reaction. Crises can be better addressed as they emerge rather than when they have already deepened and widened. It is

not so much whether preventive diplomacy can work, but rather under what conditions can it be effective.

The main difference between Boutros Ghali's conception and that of Lund, is the distinction made between preventive diplomacy and crisis management. Therefore, the aim of preventive diplomacy, to Lund, is not the intervention at any stage of the conflict, but rather before the conflict erupts. To keep actual disputes from taking the form of confrontation or all-out violence and to return them to the processes of peace-time diplomacy or regular national politics. If conflict prevention fails and the situation deteriorates into crises, Lund argues, "the notion of preventive diplomacy ceases to apply, at least until the conflict has abated, in which case it is again needed to avoid a renewal of violent conflict".

The goal of preventive diplomacy is to get conflicting parties back from the "unstable" to the "stable peace" stage of the conflict.

For preventive diplomacy to be feasible, four conditions are essential:

- "Consensus-Building" among concerned third parties;
- A "convincing" selection of the cases deserving intervention;
- adequate leverage in the hands of preventers;
- A narrowing of the gaps in principles and values (essentially, in human rights and democracy) and/or in willingness to make state sovereignty and its attributes more penetrable in international action (essentially, interference in domestic affairs in name of more or less shared principles and values).

The above-mentioned conditions are necessary to laying the ground for intervention, but the success of this intervention is, to a great extent, governed by a set of factors. Preliminary analysis of a range of cases suggests, as Lund argues, that more or less five manipulable factors :-

- **Third-Party timing.** The earlier third parties (governments; IGO'S, NGO'S, Individuals) take preventive measures the more effective it is. Third party should intervene before any of the other parties mobilize their political constituency or deploys armed forces or coercion to achieve concrete gains.
- **Multifaceted action.** The extent to which third-parties, acting in co-ordination employ not one, but several diverse instruments including for example, contingent offers of recognition, consultations, advice, and provisions for security, so as to address the various aspects of a dispute.
- **Support from major players.** Preventive diplomatic efforts are more effective when major powers, regional powers, and neighboring states agree to support or tolerate those efforts and do not undermine them by overt or covert support from one or another party to dispute. The participation of the EU and of regional organizations further enhances the possibilities for preventive success.

- **Moderate Leadership.** Peaceful outcomes are more likely when the leaders of the parties of the dispute are moderate in their words, actions, and policies, make conciliatory gestures, and seek bilateral or multilateral negotiations and bargaining to resolve their issues in dispute.
- **State Autonomy.** Preventive diplomacy is more effective to the extent that the state directly affected by a dispute is autonomous from one or another of the disputants. A sufficiently autonomous state possesses procedures and institutions through which disputes can be impartially negotiated and agreements enforced; the military and security forces of such a state serve the constitutional order and are independent of the partisan aims of political factions vying for control of the state.

Preventive Diplomacy : Institutionalization & Application

As mentioned earlier and due to the multifaceted nature of conflict prevention, developing a preventive diplomacy capacity is not an easy mission. However, lessons from past experiences inform us that such capacity-building is not impossible. A variety of governments, intergovernmental organizations, private organizations, and individuals are already there and willing to do the job. What is needed is to have their activities better focused, enhanced, co-ordinated and strengthened. To do so, a more systemic, regulated strategies and institutional resources are highly desirable.

Preventive diplomacy as defined earlier entails a pre-crisis, pre- violence intervention. Therefore, it deals with latent or potential conflicts in both interstate and intrastate levels. Observing the world surrounding us, especially after the Cold-War era, one can easily notice the increasing number of such latent or potential conflicts (border disputes, disintegrating regimes, civil wars, human rights violations, massive refugee flows).

To implement a more deliberate, informed, and coherent approach to deal with such latent or possible conflicts, a number of instruments and means can be suggested. For us, in the Early Warning and Conflict Prevention Center *, and since we are mainly concerned and focus our efforts to prevent new conflicts rather than solving existing ones, we believe that non-political, non-military actions carried out-by non- governmental bodies to prevent conflict should be undertaken in the context of an institutionalized frameworks. Henceforth, the immediate goal is to encourage the establishments of non-governmental regional and sub-regional centers for early warning and conflict prevention to serve as a nucleus preventive mechanism in certain areas.

Early Warning Centers

Until recently, conflict and its causes were not well comprehended. But over the last two decades, as scholars have begun to study conflict, it has become clear that conflict can be understood and that certain approaches can facilitate its resolution. What has been also learned, is that conflict occurs when basic human needs, are denied, frustrated, threatened or ignored, such needs as, the need for sustenance, security, identity, recognition, participation, dignity, or control. Resolving conflict means finding ways to have these needs satisfied. Satisfying these needs, however, needs an in depth understanding of each party's interest. For conflict to be prevented, as Aliboni argues, "it must be anticipated and, for it to be anticipated it must be understood". Thus, the establishment of early warning regional and sub-regional centers, to implement the following tasks, is essential:

- Ascertaining where and when the most harmful conflicts and crisis are most likely to occur in the region;
- Studying the historical, cultural, economic and territorial causes of potential conflicts.
- Diagnosing each party's concerns and interest, by answering questions such as : Why this group is advocating this given position? What are the fears and concerns that are behind its claims or demands? What are the basic human needs of this group that are being denied, frustrated or threatened?
- Encouraging opportunities for common work on latent or potential conflicts in the region by means of workshops, think tanks, research and enhanced information;
- Setting up computerized data-base in each regional center that will be fed by the conclusions of the research/activities of sub- regional centers, to be used as an instrument to provide early warning to governments/decision-makers of the region.

Conflict Prevention Centers

In general, a conflict prevention center is less an instrument of gathering information than it is for managing procedures seeking to prevent latent or potential conflict between consenting parties. The goal of such a center is to determine what kind of actions, methods, and tools will effectively prevent the escalation of a dispute into unmanageable violence. The answer to this question, however, depends, to a large extent, on the would-be preventive actor's perspective, resources, and favored "modus operandi". In the case of the already established center in Amman, and the would-be established centers in Tunis and Qatar (envisaged in the Arms Control and Regional Security (ACRS) talks of the Middle East Peace Process) and since an Early Warning and Conflict Prevention Center excludes, for the time being, military activities, the suggested methods and tools of such centers are the following:

- Performing needs assessment; what is required to keep the conflict from becoming violent? What factors are absent in the situation that otherwise might keep it from escalating? (Lack of process; lack of resources, lack of solutions, lack of incentives; lack of trust).
- Determining what indigenous capacities, resources and "will" exist that may already be helpful to keep the dispute from intensifying. What kind of institutions and processes are already available? To what extent they are effective? Information about the above- mentioned tools might be obtained from the data bases, if not complete, another tool is necessary.
- Fact-finding missions.
- Local round tables, peace conferences, problems-solving workshops, brainstorming, to offer recommendations for settling disputes between parties by peaceful means of their own choice; Multi-track diplomacy.
- Multi-track diplomacy.
- Good offices.

- Mediation.
- Conciliation.

To conclude, preventing conflicts remains one of the great challenges to the human race. The secrets of such prevention are not easy to learn, even to the most knowledgeable individual, putting theory into practice can present a daunting challenge. But history tells us that periods of peace can and do exist. Countries that were bitter enemies became friends. Rival groups have co-operated, in spite of their differences. And as Dr. Hiroshi Nakajima, Director General of the World Health Organisation puts it:

“With our new understanding of the entrapping consequences of conflict escalation, and possibly for a new problem solving approach, we as intelligent human beings, have an unprecedented choice, As more time and resources have been devoted to research into understanding and managing conflicts, and as theory, data and practical skills accumulate, this choice is becoming more realistic. We now have real alternatives for managing conflict systematically and constructively”.

PREVENTIVE DIPLOMACY : THE ROLE OF SANCTIONS

By

Shri Prakash Shah

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Special Envoy of Secretary General for Iraq*

Shri Prakash Shah is a very distinguished Indian Diplomat, has been Annan's envoy to Iraq during the period of weapon's inspection controversy. He has served as Ambassador in Japan, Latin America and a number of countries. He has served in Netherlands, High Commissioner in Malaysia and Brunei. He has also been greatly involved with Commonwealth Summits, Non-Aligned Summits and meetings of ministerial groups of Non-Aligned countries. He is a visiting Professor in Venezuela University, Foreign Service Institute and other notable organisations. He has published a book on South Asia's Nuclear future. He is now associated with a number of private companies and is on their Board of Directors.

The essence of existence of United Nations Organisation is defined in Art. 1 of the UN Charter. It is "to maintain international peace and security, and to that end, take effective measures for removal of threat to peace, suppression of acts of aggression or other breaches of peace".

And this 54 year old Organisation has consistently, though not always successfully, striven to achieve the objectives of preserving and promoting peace through a wide range of its activities.

As a centre for diplomacy and debate, the United Nations provides an alternative to war. Elaborating how UN works for peace, the UN's official publication "Image & Reality" explains that, among its range of choices, the UN "undertakes preventive diplomacy to stop conflicts before they get started".

For the first 45 years of its existence, the UN, hampered by the cold war mentality of its major members, was unable to make much headway in employing its wide range of choices for preventing conflict, including use of sanctions as a tool of preventive diplomacy.

The need for Big Power Consensus (which was lacking) and the excessive emphasis on Art. 2.7 of the Charter, which prohibits UN intervention in matters which are essentially within the domestic jurisdiction of states, were the main reasons for limited use of sanctions as an enforcement measure. But the discouraging record of sanctions, both multilateral and bilateral, was no less instrumental in the infrequent use of sanction by the UN before 1990.

Before 1990, the Security Council imposed sanctions on just two occasions. In both cases, South Africa and erstwhile Rhodesia, the imposition of sanction was aimed not to tackle any specific threat to peace and security, but primarily to punish the white governing elite for practicing apartheid, denying human rights to the majority and domestic abuse of power. There was a consensus to impose sanctions because apartheid was not a cold war issue. More importantly, the Security council was responding to mounting international pressure through the General Assembly and world public opinion.

With the end of the cold war, replacement of super-power competition by super-power collaboration, and economic globalisation, the use of sanctions as a tool for preventive diplomacy dramatically increased. Between 1990 and 1999, there were 11 more instances of Security Council mandated sanctions.

Sanctions are measures, not involving the use of force, implemented by States, in order to carry out stated objectives. Art. 41 of the UN Charter authorises the Security Council to impose such measures when it determines, under Art. 39, that a threat to international peace and security has arisen, or that an act of aggression or breach of peace has taken place.

But all the 13 sanctions regimes were not imposed strictly to achieve the objectives described in Art.s 39 & 41 of the Charter. In fact, the Security Council has used its own discretion to expand the range of objectives, largely under the rubric of what has come to be known as humanitarian intervention responsibilities. Examples are genocide in Rwanda, civil conflict in Somalia or terrorism by Libya. What the Security Council has done is to move into the undefined area of the so-called unacceptable behaviour of a State towards its own people, in deciding to impose sanctions in several instances. And this is where the question of effectiveness of sanctions as a tool of preventive or coercive diplomacy has come increasingly into question.

A study prepared in 1990 by Washington based international Institute of Economics (I.I.E.) is the most comprehensive world-wide survey on economic sanctions applied between 1914 and 1990. The study concludes that of the 114 attempts to use economic sanctions for foreign policy goals, there were 41 cases of partial success". What is more significant is the conclusion by McMaster University's Kim Nossal that sanctions succeeded in only 14 cases. But proponents of sanctions have argued that this study is not relevant since only 12% of the cases studied were "collective" sanctions. The relevant case studies should be those imposed by the UN Security Council since 1990. The conclusion of a study by the Carnegie Commission on Prevention of Deadly Conflict is more relevant. It says "sanctions mandated since 1990 typically have lasted longer and have been less successful, more costly and more complex than their proponents had hoped

For all studies on sanctions, the most prominent case is imposition of the most comprehensive sanctions in history on Iraq. It is universally agreed that sanctions failed to force Iraq to withdraw from Kuwait. The use of armed force was necessary, under Art. 42 of the Charter, to re-establish Kuwaiti sovereignty and force Iraq to move out of Kuwait. In the early years of the post-withdrawal sanctions regime, sanctions worked for a while to strip Iraq of its weapons of mass destruction. But despite compliance by Iraq on destruction of overwhelming part of its WMDs under UN inspection, the unwillingness of the Council to adopt a flexible approach of "carrots and sticks" instilled in Iraqi authorities a sense of futility, leading to increasing conflicts on compliance between Iraq & UNSCOM. After 10 years of sanctions, its effectiveness is in doubt and a very large number of influential countries have argued for lifting of sanctions. The not-so-hidden objective of U.S.A. and U.K. to use sanctions to remove Saddam Hussain from power, which is not the stated objective of Resolution 687 imposing the sanctions, has resulted in scepticism on the credibility of UN sanctions. With mounting and universally acknowledged evidence that sanctions are responsible for massive damage to life and liberty of Iraqi people and the economic and social infrastructure of Iraq, even the moral and legal basis and standing of the sanctions regime is in doubt. In fact, John Muller and Kaul Mueller have persuasively put forward their thesis, in an article published in the "Foreign Affairs", of May-June 1999, that sanction on Iraq have killed more people in the short period than have been slain by all weapons of mass destruction throughout human history. In other words, they have argued that sanctions, indeed, is a weapon of mass destruction used against Iraq!

In Southern Rhodesia, sanctions played a minor role as compared to other factors. In Yugoslavia, sanctions were delayed, they were not clearly defined and the monitoring was not

tight enough. The NATO air strikes were necessary to add to the deprivation caused by sanctions to persuade the Yugoslav leader to come to the negotiating table. In Burundi and Haiti, sanctions were ineffective, largely because of unwillingness or failures of neighbouring states to enforce them.

In assessing the question of effectiveness of sanctions, we need to take into account several factors.

What are the objectives or goals against which success is to be measured?

In broad terms, sanctions is a coercive measure to coerce the target state into changing its behaviour. As long as the Council confined itself to the strict interpretation of Art. 39 of the Charter and accepted definition of threats to peace and security, the goals against which to measure success were clear. But, with the Council opting for widely structured definition to include human rights abuses, political conditions in the state and politically motivated humanitarian intervention and sanctions were applied as tools for achieving goals within a state in intra-state conflicts, the objectives began to get murky. In Sierra Leone, sanctions are aimed at rebels and other unorganised groups: in Burundi, against a military coup: in Haiti in response to abrogation of democracy: in Yugoslavia, as a tool for humanitarian intervention: in Iraq, specifically in response to threat to international peace and security. This complex set of objectives are further complicated in individual cases by hidden political motives of powerful member states which do not coincide. In Iraq, the stated UN aim is destruction of WMDs; the real aim is overthrow of Saddam regime. And this is pursued under the umbrella of bringing about democratic change in the target state. The reality is that no democratic change has taken place in countries under sanction, e.g. Iraq, Libya, Cuba, North Korea, Burundi. The irony is that sanctions have contributed to strengthening the Governments which the sanctions are intended to remove through democratic change.

The conclusion that inevitably emerges is that sanctions have failed as a coercive or diplomatic tool primarily because of a basic lack of clearly defined aims of the sanction regimes and conditions for lifting sanctions. This leads to :-

- Inability to measure political impact of sanctions.
- Uncertainties and lack of clarity on timing and extent of relaxation of sanctions.
- Individual interpretations by powerful states of the aims and objectives to suit their individual political agendas.
- Confusion within the target state of what will constitute compliance incentive to have the sanction regime relaxed.

Experience with the conceptualisation and implementation of sanction regime also points to the inevitable conclusion that imposition of sanctions regimes are bound to be completely ineffectual in certain situations and should be avoided.

- Where the state machinery has failed and there is no single party against whom sanctions can be targeted e.g. Sierra Leone, Somalia.
- Where civil society does not exist or has no effective means to express itself e.g. Iraq. The assumption of traditional sanction theorists is that pain inflicted on population will lead them to bring about changes demanded by UN. The reality is

that these innocent civilians who bear the brunt of sanctions regime have no power to influence policy and those who are in power remain unaffected by sanctions.

- Where non-state actors have a predominant or influential role e.g. international business community (oil companies in case of Nigeria, Angola etc. and diamond traders in case of Sierra Leone and Angola) . While the particular non-state actor is a legal entity and could effectively be controlled by the country to which it belongs it has been observed that in practice the Governments, even in Western developed countries, are either unable or unwilling to discipline their bigger, more powerful business groups.
- Non-organised, non-state actors such as rebel groups, terrorist organisations, narcotics traders and fundamentalist religious groups will, in future, have increasing influence on efficacy or otherwise of sanctions regimes.

What has, however, bothered the international community most is the humanitarian aspect of the impact of sanctions on civilian populations. Almost all studies on UN sanctions have brought out the widespread suffering caused by sanctions to innocent civilians, and the more vulnerable sections of the population, especially children, women and the aged in the target countries. At the same time, these sanctions regimes have left the guilty elites, relatively unscathed and may have actually strengthened and enriched the regimes against which the sanctions have been targeted.

What these studies, therefore, point at is that sanctions under Art. 41 of the UN Charter are not a non-violent alternative to military action envisaged in Art. 42.

A report in the New York Times of Nov. 9, 1993 by Havard French said that upto 1000 children were dying every month in Haiti as a result of the sanction regime. But this is not the only example of death and suffering caused by sanctions, situation similar to effects of a war on civilian population. If the humanitarian suffering caused by sanctions regimes has now become a full-stale political issue in the UN, it is because of the most glaring and notorious example of what the 10 year old comprehensive sanctions have done to the Iraqi people. Iraqi estimates put the sanctions related death toll at over a million deaths. But even more independent studies have brought out the enormous magnitude of the damage inflicted by sanctions. The Columbia University study of 1998, relying on non-Iraqi UN data, demonstrated that some 240,000 Iraqi children under 5 years of age have died as a result of sanctions. This does not include deaths of children over 5 or adults, which figures must be quite considerable. This year's UNESCO report was equally damning. More Iraqi civilians have died as a result of the comprehensive sanctions since 1990 than those who lost their lives in the Gulf war. And, as an article in May 1999 issue of Foreign Affairs points out, sanctions have killed more people in Iraq than weapons of Mass Destruction have killed in the entire human history.

The facts are generally beyond dispute. Whether the responsibility for this horror is placed on the shoulders of the Iraqi regime or the sanctions regime is in dispute. But two observations are important in this debate. In a 1998 unpublished study, David Cartright and George Lopez have asked:

"Is the Security Council justified in maintaining comprehensive sanctions against an opponent willing to make innocent children the primary victim"?

The 1997 report of ECOSOC makes the point that ".....the inhabitants of a country do not forfeit their basic economic, social and cultural rights by virtue of any determination that their leaders have violated norms relating to international peace and security....."

The dilemma of using sanction as a tool to prevent violation of people's human rights by an insensitive government in its own country and the same sanctions regime then becoming an instrument of violation of economic, social and cultural rights of the same group of people, has not been lost on the international community. The Secretary General of the UN was constrained to point out in his 1998 annual report that "..... humanitarian and human rights goals cannot easily be reconciled with those of a sanctions regime". In a number of reports to the Security Council on the functioning of the oil for food programme in Iraq, the Secretary General has more pointedly drawn attention to the adverse humanitarian consequences of sanctions, though it seems to have had no effect on Security Council's decisions on sanctions. When you add the more long-term devastation that sanctions have caused to the physical and social infrastructure including the education and public health sectors in Iraq, the enormous impact of the violence of sanctions regimes becomes even more apparent.

As the target country of the most comprehensive sanctions in history, which have been in force for 10 years now, Iraq has become the principal case study of effectiveness of sanctions as a tool of enforcement and preventive diplomacy. And there is a growing lobby in the world which contends that human suffering and destruction of infrastructure of the target state as a result of sanctions has dramatically undermined support for sanctions and dealt a blow to the moral authority of the UN.

Another intended but serious consequence is the damage sanction have caused to the economies of neighbouring countries for no fault of theirs. In the Iraq case, 21 countries claimed compensation from injury for Iraq sanctions. In the words of the Carnegie Commission on Preventing Deadly Conflict, who produced a study on "Sharpening International Sanctions," "the UN Secretariat lacked the competence, the (Sanctions) Committee lacked the consensus, and both lacked the authority and means to take substantive action".

As a result, there has been rising dissatisfaction among affected countries and increasing sympathy for them in the international community. The many instances of lack of compliance with the sanction regimes, exploitation of loopholes and large scale smuggling encouraged by neighbours target countries are a direct result of this dissatisfaction and have further undermined the effectiveness of sanctions.

These humanitarian issues have brought into question the moral legitimacy of sanctions. But there is also the question of legal legitimacy. Since imposition of sanctions is a political decision by the Security Council, whose members have hardly ever taken the legal aspects into account, the many voices that international law of war and international humanitarian laws should apply to sanctions, in the same manner as it applies to military action, have largely been ignored. Sarah Collin's report on Ditchley Conference on non-violent sanctions in the international system points out that Protocol 1 to the four Geneva Conventions, "prohibits unnecessary suffering by the civilian populations and prohibit action which prevents the civilian population from accessing resources indispensable to survival, including foodstuffs and water. If sanctions restrict the availability of safe water, this is just as serious as if military action were to target and destroy a country's water infrastructure".

However, since sanctions decisions are essentially political in nature, moral, legal and ethical arguments are at best marginal to the main political considerations.

Conclusion

The combination of lack of success of sanctions imposed by the UN after 1990 as measured against their intended objectives and the enormity of the unintended but adverse humanitarian and human rights consequences of sanctions has inevitably led to heightened

concerns in the international community. And yet, the authority to impose sanctions under Art. 41 as non-violent means of enforcement to counter threats to international peace and security has been rarely challenged, even by the many critics of the sanctions regime. While sanctions as a coercive measure has many shortcomings and adverse consequences, there are several goals, other than coercion, which could be achieved by imposition of sanctions, even though they may be difficult to quantify. Among them are :

- A tool for prevention of aggression through military sanctions and special targeted sanction.
- Deterring other political aggressors and violators of international law.
- Signalling international disapproval and concern to the target state.
- Modifying the unacceptable behaviour of an unrepresentative government towards its own citizens in regard to human rights and abuse of power.
- A warning of military action to follow if the target state does not implement the UN Charter provisions regarding threats to international peace and security or aggression.

In order that the sanctions under Art. 41 are made more effective in the new millennium, several improvements, innovations and improvisations are required to be undertaken, the chief among which are:

- Sanctions should be a tool of policy, not a substitute for policy or an end in itself.
- Sanctions are not humane or non-violent alternative to military actions and must be considered only after all other options are exhausted.
- Ensuring that conditions exist in a given country for sanctions to achieve their objective.
- A prior assessment of potential impact of sanctions on the target country, its civilian population and its neighbours should be undertaken, at Security Council's request.
- Measuring the effects of the sanctions to enable the Security Council to review them from time to time with a view to minimising unintended suffering. This would include what former Australian Foreign Minister Gareth Evans suggested as a "carrot and stick" strategy. He proposed that sanctions should be progressively lifted as the target regime moves towards compliance of UN Resolutions.
- It is essential to have clarity of the objective to be achieved and precision in the language of the resolution to avoid ambiguity and individual interpretation by powerful member states. Above all, a sanctions regime should have a comprehensive and coherent political strategy and garner the broadest possible international support.

PREVENTIVE DIPLOMACY AS A TOOL

By

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The phrase "preventive diplomacy" emerged within the United Nations during the Cold War period. In the late 50s - early 60s, Secretary General Dag Hammarskjöld coined it to describe the residual function which, according to him, the UN could hope to play in a bipolar world. In this perspective, "preventive diplomacy" was not considered as an approach to prevention of potential conflicts, but rather to prevent nascent conflicts from getting entangled in the web of the global East-West confrontation. Over time, the meaning of the phrase evolved to mean the management of potential conflicts .

With "perestroika" and "glasnost", the world started approaching the end of the Cold War. With the rapprochement of two superpowers, their collaboration in the Security Council suddenly enabled the Council to adopt some important resolutions by consensus, first and foremost the resolution on ending Iran-Iraq war in 1988. It was, therefore, not an accident but the sign of changed realities that in that same year the UN General Assembly adopted an important UN document dealing with issues of "preventive diplomacy" - 1988 Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field. The Declaration recommends a number of measures that should be taken by States, the Security Council, the General Assembly and the Secretary-General in this respect. The Security Council could, for example, receive information, including on a confidential basis, from State party to a dispute or directly concerned with a situation; hold periodic high level meetings or consultations to review the international situation; appoint the Secretary-General as rapporteur for a specified question; examine the facts of the dispute without a meeting and keep the dispute under review; conduct confidential contacts by its President; remind the States concerned of their obligations and appeal to them; send fact-finding or good offices missions; encourage and endorse efforts at the regional level; recommend to the States concerned appropriate procedures or methods of settlement of disputes, as well as terms of settlement, and request the ICJ to give an advisory opinion.

The Secretary General should, if approached by a State or States, respond swiftly by urging them to seek a solution and offer his good offices or other means at his disposal; consider approaching them on his own; send a representative or fact-finding missions to dispute areas; use his right under Article 99 of the Charter as early as he deems appropriate, and encourage efforts at the regional level.

While the Declaration contains recommendations which will henceforth form a basis for all subsequent UN debates and documents on preventive diplomacy, it was Boutros Boutros-Ghali's 1992 Agenda for Peace which gave a real boost to the concept. The agenda included preventive diplomacy as its chapter III, stating that the most desirable and efficient employment

of diplomacy was to ease tensions before they result in conflict - or, if conflict breaks out, to act swiftly to contain it and resolve its underlying causes. Preventive diplomacy may be performed by the Secretary-General personally or through senior staff or specialised agencies and programmes, by the Security Council or the General Assembly, and by regional organisations. Chapter 111 contains five examples of preventive diplomacy :

- **Measures to Build Confidence**. Examples given are systematic exchange of military missions, formation of regional or sub-regional risk reduction centers, arrangements for the free flow of information, including the monitoring of regional arms agreements.
- **Fact Finding**. Significantly, Mr. Boutros-Ghali states that, given the economic and social roots of many potential conflicts, the information needed by the UN must encompass economic and social trends, in addition to political developments that may lead to dangerous tensions. It can be resorted to by the SG, Security Council or the General Assembly.
- **Early Warning**. UN System has been developing a network of EW systems concerning environmental threats, the risk of nuclear accident, natural disasters, mass movements of populations, the threat of famine and the spread of disease. Information from these sources should be synthesised with political indicators to assess whether a threat to peace exists. ECOSOC could provide reports to the Security Council on those economic and social developments that may threaten international peace and security, as Article 65 of the Charter envisages.
- **Preventive Deployment**. It can be done within countries or between two countries, at countries' request, in which case it would not be considered contrary to Article 2, para 7 of the Charter.
- **Demilitarised Zones**. With the agreement of the parties, they should serve as a means of separating potential belligerents.

In 1995, on the occasion of the 50th Anniversary, Mr. Boutros-Ghali submitted a Supplement to An Agenda for Peace. In respect of preventive diplomacy and peace making, he stated that he had created a Department of Political Affairs to follow political developments world-wide, so that it can provide early warning of impending conflicts. But the greatest obstacle to success in these endeavours was not a lack of information, analytical capacity or ideas for UN initiatives, he said, but the reluctance of one or other of the parties to accept UN help. The long-term solution for that problem may lie in creating a climate of opinion, or ethos, within the international community in which the norm would be for Member States to accept an offer of United Nations good offices,

He also pointed out two practical problems: finding senior persons with diplomatic skills willing to serve for a while as special representative of the SG; necessity of making provisions for small field missions for preventive diplomacy and peace making to be continuously present on the ground.

In the meantime, at the request of the former Yugoslav Republic of Macedonia, the UN in 1992 deployed a peacekeeping contingent to the country's borders with Yugoslavia and Albania. United Nations Preventive Deployment Force (UNPREDEP) was, until its closure in

February 1999, hailed as the first, and very successful, example of preventive deployment recommended by An Agenda for Peace. However, it remained till present the only such case. As the present S-G Kofi Annan said in his 1998 annual report, preventive deployment confronts many political obstacles. In general, only the spectacle of actual violence, with all its tragic consequences, convinces the parties to the conflict, potential troop-contributing countries and the Security Council of the utility or necessity of deploying a peacekeeping force.

Every year, in his annual report, the S-G was stressing that he attached priority to preventive diplomacy and peacemaking. In 1996, Mr. Boutros-Ghali expressed the view that the expression 'preventive diplomacy' should be changed to "preventive action" in order to encompass such other useful actions like preventive deployment, preventive disarmament, preventive humanitarian action and preventive peace-building (which can involve a wide range of actions in the field of good governance, human rights and economic and social development).

In his 1999 annual report, Mr. Kofi Annan pointed out three lessons that could be drawn from the failure to prevent conflict in Kosovo and other recent failures in conflict prevention. First, if the primacy of the Security Council in maintaining peace and security is rejected, the very foundations of international law as represented by the Charter will be brought into question. No other universally accepted legal basis for constraining wanton acts of violence exists. Second, that conflict prevention, peacekeeping and peacemaking must not become an area of competition between the UN and regional organisations. Third, that prevention can succeed only with strong political commitment from Member States and if the provision of resources is adequate.

Speaking at the World Bank on 19 October 1999, Mr. Kofi Annan said that to succeed in preventing wars, we need to understand the forces that create them. There is an emerging consensus on some key points, he said. First, no single factor can explain all conflicts; prevention policies must be tailored to the particular circumstances of the country or region. Secondly, as distinct from "triggers" which ignite conflicts, there are "structural" or long-term factors, which make violent conflicts more likely. These factors all have to do with social and economic policy, and the way that societies govern themselves. What is highly explosive is so called "horizontal" inequality: when power and resources are unequally distributed between groups that are also differentiated in other ways – for instance by race, religion or language. Therefore, human security, good governance, equitable development and respect for human rights together are the best form of conflict prevention.

In November 1999, the Security Council, in the statement of its President, gave strong support to all efforts directed towards prevention of armed conflicts, whether involving Council's role or the role of other actors.

In his Millennium Report, Mr. Kofi Annan reiterates that every step towards reducing poverty and achieving broad-based economic growth is a step towards conflict prevention. The solution for avoiding conflicts is both simple and difficult to achieve in practice : to promote human rights, to protect minority rights and to institute political arrangements in which all groups are represented.

The Security Council again discussed conflict prevention in July of this year. The Secretary General, speaking at the Council's meeting, suggested that the Council holds periodic meetings at the foreign minister level to discuss thematic or actual prevention issues; that prevention issues be put on the agenda of the SC and the GA; that SC receives information from ECOSOC as envisaged in Article 65 of the Charter; that SC makes greater use of ICJ by

requesting advisory opinions from the Court. Also he suggested that the Council examine ways of interacting more closely with civil society. The Security Council, in the statement of its President on 20 July, addressed a number of issues, including the importance of adequate, stable and predictable resources for preventive action. In this connection, it was mentioned that so far seven governments contributed to the Trust Fund for Preventive Action, established by the United Nations three years ago, to a total of \$7.4 million. Encouraging the ongoing efforts within the UN system to enhance its early warning capacity, the Security Council stressed the importance of drawing on information from a variety of sources, given the multiple factors that contribute to conflict.

It should be noted that the Millennium Forum, a large gathering of NGOs who met for five days in May of this year in the United Nations, produced several interesting proposals concerning preventive diplomacy in particular. In the Agenda for Action it adopted, Forum urged United Nations to establish a corps of at least 50 professionally trained mediators for more effective conflict prevention, to assist in conflict warning, mediation and conflict resolution. Also, the General Assembly should authorise the establishment of an international standing Peace Force of volunteer women and men to deploy to conflict areas to provide early warning and facilitate conflict resolution. Peace Education Unit in the UN Department of Political Affairs should be reopened, with provisions for continuous liaison with NGOs. Governments are urged to introduce peace education, including coping with domestic conflict, covering all levels from pre-school through university and non-formal community education.

As it can be seen from the above presentation, in recent years the international community has agreed that preventing armed conflicts is critical to achieving lasting human security. There is no doubt that the change from a culture of reaction to one of prevention is highly cost-effective both in human and in financial terms. As the Secretary-General points out in this year's annual report on the work of the UN, in the early stages of a dispute, parties tend to be less polarised and more flexible and thus more inclined to settle their disputes peacefully than after violent conflict has become entrenched. Prevention also offers the best possible chance to address the root causes of a conflict, and not just its consequences, thus providing a real opportunity to sow the seeds of a durable peace.

In the present parlance of the United Nations, "preventive diplomacy" is only part of measures falling within broadly defined "preventive action". Examples of UN preventive diplomacy measures are as follows :

- Identification of potential crises areas through early warning;
- Timely and accurate advice to the Secretary-General;
- Secretary-General's good offices;
- Mediation / Negotiations;
- Public statements and reports by the Secretary-General;
- Fact finding, goodwill and other missions;
- Political guidance and support to special representatives and other senior officials appointed by the S-G for political missions;
- Support for Track II initiatives where the UN is not able to play a direct role.

Preventive diplomacy is most often defined as the use of proactive, non-violent measures to prevent political conflicts from erupting into violence and to promote peaceful dispute resolution. Preventive diplomacy resembles conventional diplomatic practice and uses a similar repertoire of policy tools, including official and Track II negotiations, mediation, intelligence gathering and confidence-building measures. However, preventive diplomacy is distinguished by its emphasis on systematic early warning and early response.

There seems to be a widespread agreement that unless the government and people of a country are genuinely willing to confront the problems that may cause conflict, there is not much that even the best informed and most benevolent outsiders can do. Additionally, the efficacy of third-party preventive actions depends critically on the sense of legitimacy they elicit, not just from domestic constituencies, but also from the populations directly concerned and the international community at large. Undertaking such actions without due regard for their legitimacy can prove counterproductive to the aims of preventive diplomacy, particularly where such actions conflict with established norms of state sovereignty.

Speaking about the preventive diplomacy as a tool, Carnegie Commission on Preventing Deadly Conflict believes that rather than thinking of a toolbox, it is important to bring the tools together around approaches, and instead think of skills. The Commission points out six approaches.

Think Collaboration. Interventions and pressures are more effective when issued collectively. Multiple agents should be conceived of as elements in a layered process, always leading to the mediator of next resort. Beyond unilateral action, NCO assistance, state coalitions, regional organisations and finally the UN Secretariat and Security Council comprise the layers. Regional attention and consensus fill the need for resources for legitimisation. NGOs and Track II diplomacy are rapidly growing as useful adjuncts to government action and can often prepare the way for official engagement, but they are not a substitute for it.

Think Firebreaks to Conflict: They can be substantive or procedural and include general standards (such as human rights requirements for membership) and principled assurances (such as assurances of territorial integrity).

Think Both Sticks and Carrots. They are measures to make the present course more unpleasant and the future alternative more attractive. Sanctions and other "sticks" are often adopted because of the need "to do something", when in reality engaging in dialogue could be more productive. Economic incentives and other carrots to prevent conflict are unlikely to be effective if root causes of the conflict are not addressed. There are also concepts of mutually hurting stalemate (MHS) and mutually enticing opportunities (MEO).

Think Inside/Outside Handshake. Preventive measures can not work by imposition, without co-operation from the parties involved. Internal or regional allies need to be enlisted in such cases, which also builds a base of legitimacy and partnership.

Think Early Awareness and Early Action, Not Just Early Warning. Clear signals and substantive engagement are usually needed early on, before parties' positions have hardened and while escape from a dangerous course is still possible. Early action involves the formulation of contingency plans and scenarios instead of single strikes, the identification of goals and purposes to be achieved and not just "successful missions", the exercise of leadership and coalition building rather than lone-rangering, the calculation of appropriate timing, the implementation of mechanisms for future management, continuing attention and follow-through rather than letting the issue drop once it is "solved".

Think Principles and Regimes. Interventions should be principled actions rooted in broader norms and values, taking advantage of previous precedents and principles. Standards created by the UN have a high level of legitimacy; regional norms also, but they should not conflict with UN standards. The availability of appropriate legal machinery, as well as consensus standards, are important factors.

However, all these approaches involve a number of trade-offs and dilemmas, like justice versus reconciliation; "first, do not harm"; early versus late intervention; sovereignty as protection versus sovereignty as responsibility etc.

Unofficial Diplomacy

The diplomatic overload and the growing complexity of the international environment have led to an increasing involvement of non-state actors in relations within and between countries. They may be humanitarian agencies, various NGOs, advocacy groups and mediation agencies, reconciliation projects and democracy promotion projects etc. Their services to peace include enhancing communication, improving mutual understanding, disapproving violence, mediation, reconciliation etc. Non-governmental actors have developed a whole series of practical tools for peace making, peace keeping and peace-building.

Unofficial or Track II diplomacy distinguishes itself from the traditional diplomacy in several ways. The main interlocutors of governmental diplomats are key political and military leaders in the conflicts. They are persons who either represent themselves and/or the highest representative leaders of the governments and opposition movements in an internal struggle. Track II diplomats, on the other hand, pay much more attention to the civilian space in internal relations. They search for common ground and look for the development of win-win relations. They assume, for the most part, that one can not resolve conflicts and make peace unless the root causes of the conflicts are identified and dealt with. Actually, the basic premise for any preventive diplomacy, be it official or Track II, should be that for conflicts to be resolved, one must look beyond surface issues and address the substantive and emotional issues, as well as the parties needs and interests that are at the root of the conflicts.

Official diplomacy makes use of conventional diplomatic, legal, military and economic instruments. They tend to approach peace from the top down and assume a trickle-down effect. Track II diplomats, on the other hand, stress the importance of building peace from the bottom up. They assume that one can not impose an external or elitist peace formula on a conflict; that a conflict belongs to the society in which it is taking place and the resolution has to come from within that society.

Field Diplomacy

One of the most recent developments in the area of non-governmental diplomacy is field diplomacy. It is characterised by a credible presence in the field, a serious commitment to conflict transformation, a multi-level approach, elicitive engagement, a broad time perspective, attention to the deeper layers of the conflict, preference for an integrative conflict-prevention policy and the recognition of the interdependency between seemingly different conflicts.

Credible Presence. One has to be in the conflict zone to get a better insight. The building of a network of people who can rely on each other is essential to prevent a destructive transformation of the conflict.

Serious Commitment. A conflict should be adopted. Like with a child, it is a long term commitment. An adequate motivation and backup is necessary.

Multi-level Engagement. Not only the highest, but also the middle and grass-root levels of the conflicting groups need to be involved in the peace making, peace keeping and peace building.

Elicitive Approach. This approach requires on the part of the field diplomat listening, learning and understanding the culture within which the conflict is embedded. The aim is to catalyse an indigenous self-sustaining peace process.

Broad Time Perspective. A peace agreement settling "here and now" disputes is not enough. Equally important is a reconciliation that encompasses both the past and the future. Historical wounds left unhealed create further conflicts.

Attention to Deep Conflict. Building peace requires not only attention to the hard layers of the conflict (the political-diplomatic, military, legal, economic etc) but also to the softer layers of the "deep conflict" (psychological, emotional, spiritual levels).

Integrative Conflict Prevention Policy. Field diplomats do not consider their activities as an alternative to the peace efforts of the parallel official diplomacy. They plead for a better co-ordination of two tracks.

Recognition of Conflict Interdependence. Most of the conflicts can not be reduced to pure internal conflicts. They are or were at one time or another influenced by conflicts at a regional or global level.

Field diplomacy is a new paradigm distilled from the experience of the people providing peace services in the field. It may sound idealistic at times, but it is likely to be the way to go in the future. United Nations is recognising the validity of the basic tenets of this approach and is creating peace building support offices in the field. They are already established in Liberia, Central African Republic and Guinea Bissao and will soon be established in Tajikistan.

Reasons for failure of Preventive Diplomacy

Several explanations can be put forth: lack of interest, absence of perceived vital interest at stake, lack of consensus, cumbersome decision-making, inadequate infrastructure, lack of know-how and the complexity of the conflicts. Probably the most important causes are :

- **Inadequate Foresight or Warning Systems** have turned diplomacy into a chronic crisis management operation. In spite of recent efforts of major intergovernmental organisations to improve their diagnostic and prognostic tools, more will have to be done to achieve a better insight into and foresight of conflict dynamics.
- **Lack of Perceived Interest.** Instead of more cost effective proactive efforts, justified by enlightened both common and self interest, we see costly reactive measures, triggered by related moral considerations.
- **Lack of Conflict Transformation Skills.** For most of the serious problems in the world one finds research and training programmes. Yet for dealing with large scale violence no comprehensive academic programme is provided. The training is on the job.

- **Unwillingness to the Direct Parties to a Potential Conflict to Accept a Third Party Preventive Intervention.** Key actors might not truly want any resolution, or key populations may simply have lost any desire to live together, for example.

Lessons Learned

Where sufficient political, economic and military resources are properly mobilised for the task, conflict prevention can be successful.

The best practices of conflict prevention rely on well-developed systems of early warning, explicitly provide for resource pooling and burden sharing among a range of diverse actors and agencies, aim at redressing underlying structural problems as well as the proximate causes of conflict and apply diplomatic and military leverage appropriate to the problem at hand.

At the source of any internal tension, there is a basic communication gap. Therefore, the most elementary step is to establish formal or informal channels of direct and ongoing dialogue (round tables, minority councils etc).

Internal conflicts often can not be genuinely defused without solutions guaranteeing proper and effective participation of representatives of national minorities in public affairs. Lasting harmonious inter-ethnic or inter-religious relations should be based on policy aiming at the integration of minorities, and not at their assimilation.

The handling of the new types of conflicts requires a more sophisticated analysis of conflict dynamics and a better acquaintance with the available battery of conflict prevention instruments.

Good and timely information is a cardinal need. Nations should be encouraged to pass intelligence more fully and systematically to the United Nations. It is possible to draw more extensively on the observations and experience of NGOs.

There are often specific indications that should be looked for and detected, such as the mobilising of combative public opinion through deliberate choice by leaders, or the amassing of arms. The assembly of information has to be coupled with proper capability to analyse and understand it in often complicated settings.

There are important resource constraints both in the United Nations and other international organisations, as well as in most countries, not just in the availability of material resources, but also, for example, in the ability to devote high-level attention and to cope with simultaneous demands.

As well as the concept of legitimacy of intervention is concerned, the United Nations has no equal. Therefore, it should act in as many conflict prevention situations as it is enabled to. The capability of regional organisations to act should be respected and, where it is weak, fostered.

Solutions have to be particular and tailor-made for each case. One-size-fits-all, or the oversimplified application of perceived analogies from the past elsewhere, are recipes for disaster. Intervention, whatever its form, must be prepared for patience and endurance.

As many basic principles of informal field diplomacy as possible should be adopted by official governmental or inter-governmental diplomacy. Key elements are deep understanding of

problems and deep immersion in them. Superficiality and lack of deep knowledge and sometimes even deep interest in problems at hand can have catastrophic consequences.

All actors of preventive diplomacy, governmental and non-governmental alike, must be guided exclusively by the desire to prevent armed conflict and its resulting human suffering and material losses. Political, moral, legal or ethical considerations, even where perfectly justifiable and undisputed, should not be allowed to obstruct the achievement of the principal goal and should be dealt with only at the opportune time and in the opportune manner. An important related requirement is that preventive diplomats must not have any parallel agenda of their own or be the executors of such parallel agendas of their governments or their organisations. Their strict impartiality in the conflict prevention phase is always vital.

SESSION THREE

Extracts of Discussion

Yvan Conoir (Canada) : Regarding the remark by Mr. Starcevic that the DPI has been taking risks, DPI has created a new junction – bonafide of the UN in Central Africa and Guinea Bissau – this means making preventive diplomacy was the fragile political agreement – has been raised. Once the agreement is in place, the DPI agrees to support the follow up of this initiative by appointing special representatives of DSG and also crediting it with some specific funds that could support certain local initiatives at disposal of the Government.

And that is an additional truth. It is not preventive as such because a political agreement has been raised; but it is preventive – to prevent the renewal of political conflicts among former conflicting parties.

Speaking of field diplomacy, I say this is probably the way to go in the future and I see the UN recognizing the validity of basic tenets of field diplomacy and creating peace-building support offices in the field. I have been informed of its establishment in Liberia, Central African Republics, Guinea Bissau and it will soon be established in Tajikistan. These are a reflection of earlier interests expressed by the UN Secretary General, Boutros Boutros Ghali. It is not enough to send only a special representative to the problem state for a few days; what is required is his continued presence and some sort of support system for the special representation on his arrival. We had it in Georgia. I think with the requests from other governments, there would be more of these offices in the future.

Way back, Hammerskjold had proposed the equivalent of UN Diplomats corps with the capacity to study intelligence. Needless to say. He was ahead of his times; he was shot down mercilessly. There have been efforts within the UN Department for Political Affairs to create some capacity for analysis of impending problems. The climate is changing and hence the greater necessity to establish law offices. This is highly desirable in terms of preventive diplomacy.

Mr Prakash Shah (India) : One of the factors we tend to forget is the limitation to both the powers and influence of such an organization. These limitations must always be kept in mind before we begin to make a role of whatever we take into account as an objective or as an effort. Hence, preventive diplomacy, like peacekeeping has a role to play. But in the context of what happens in the UN; in the context of the discussions in Security Council, the involvement of a whole lot of outside agencies with the UN efforts, sometimes the goal and the objective expand so much as to make it unachievable whatever the means available to us. And, also by the fact that however much you attempt to undo sovereignty as a concept, as long as sovereignty is the basis of representation in the UN, we have to live with it in order to find out where we can be successful – and we should not be unhappy if we are unsuccessful.

An interesting phrase has been – used sanctions. Personal examples of successful preventive diplomacy are there. I wonder if there are any examples of smart sanctions. And I would not place oil for food in this category because it has not worked.

Let me first of all say I am not particularly happy with the phrase myself. It is like what Mr. Dayal commented – smart bombs are no better than ordinary bombs. What is really means is that you look for specifically targeted sanctions. After discussions and meetings in various places, the conclusion one has arrived at is that let us assume we are talking about ways to prevent a country or its government from having the ability to wage war or move into a serious conflictual situation. A timely imposition of military sanctions could be considered a good

targeted sanction. Such a sanction should be able to curtail a country's freedom to import arms or/and technology. If it is a problem of who you end up hurting most, in the process of sanctions, specific sanctions would target the elite – a ban on their travel, on material goods abroad in terms of money or secret documents – all made non-utilisable for the elite individuals, their relatives and so on. This is the kind of limited application of specifically targeted sanctions that could be utilized to achieve some of the objectives.

Ambassador Peggy Mason (Canada) : Evidence shows that sanctions on financial flows can be very effective, in case of lack of success in arms embargo. It is very necessary to distinguish all of the criticisms and problems we perceive with general sanctions – particularly economic sanctions as opposed to military sanctions. The connection of commodities being used for illegal arms trade is a promising area where the Security Council has shown interest through tightening the language of the Resolution in order to make clear what are the obligations of a state, its targets and so on.

Mr. Virendra Dayal (India) : I do think we need more focus. As Prakash mentioned rightly, how to deal with non-state actors and terrorists. Some thinking has been evolving in these areas. What is required is the efforts to oppose conventional financing of terrorists. We have taken the steps to go into greater details of greater precision now in a wider array of problems.

Lt Gen R Sharma (India) : My question is on economic sanctions. A country supporting terrorism for instance, and specifically, if you allow me to say, Afghanistan is openly asserting its goal of waging terrorist acts in certain areas. I presume there are no sanctions against Afghanistan because it is still not recognized by the UN which in itself is a form of sanction. However, the fact is that the country which supports Afghanistan and Taliban regime should itself invite sanctions. Why has not the UN moved towards that direction?

The other point I would like to be specific about is the ongoing diamond war in Sierra Leone. We were informed that Liberia was the conduit for diamonds reaching the rebel RUF. The UN had considered sanctions on Liberia to stop this funding, but nothing has happened.

Prof. Gharaibeh (Jordan) : Well, as far as I am aware, there are economic sanctions against Afghanistan in place at this time and I think Shah will bear me out. Afghanistan is what you would consider a pretty much-failed state at this point of time. Hence they are not as sensitive to economic sanctions as would a structured society be. Their main provider is the World Food Programme creating a chain of bakeries where women workers were banned from working. Fortunately, this decision of the Taliban leadership was reversed upon strong protests from the UN. As far as Liberia is concerned I would not be in a position to give an explanation why sanctions have not been imposed. The fact that the sanctions were not imposed conveys the lack of unanimity within the Council. As to by whom or for what reasons, I am unable to tell you.

Lt Gen R Sharma (India) : Afghanistan was to be only a case in point, I meant Pakistan.

Prof. Gharaibeh (Jordan) : Well that belongs to category one of my explanation – there is no unanimity on it. What is important to comprehend the moral dilemma and the humanitarian aspect of economic sanctions. Whether a region is a supporter of terrorism or not; whether a regime supports or not the violation of the Charter of UN and so on. In the ultimate analysis, economic sanctions hurt those who are devoid of power and influence to change their governments – which is the red objective. If you take the case of Liberia, would the sanctions affect Mr. Taylor or the few others who are profiting from the diamond trade or the people who if they had the opportunity would throw out Taylor. What the Security Council could do was make diamond trade illegal. The world has been informed not to buy 'conflict diamonds'. But how would a distinction be made between a conflict and a non-conflict diamond. A very difficult

proposition but this is the kind of effort that has to be gone through. My genuine conviction is that one cannot just go about imposing sanctions – who in the ultimate is affected most? I may add that sanctions possibly benefit the ruling establishment of the country on which sanctions have been imposed. In Iraq for instance, the elite are minting money through smuggling. We are all in agreement here that economic sanctions have assisted of the Milosevic regime in Yugoslavia because if allowed him to claim that the economic failures of his regime which were the result of complete mismanagement was the must of the sanctions. Besides, there will always be enough for the leadership no matter what. I think there is a principle political policy that one could apply and that is – economic sanctions should not compromise development and, therefore, sanctions against individuals could be seen as legitimate.

Mr Fedor Starcevic (Yugoslavia) : As an international lawyer, I am interested in the role of international law in preventive diplomacy and sanctions. I agree with the Shah that even if sanctions are not always effective, they could permeate other functions. I think, in certain instances when States violate norms of behaviour in international community, the latter is expected to respond in some way. Sanctions are one way to project that these are guidelines we should think about for the future.

Now on Iraq, my question is how do you perceive the situation now. I know the Ambassador Shah has been involved in the follow up of arms inspection and sanctions. Has the extended degree of diplomacy that you yourself were involved in achieve anything. I do not imply a trial of such diplomatic efforts in the future but perhaps Iraq is a very special case.

Mr Prakash Shah (India) : As starcevic mentions, February 1998 could be considered as an instance of at least temporarily successful preventive diplomacy in the sense that it did bring about a reconciliation of cooperation between the Iraqi authorities and the UN, in particular the UNSCOM. That is, but the hopes of achieving something that is politically very important to the rest of the world sometimes override the reasons why these particular efforts are undertaken.

The period between February and December – when the bombing of Iraq took place – was a period of extremely heightened effort at diplomacy. And that was twofold. One was wherever a dispute occurred between UNSCOM and the Iraqi authorities on the matter of rights of the UNSCOM to implement its mandate given by the Security Council and a feeling that these rights were not agreed to in a cooperative manner by the Iraq. But there was an effort – through diplomacy- on my part to try and work out an arrangement so that it proceeded along the lines indicated by the Security Council – be it the question of flying helicopters over Saddam's palace in Baghdad in order to take pictures as a right. The Iraqi authorities did not agree to this partly because they believed that helicopters should not fly over the populated areas – this was an earlier agreement between UNSCOM and Iraq – and partly because it was a prestige issue – if the UN helicopters were to come down and look for things, a locals' problem could arise; there are various problems as such. Taking out samples out of warheads, created a huge dispute until an agreement was reached on how and in what why the samples should be taken out, where it would be tested, how the results should come out, who would give the results, the time limit and so on! So, there is scope for these kinds of things.

In November, when a decision had almost been taken for the use of armed forces we worked towards preventing it. We worked to get what was known as a “comprehensive review” – something that was suggested by the Secretary General in July/August when Aziz refused UNSCOM inspections. We worked for it amidst constant discussions; there was even a Security Council Presidential Statement on how this review could proceed. It was hoped that the Butler report would be positive leading to the commencement of the comprehensive review. Once the bombing took place, the scope for diplomacy receded.

There is a kind of implicit tension, which can be constructive but not easy to work within. There is tension to work through, between Secretary General, a body like the UNSCOM created by the Security Council with an independent existence and the Security Council's most powerful members. The triangle is a very complex one. Fortunately, Ralph had a consultative frame of mind though he was no less tough than Buttler.

Mr Virendra Dayal (India) : Well, I think we had quite an interesting session on diplomacy. It is truly a subject of almost infinite interest. I happened to have a hand in writing Agenda for Peace and I was a member of the Carnegie Commission. Nothing seems to work but we all keep trying. Why do we keep failing? It could be because, when issues of great importance are involved for a State over the parties to a dispute, they want to be absolutely sure that the third party is trying to help them. And, one of the problems with preventive diplomacy has been the great difficulty of having someone trustworthy. I think what went wrong in Yugoslavia was that we could never get the right people together who could be trusted by all the parties.

The contesting of Bahrain's independence by both Iran and Saudi Arabia, and the UN involvement highlighted two factors:

- the great need for the parties to be amenable; and
- the great need for trustworthy third party.

SESSION FOUR

NATURE OF HUMANITARIAN EMERGENCIES AND HUMANITARIAN INTERVENTIONS

NATURE OF HUMANITARIAN EMERGENCIES AND HUMANITARIAN INTERVENTIONS

By

Shri Virendra Dayal

Shri Virendra Dayal, former Chef-de-Cabinet to UN , joined the Indian Administrative Service in 1958 and in the mid Sixties, worked for the office of UNHCR, serving in a variety of capacities in Geneva and New York. In 1979, he was appointed Director, office of Special Political Affairs in the office of Secretary General, responsible for all peacekeeping operations of the United Nations. As Chef-de-Cabinet to the Secretary General Perez de Cuellar, he was involved with major political, peacekeeping and humanitarian issues. He assisted in writing 'An Agenda for Peace'. He was awarded the "Padma Bhushan" by the President of India in 1992. He was a Member of the Carnegie Commission. He is presently a Member of the National Human Rights Commission of India, appointment which he holds since 1993.

Few subjects on the international peace and security agenda have, in recent years, aroused as much passion - and ambivalence - as the issue of 'humanitarian emergencies' and what, sometimes euphemistically, are called 'humanitarian interventions'.

I shall try in this brief presentation to bring some clarity to the on-going debate on this subject by asking a series of questions and seeking to answer them.

The first question is this: Can the international community ignore the toll that 'humanitarian emergencies' have taken in the past and let the world stumble along from one such crisis to another? The answer, to my mind, is 'No', for the following reasons:

- The 20th Century has been the bloodiest in history. It would be suicidal to let its pattern of brutality persist into the 21st Century. Consider the facts:
 - According to the Carnegie Commission on Preventing Deadly Conflict, of which I happened to be a Member, the 20th Century saw some 100 million persons killed in armed conflict, and another 120 million more deaths resulting from politically related violence, in which religion, race, ethnicity, language, political opinion or the like sparked the killings. The century witnessed the Holocaust, when a crime so unspeakable was committed that we had to coin a new word - 'genocide' - to describe it. Since then, we have said 'Never Again' over and over again, but 'genocide' has been committed in Cambodia and Rwanda, and 'crimes against humanity' have recently darkened the skies - and our conscience - in the Balkans, East Timor and Sierra Leone, though other locations could readily be cited, depending upon who is asked.
 - According to the 1998 UN Human Development Report, at the start of the 20th Century, 5% of deaths in times of armed conflict were those of civilians. As the century closed, upto 90% were said to be civilian, with women and children being the principal targets (Graca Machel's report for UNICEF makes this clear).
 - Indeed, in the Kosovo conflict, it has been observed that an entirely new art

form was perfected as far as the conduct of war was concerned. There were scarcely any military casualties resulting from actual combat; the casualties were almost entirely civilian.

- In the 50th year of the Geneva Conventions, the ICRC noted that assassination, calculated rape, kidnapping and mutilation were now routinely used as weapons of terrorism. Indeed, humanitarian law was being violated more egregiously than ever before.
- Child soldiers are back, inspite of the Convention on the Rights of the Child. Under Secretary General Olara Otunu estimates that 250,000 children are carrying arms today.
- According to Secretary General Kofi Annan's report to the Millennium Session, there were some 12 million refugees in the world in Anno 2000. And many would add that the number of displaced persons, homeless and devastated in their own countries, is many times more. This does not add up to a pretty picture and it cannot be allowed to continue.

- It is morally indefensible. As Vaclav Havel said :

"No decent person can stand by and watch the systematic state-directed murder of other people."

- It is politically indefensible. Fifty five years after the adoption of the United Nations Charter, the persistence of gross violations of human rights, crimes against humanity and genocide, points to a vast failure by a large number of Member States to respect the over-arching treaty that is meant to govern their conduct and the governance of the globe.
- It is legally indefensible, for not only is the Charter violated when such barbarious acts occur, but so are the 70 odd international instruments, devised under the auspices of the United Nations, which deal with human rights. These include some 25 major treaties and the work of 8 treaty bodies, that are meant to bind the nations of the world to a "common standard of behaviour" and, indeed, of answerability to each other.

The second question that arises is this: If we cannot any longer ignore 'humanitarian emergencies.' who is to decide what is to be done about them?

This question puts the cat among the pigeons. Clearly, we have not yet found the ideal answers. The reaction of the powers that be has, till now, been marked by inconsistency, selectivity and, to say the least, a certain arbitrariness. It has been marked by fits of self-righteousness on the part of would-be 'interventionists', and by fears - both real and imagined - on the part of those who feel that a new international anarchy, or a new colonial order, will descend on the planet under the cover of 'humanitarian intervention.'

Secretary-General Kofi Annan is, himself, disturbed by such fears. For having proposed to the General Assembly in September 1999 that there was need to unite in the pursuit of more effective policies to stop organised mass murder and egregious violations of human rights, and

having emphasised that 'intervention' embraced 'a wide continuum of responses, from diplomacy to armed action,' he has been constrained to observe that the latter option has generated immense controversy. Thus, in his report to the Millennium Session, released barely six months later, in March 2000, he noted that critics have expressed the concern that the concept of 'humanitarian intervention' could become a cover for gratuitous interference in the internal affairs of sovereign states; that it might encourage secessionist movements deliberately to provoke governments into committing gross violations of human rights in order to trigger external interventions that would aid their cause; that there was little consistency in the practice of intervention, owing to its inherent difficulties and costs, as well as perceived national interests - except that weak States are far more likely to be subjected to it than strong States. The Secretary-General added that he recognised the force and the importance of these arguments, as well the assertion that "the principles of sovereignty and non-interference offer vital protection to small and weak States." But he was constrained to pose the following question to critics:

"If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica - to gross and systematic violations of human rights that offend every precept of our common humanity?"

He has also observed that there is a real dilemma. "Few would disagree", he said, "that both the defence of humanity and the defence of sovereignty are principles that must be supported. Alas, that does not tell us which principle should prevail when they are in conflict." And he concluded:

"But surely, no legal principles - not even sovereignty can ever shield crimes against humanity. Where such crimes occur and peaceful attempts to halt them have been exhausted, the Security Council has a moral duty to act on behalf of the international community. The fact that we cannot protect people everywhere is no reason for doing nothing when we can. Armed intervention must always remain the option of last resort but in the face of mass murder it is an option that cannot be relinquished. "

The value of this carefully worded observation of the Secretary General is two-fold. First, it has narrowed down the circumstances in which the 'last resort' viz., 'armed intervention' can be considered. It can be considered only in circumstances, akin to a Srebrenica or a Rwanda. It is not to be resorted to lightly in lesser situations. This, in itself, is an important clarification for there had been a growing and alarming tendency in certain circles, to 'bomb for humanity' for lesser reasons, There was also a tendency to argue, too readily, that the 'duty to interfere', provided a kind of *carte blanche* to cross borders at will, with or without the consent of governments, with or without the use of force, to reach victims of natural and other disasters and that the 'judgement on when to exercise this 'duty to interfere' could safely be left to any non-governmental organisation or government that was so-inclined to respond to this celestial call. Not surprisingly, there has been something of a backlash.

The second gain from the Secretary General's latest observation is this: he has now fixed the responsibility for any decision to take armed action firmly on the Security-Council, this too, has narrowed the field, for under the Charter it is only the Security Council, acting under Chapter VII, that can breach the provisions of Article 2(7) of the Charter which states that :-

"Nothing contained in the present Charter shall authorise the United Nations to intervene in matters which are essentially within the domestic Jurisdiction of any State....."

The value of fixing this 'moral responsibility' on the Security Council is obvious. First, it conforms with the Charter. Second, it discourages others - individual States, groups of States, or regional arrangements - from usurping this critical responsibility.

And that is exactly what happened, in the view of many, during the Kosovo war. On 25 March 1999, George Robertson, then British Defence Secretary and now NATO Secretary General, stated in Parliament:

"We are in no doubt that NATO is acting within international law. Our legal Justification rests on the accepted principle that force may be used in extreme circumstances to arrest humanitarian disaster." (emphasis added)

But many outside NATO denied that any such 'accepted principle' existed that could confer upon NATO a divine-right to intervene militarily in the Balkans without the authorisation of the Security Council. And even if a double-veto were feared in the Council, there were many who remembered - including many NATO Members - that in 1956, when the double veto of the United Kingdom and France blocked action in the Security Council after the Suez Crisis, the matter was transferred to the General Assembly in accordance with the procedure provided by the General Assembly in res. 377(V) of 3 November 1950, entitled "Uniting for Peace". Thereafter, the General Assembly, acting on a Canadian proposal, adopted res. 998 (ES-1) of 4 November 1956 by which the Assembly requested, as a matter of priority, the Secretary General to submit to it, within 48 hours, a plan for the setting up of an Emergency International United Nations Force, which was rapidly thereafter established as UNEF(I) by General Assembly res. 1001 (ES-1) of 7 November 1956.

The discomfiture of non-NATO States on the entire question of 'humanitarian intervention' was heightened by the adoption of the NATO Strategic Concept Paper on 23-24 April 1999 during the Commemorative Session of the Alliance held in Washington D.C. That Paper advanced the view that NATO's security could be imperiled by a wide range of factors including "regional crises" at its periphery resulting from ethnic and religious rivalries, territorial disputes, failed reforms, "human rights abuses", the dissolution of States and the consequent instability which results, quite apart from the proliferation of A, B, C weapons and delivery systems among "political adversaries,- including non-States players," terrorism, the disruption in the flow of natural resources, etc. For any, or all of these reasons, the Paper stated that "crisis response operations" could be undertaken by NATO outside of the area identified in Article 5 of the Washington Treaty establishing the Alliance. No mention was made in the Paper of such possible operations requiring the specific advance clearance of the Security Council. This ambiguity, of course, added to the general disquiet: "humanitarian intervention" seemed to be walking down a road from NATO Headquarters rather than from UN Headquarters, and it seemed to be marching arm-in-arm with the Security of a Regional Military Alliance. Yet nobody in NATO argued that the Alliance was acting in self-defence, under Article 51 of the Charter, when it intervened militarily in the Balkans.

Article 51, protecting the inherent right of self-defence, is the only provision in the Charter permitting a State or a group of States to use force without authority from the Security Council. It has been invoked on three occasions when extreme violations of human rights in one country led to military intervention by a grievously affected neighbour. In 1971, India felt constrained to act under Article 51, in exercise of its right to self-defence, to bring to an end a tragic situation in East Pakistan that had led 10 million refugees to cross over into India and imperil the receiving State. In 1978, Vietnam intervened in Cambodia, putting an end to the genocidal rule of the

Khmer Rouge. In 1979, Tanzania intervened to overthrow Idi Amin's macabre regime which had despoiled Uganda, and in order to repatriate a massive influx of refugees that had come to Tanzania from that ravaged State. Ironically, on each of these occasions, the General Assembly was then used to criticise the actions of the 'intervening' State. But, as Kofi Annan has observed in his "Reflections on Intervention" (Ditchley Foundation Lecture, 26 June 1998) what justified these actions in the eyes of the world - even if not the General Assembly - was the internal character of the regimes that the intervening States acted against. "And history," he added, "has by and large ratified that verdict."

We now come to the third question: If the Charter essentially requires that a decision to intervene militarily in humanitarian emergencies must essentially be taken by the Security Council, can we rely on that mechanism? Sadly, at present, the answer is ambivalent. The Council itself is badly in need of reform. Some of its recent decisions have, therefore, lacked the broad legitimacy that they require in order to be considered just and fair. The effect of sanctions on the women and children of Iraq is a case in point. To many, including senior United Nations officials who have resigned their posts, a 'humanitarian emergency' has been precipitated and perpetuated by the incapacity of the Council to lift or modify its own resolutions, thanks to the way in which the veto-system works. Then again, the 'no-fly' zones over Iraq have no specific authorisation in a Council resolution, and yet they are enforced by two Permanent Members, 'bombing', as they say, 'for humanity.'

There is, of course, the other side to the problem. The fear of vetoes in the Kosovo situation, that was adduced to justify - rightly or wrongly - the NATO action. It is no wonder, in such circumstances, that Mr. Annan has observed somewhat ruefully:

"If the collective conscience of humanity - a conscience that abhors cruelty, renounces injustice and seeks peace for all peoples - cannot find in the United Nations its greatest tribune, there is a grave danger that it will look elsewhere for peace and for justice". (see "Two Concepts of Sovereignty," Address to the 54th Session of the UN General Assembly, 20 September 1999)

The fourth and final Question follows: Where this does leave us? The answer is in many parts.

- First, 'humanitarian emergencies' do not develop overnight. They are slow in gestation. They can be foreseen - both by the national governments in whose territory they occur, and by the rest of the world, including the United Nations. For this reason, timely preventive action is the best remedy.
- Second, the responsibility to take early action rests primarily with the concerned State itself and this must not be forgotten. That State can receive encouragement and support, if need be, from outside, preferably at its request or with its consent. Good governance is the answer. As the UNDP Human Development Report 2000 makes clear, there is a vital relationship between the furtherance of human rights and human development. And both need a democratic environment that is 'inclusive'. Majoritarianism is not the answer. Amartya Sen has elaborated this idea in his remarkable study "Development as Freedom". He has asserted that it must be the purpose of development to enhance freedom, to widen choice and opportunity for the largest number of persons in society. This requires keeping the institutions of governance in good shape and being concerned with matters of equity and justice. It can also require the creating of new institutions - such as National Human Rights Institutions - which can expand and enlarge the area of corrective Justice and

remedy human rights abuses through domestic mechanisms that are fair, impartial and swift.

- Third, the role of the international community should, essentially, be supportive and co-operative when it comes to economic and social issues, including matters relating to human rights. It is a pity that questions relating to human rights have been grossly politicised in international forums. We must remember that the Charter, itself, required that human rights should be dealt with, essentially, under Chapter IX relating to International Economic and Social Co-operation and not under Chapter VII, dealing with Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression. The gradual transposition of human rights issues from the area of international co-operation and understating to that of contention and enforcement shows how far we have moved from the original understandings and moorings of the Charter. It also shows how seriously we have fallen short of achieving "international co-operation in solving international problems of an economic, social, cultural or humanitarian character" as required under Article 1.3 of the Charter. We need to get back more strongly to the original vision. The economic and social work of the United Nations was not meant to be secondary to the maintenance of international peace and security. It was essential to the proper fulfilment of that responsibility and it was conceived to be an essential part of that effort.
- Fourth, in such a reading of the Charter, preventive diplomacy acquires a positive, life-enhancing role. It is related to themes of equity and justice, to economic and social development, which are the concerns of the UN system as a whole, no less than to acts of arbitration, mediation, good offices and the like that were envisaged in Chapter VI of the Charter.
- Fifth, all of these acts, in reality, constitute early and essentially benevolent forms of 'intervention.' The military option must be the very last resort, to be used in extremes. And 'preventive deployment', too, must be considered well ahead of punitive action. The scars that the United Nations bears from the Rwanda genocide were deep and near fatal. General Dallaire implored the Council for 5,000 troops. But he was denied them, and 800,000 people were slaughtered. A heavy price in public esteem has been paid by the United Nations, the Security Council and its individual Members for their inaction. But that cannot compensate for the genocide that occurred. In Srebrenica, likewise, the United Nations was denied the troop-strength and military muscle that it required to protect the so called 'safe- havens.' The catastrophe that occurred haunts the Organisation.
- Sixth, if Chapter VII is to be invoked to deal with 'humanitarian emergencies,' the Council itself must speedily be reformed on the basis of clear and sensible criteria. It must work, to the greatest extent possible, on the basis of consensus, putting the "common interest" ahead of the interest of individual Members. It must be perceived to be functioning with objectivity and not selectively or arbitrarily.
- Seventh, the peace-keeping forces that it then sends to deal with 'humanitarian emergencies' must have a clear mandate and their financing, manpower and material requirements must be commensurate to the tasks that are assigned to them. The UN force must function, as far as possible, with the consent of the parties. It must use force only in self-defence, and proportionality must be observed when force is used. Many valuable recommendations have been made in the report submitted to

the Secretary-General by the Panel on United Nations Peacekeeping Operations that completed its work in August 2000. As far as 'humanitarian interventions' are concerned, its emphasis on preventive strategies is clearly to be encouraged, as are its emphasis on clear mandates, swiftness and timeliness in deployment, 'on-call' lists of military, police and other experts, and the suggestion that Member States should work together to form 'coherent, multi-national, brigade-sized forces' ready for effective deployment within 30 days to monitor cease-fires and separation of forces, and 90 days for more complex operations, including situations of inter-State conflicts. Further, the call of the Panel for a doctrinal shift in the use of civilian police and related 'rule of law elements' in peace operations, its emphasis on upholding of the rule of law, respect for human rights, and working for national reconciliation among communities emerging from conflict, are all to be welcomed. I fear, though, that it is easier to talk of 'robust' peacekeeping than to engage in it. For there is a serious price to be paid if United Nations troops descend into battle themselves, and become identified with one or the other group in an internal conflict. Certainly, the critically important political, or 'good offices' role of the Secretary General can be a casualty in circumstances in which UN forces are compelled to engage in battle against one party to a dispute.

- Eighth and finally, I must admit, based on thirteen years experience on the 38th floor, that it will still be a considerable while before the United Nations will, itself, be able to develop the capacity to direct large-scale military enforcement operations. Some of us had hoped, at the time when we were writing *An Agenda for Peace*, in 1992, that in the post-Cold War Era, the provisions of Articles 43 & 47 of the Charter would be put to use. But that hope has proven to be somewhat forlorn. For the time being, therefore, I do not see any alternative to large scale military enforcement operations being undertaken, on behalf of the United Nations, by Member States, or by regional organisations. But, as argued earlier in this paper, it is essential that any such operation have the express, advance authorisation of the Security Council - and preferably of a reformed Security Council - if it is to have legitimacy. In the meantime, we must remember that most 'humanitarian interventions,' even those requiring 'military intervention,' need not be on a large-scale. And better yet, that the most effective forms of intervention are military at all, and that it is far better, for all concerned, if action is taken to resolve or contain a conflict well before recourse to military might is required. Looking down the road, we must also remember that it is now a matter of time before the International Criminal Court is established. Its existence will have a profound effect on the entire manner in which war crimes, crimes against humanity and genocide will be handled in the future. And there will surely be consequences, as well, for the manner in which the international community keeps the peace.

THE LEGAL ASPECTS AND NORMS IN RECENT DEVELOPMENTS IN HUMANITARIAN ASSISTANCE AND HUMANITARIAN INTERVENTION

By

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When the Cold War ended, the UN Security Council felt that it had the opportunity to do what had been expected of it since the adoption of the UN Charter at San Francisco in 1945. As a result, the Security Council became more active, sometimes in an efficient manner. This gave rise to a kind of euphoric feeling on the part of the Council and international organisations that this was the time to really develop the law of the UN Charter. Article 39 was consequently slightly reinterpreted about this time and in the years to come. Article 39 is known as the 'threshold' article in Chapter VII, according to which a threat against international peace and security must be clearly established in order to impose sanctions or carry out enforcement action. Although that Article was used to impose sanctions against South Africa and Rhodesia, now through interpretation it was made clear that a threat against international peace and security could also include internal conflict situations, including humanitarian disasters in those conflict situations. It was felt that the international community should feel an international responsibility towards such disasters and that it should come out with an efficient response in order to solve such humanitarian crisis.

Ambassador Dayal pointed out quite correctly that the human rights issue is supposed to be dealt with under Chapter 9 of the UN Charter and not Chapter 7. But this interpretative shift in the look of Article 39 as well as Article 2 (7) has indicated that human rights are now, as a matter of fact and to some extent, part of the Chapter 7 discussions. Also, the formulation in Article 2 (7) about domestic affairs and that the UN should not interfere in domestic affairs has been somewhat downgraded because of this new and more liberal interpretation of Article 39. This change did not come overnight but can be found in a number of UN resolutions when intervention in a broad sense have been made in different internal conflicts.

At the same time, the influence of the mass media became very clear. We have the 'CNN effect' pushing political leaders to do something when it was clear from the television screens that a humanitarian disaster was happening somewhere in the world. Perhaps the first example of this was the situation in Northern Iraq with the Kurds in the early spring of 1991, when Resolution 688 was adopted which later on gave rise to the UN Guards in Iraq. Resolution 688 was important because it highlighted two concepts - 'humanitarian assistance' and 'humanitarian intervention' - which perhaps were not mentioned in the resolution. By humanitarian assistance, we mean a number of things. It could be quite a vague concept. Basically, it is assistance provided by international humanitarian organisations or states with the consent of the government in the territory in question. But there are also other examples like, for instance, the doctrine of the International Committee of the Red Cross (ICRC). The Red Cross movement thinks that it is all right to provide humanitarian assistance to areas where the

government of the country in question has no control and will not grant consent because they may be an uprising in that area. In such situations, the ICRC will not give priority to the question of government consent but to the matter of efficiency and provide humanitarian assistance.

The concept of humanitarian intervention is thought to include a military element, where humanitarian assistance in some way is offered through military means and without the consent of the government concerned. It is here that we have problems with the UN Charter which Ambassador Dayal pointed out. Of course, there is no problem with a Security Council-mandated humanitarian intervention — collective intervention in the true sense — where one has found that the humanitarian crisis in the background amounts to a threat against international peace and security. But as we also know there are other cases where there is no such Security Council authorisation, which have led to debates whether regional organisations should have the right in such instances to intervene. However, the fact remains that the alternative to the UN would be regional organisations which could arguably have a right to humanitarian intervention in certain restricted situations.

That was what actually happened in Northern Iraq in the spring of 1991. The Security Council Resolution in question did not authorise intervention, only humanitarian assistance. The various humanitarian organisations were given the mandate to go into Iraq and provide the help they could, even without the consent of the regime in Baghdad. The consent came only later with the agreement over the stationing of the UN Guards. Resolution 688 stated that Saddam Hussein's regime was responsible for the terrible situation of the Kurds and the Shia Muslims in the South and that this should stop. But it did not say what should be done about it except for this vague mandate of humanitarian assistance. Nevertheless, some NATO countries initiated *Operation Provide Comfort*, under which they created safe havens in the mountains of Northern Iraq, acted to protect these safe havens, and provided food and shelter to the people in them. The reaction to *Operation Provide Comfort* was quite good in Western capitals at least, although it was not in line with the UN Charter. I remember that the Swedish Minister for Foreign Affairs issued a Press Release, in which the Acting Foreign Minister said that Sweden was aware that this intervention in Iraq was not in line with the strict standards of the UN Charter, but that nevertheless due to the humanitarian catastrophe involved, it supports the intervention. The position of the other European capitals was similar. Perhaps this was the first clear example of a humanitarian intervention outside the scope of the Security Council in modern times.

In Bosnia, from 1992 onwards, after UNPROFOR had been established, we had an operation on a sort of a gliding scale. It was originally a Chapter VI operation with the consent of the parties in question, in which humanitarian assistance was to be offered to people in need, safe areas were established, and so on. But after a while UNPROFOR was given a Chapter VII mandate — small, specific mandates in a couple of resolutions in order to protect the safe areas. After the terrible incident in Srebrenica in July 1995, these mandates were used in the autumn of 1995. There was a movement, if you would like to put it that way, from strict humanitarian assistance to humanitarian intervention. Then we had the Dayton Process.

Then came Somalia in December 1992, when *Operation Restore Hope* was initiated. The CNN effect was clearly visible here; television cameras and photographers were standing on the beach welcoming American troops into Somali territory. Resolution 794 and others that were adopted later used the phrase 'humanitarian assistance' quite a lot. But, in fact, it was also a kind of humanitarian intervention. There was this military dimension, of course; and there was no government of Somalia to obtain consent from. Sometime earlier, the UN General Assembly had adopted a resolution on humanitarian and other catastrophes, which included language that made it possible to go into a country with humanitarian assistance without the consent of the

government but with the consent of the *country*. This resolution was referred to here as a way of getting around some legal difficulties.

In Rwanda, in 1994, the Security Council acted very late. A resolution was adopted, according to which French forces were authorised to go into Rwanda and use all necessary means — an euphemism for the use of force — pending the setting up of an ordinary UN operation. The Rwanda crisis has now been evaluated and lessons have to be learnt from that. All were not too happy with what the French forces did in Rwanda. Though they acted as a buffer and kept the two sides apart, but in the process they indirectly helped those Hutus who carried out the genocide to hide or go to other places which made it even more difficult for the UN to later on get going with the proceedings of the tribunal on Rwanda. Perhaps a good thing that resulted from the Rwanda experience is that there is now pressure on the Security Council not to repeat this kind of inaction again in such situations.

These normative developments were accentuated in 1995 by the so-called Carlson-Ramphal Commission Report. The interesting thing about this Report — authored by Ingvaar Carlson, the former Swedish Prime Minister and Sunny Ramphal, the former Secretary of the Commonwealth — was that they pitched the concept of the 'security of states' on the one hand against the concept of 'security of people' on the other. They made the point that international law has so far been very much concerned with the 'security of states' (collective security was given as one example within the UN system), but not so much concerned about the 'security of people'. They argued that the basis for such a concern about the 'security of people' could be found in the UN Charter and that it was now time to develop it further. Security of *people* was used instead of security of *peoples*, because they wanted to avoid reference to the principle of the self-determination of peoples and thus unwittingly encourage the various groups that would like to fight for secession. Thus, the concept of the 'security of people' was limited to the human rights problem in strict terms. The Carlson-Ramphal thought that there should be a right to humanitarian intervention, which is very interesting because it was in line with the whole purpose of the UN Charter. At the same time, the Commission said that in order to have that right of humanitarian intervention accepted, the UN Charter has to be revised. And, of course, this proved unrealistic. After that the Commission's recommendations have not meant much in practice perhaps.

Nevertheless, during the Kosovo crisis and in the debate on that crisis that we had in Sweden, the report of the Carlson-Ramphal Commission was referred to quite a lot because, as in many other countries, in Sweden too the debaters were divided in two camps — those who supported the NATO, not because it was in accordance with international law but because it was in accordance with international law *as it should be and as it should be developed in the future*; the other camp, of course, was very critical of the NATO action and argued that we should stick to the present wordings of the UN Charter. Carlson himself took part in this debate and stuck to the point of view that the wordings of the Charter is the important thing, which was in line with his original recommendations to amend the Charter.

1998 saw the Sierra Leone crisis developing. Troops from West African states, the ECOWAS, without a Security Council mandate, intervened in that country and managed to reinstate its democratic government. They should have asked for clearance. According to Article 53 of the UN Charter, a regional organisation should have clearance from the Security Council. There was a Presidential statement from the Security Council after this commending the ECOWAS troops for what they had done. It was a sort of a *post facto* authorisation of the ECOWAS intervention. We don't know whether it amounted to an authorisation of humanitarian intervention or an authorisation of democratic intervention or both. But it is something that has to

be evaluated in the future in comparison with other similar cases; because there are similar cases with regard to regional operations authorised after the events.

We all know that in Kosovo, in March 1999, when operations were started by NATO, there was no resolution adopted at the United Nations. It was only later in June 1999 that Resolution 1244 was adopted. We now have a heavy UN and NATO involvement in Kosovo for the purpose of what someone referred to as 'nation-building'. But one cannot say that this was a *post facto* authorisation of the NATO action. With regard to the Kosovo debate, I belong with those who would like to see a development of international law in this respect. I do not agree with our distinguished Chairman (Gen. Nambiar) that we should stick exactly to the wordings of the Charter as it exists today.

I would like to remind you that the UN Charter has developed progressively during the years. Kofi Annan said during the 1999 General Assembly debate that the Charter is a living document. Dag Hammarskjöld knew that and he used it for establishing the concept of peacebuilding under Chapter VI of the Charter. In my view, peacekeeping operations can be said to be under 'Chapter VI and a Half' of the Charter whose provisions are more ambitious than those of Chapter VI but without as much military teeth as Chapter VII. We have had similar developments over the years. For example, the developments over the veto right which was written in a very extensive fashion in Article 27 of the Charter, but does not in practice any longer include abstentions; although abstentions should be looked upon as a veto according to the strict wording of Article 27. That is another change in practice. We have the authorisation mandates that the Security Council has given in the Gulf War, for instance. Let us call it as 'Article 41 and a Half', more ambitious of course than Article 41 but not as ambitious as Article 42, which is not possible to implement under present circumstances.

Clearance from the Security Council is not forthcoming. This is the only way in which maximum pressure could be brought to bear on the Security Council to look only into the issue at hand — the humanitarian issue — and not at other extraneous factors. This would make it easier for the Security Council to face up to its responsibility. In East Timor, we had a humanitarian intervention which began as a regional operation under the leadership of Australia. It was a humanitarian intervention, but with the consent of the Government of Indonesia. Hence, it is not a clear case of humanitarian intervention as one would call it.

Coming to the present situation, we have what I would call the 'Kofi Annan factor'. After the 1999 General Assembly debate, it was clear that the developing countries have once again rallied behind the strict wording of the Charter, thus excluding humanitarian interventions from its scope. But Kofi Annan has taken a more ambitious approach. In 1999, he used the phrase 'rights beyond borders' and stated that the Charter is a living document. In his 1999 Report, Annan talked about the development of international norms in favour of intervention. He did not mean that only the Security Council should take its responsibility at intervening collectively when there was a need for it, but also seemed to mean that, in the last resort, there should be an opening for probably regional organisations to do something. Ambassador Dayal referred to Kofi Annan's Millennium Report, where he recognised that the concepts of sovereignty and non-intervention that had been raised by developing countries was extremely important. But there is the question of how then to deal with crimes of international humanitarian law in conflict situations as in Bosnia and Rwanda. Kofi Annan has said that the Security Council has a moral duty to act on behalf of the international community. Of course, he has not elaborated upon what should happen if the Security Council does not act upon that moral duty to do something because, as we all know, it is an extremely sensitive matter and it is not for him to press for any

legal developments at this point. But others are doing that and there are again different camps with different views on this.

What of the future? The Brahimi Report includes a certain element of humanitarian intervention under the heading of more robust rules with regard to engagement. It states and I quote: "United Nations peacekeepers, troops or police, who witness violence against civilians should be presumed to be authorised to stop it within their means in support of basic UN principles. However, operations given a broad and explicit mandate for civilian protection must be given the specific resources needed to carry out that mandate." In other words, UN troops should not stand by and look upon humanitarian disasters. Dag Hammarskjöld was actually of the same view. During the Congo crisis, there was a massacre in the Kasai region. Hammarskjöld telexed to the people in Leopoldville that his troops shall intervene and stop it and that it must be looked upon as a duty of UN peacekeepers to do that in such situations. There was no mandate for such kinds of humanitarian interventions at that time. I have looked for this in the literature and I do not think that anything actually happened. The situation probably had cooled down and the UN troops did not have to take any action. What is important to note here is the principle.

What will happen now? The Millennium Summit in New York included a declaration adopted by the Security Council dealing with the matter of how the Council should deal with the challenge of effective peace operations in the future. The declaration mentions the appropriate mandate, trained and properly equipped personnel, etc. With regard to the Brahimi Report, the Security Council stated that it welcomes the report and has decided to consider the recommendations which fall within its area of responsibility expeditiously. This is a cautious way of saying that it will look into it but if it is going to be expensive the Council has the right not to do anything about it. Let us wait and see what exactly happens in the future.

There has been a normative build-up over the years which makes it more and more difficult to simply rely on the principle of sovereignty and say that the sovereignty dimension is the only answer to the question of humanitarian disasters.

HUMANITARIAN RELIEF EFFORTS : CURRENT NATURE AND FUTURE TRENDS

By

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Introduction

It is quite evident to say that the nature of humanitarian operations has changed profoundly since the fall of the Berlin Wall, giving people in the field, politicians, diplomats and academics alike much food for thought. New paradigms have appeared, principles of law have been flouted or called into question, and new players and new needs have emerged. As a result, nations and multilateral players or non governmental organisations have been trying to define rules of engagement for the relief operations of tomorrow. If the current rules that we have been experiencing for the last ten years do not change, existing blockages will continue and the suffering of those who are displaced or oppressed can only increase. And it is important to remind to states and other parties that any change that does not place the interests of victims above those of states has no chance of becoming a viable, lasting policy for the future.

After a quick review of the problems besetting humanitarian aid operations over the last decade, we will look at the positions that the various players will have to defend if they are to become more effective and make a return to impartiality and the guiding principles of humanitarian assistance.

The Globalisation of Humanitarian Operations

Humanitarian operations have become worldwide phenomenon in the last ten years. In contrast, however, the conflicts to which they are a response have become more localized: fewer than 5% of contemporary conflicts are now international, and countries are most often ravaged by violent and barbaric civil wars. This reality has given rise to new paradigms, such as:

- The systematic use of civilian populations as pawns and military objectives — vulnerable masses placed between combatants who prefer to abuse them rather than engage in traditional military confrontations. In the last decade, it has often been the horror and atrocities committed against civilian populations that have driven international humanitarian efforts, along with the fact that the end of the Cold War has meant fewer political constraints and therefore allowed a new, hitherto unheard of freedom to act.

- The increasingly widespread and systematic application of this approach to current war means that today 90% of the people affected by a conflict are civilians and that recurring psychological and social trauma, although invisible, is now more significant than material losses suffered in a conflict.
- The flouting or simple ignorance of the most basic rules of international humanitarian law and the huge increase in major violations of human rights.
- Confirmation of new formal and informal economic systems (diamonds, gold, copper) as the main reason for maintaining many conflicts.
- Domestic conflicts kept at low intensity levels with few effects felt outside the country, thus leading to objective discrimination in the treatment of the populations who are out of sight and out of mind, as opposed to those who are in the news. The same discrimination occurs when it comes to resources allocations (ECHO spent more than 50% of its budget in favour of the Albanian refugees – or virtually 220 US\$ per capita when other African refugees barely had the chance to be granted a 10US\$ allocation per capita).
- Increasingly, most of UN or regional peace intervention have the humanitarian imperative as first priority and this tendency should increase in the future. So called “complex operations” have become the main reason for UN intervention in the last decade: northern Iraq, Somalia, Bosnia, Cambodia, Zaire and the Congo, Kosovo and Albania, East Timor.
- Increases in the number of natural disasters through the combined and poorly understood action of new natural phenomena (global warming, rising water levels, deforestation, etc).

The statistics recorded by the UN Office of the High Commissioner for Refugees (UNHCR) show slightly lower numbers of refugees and internally displaced persons in recent years (between 20 and 25 millions), but according to the International Federation of Red Cross and Red Crescent Societies, 215 million people received some kind of assistance in 1998. Every year, in all categories, 4 to 5% of the world's population is in dire need of humanitarian relief, either temporarily or for the long term. And the paradox remains that even if CNN and other media show us the value of the work of international organisations in major man-created crisis, most of the people who fall under humanitarian assistance each year remain under the responsibility of local and national organizations (the Red Cross and secular and religious associations), and it should remain as such as the figures will increase.

For the UN and its military partners, this decade has been an incredible and fast track learning process on how to deal and operate in the new humanitarian environments created by these new intra-wars, loaded with increasing security problems, moral and ethical dilemmas, new logistical constraints, and constant revision of doctrine adjustments, international mandates of the missions and constant precarity of the means put at their disposal to deal with the human issues created by the conflict.

An English researcher who specializes in humanitarian issues, Adam Roberts,¹ has noted a number of key factors that have placed international humanitarian action at the forefront of international politics:

- Humanitarianism is a possible response to new conflicts, especially in areas where old political dichotomies are no longer applicable. The refusal to support one side or the other in a religious or ethnic conflict, or the absence of an easy political solution has led to humanitarian organizations being invited to find temporary humanitarian solutions to cultural clashes that go beyond the bounds of standard conflict resolution.
- The media's ability to provide real-time coverage of disasters has had a major impact on the ability to mobilize national and international public opinion, providing justification for international aid efforts as well as substantial funding.
- The humanitarian approach is the easiest, safest, cheapest in the short term, and the most meaningful for public opinion and for many politicians, as opposed to searching for ways to eliminate the causes of conflicts or for long-term solutions.
- The humanitarian approach is the best way to find a common denominator among states and organizations with vested interests that might easily have conflicting political readings of a crisis. It is also an approach with moderate risk. When there is no common denominator, the various powers will lead the humanitarian mission to an end (Operation "Assurance" led by Canada in the Great Lakes in 1996) or to greater confusion and unsolvability (UNPROFOR).

While all of these hypotheses lay behind the implementation of humanitarian policies in the 1990s, the development of new responses to massive humanitarian crisis has somehow had the effect or advantage of validating some new options in a number of fields:

- Legal: fighting impunity, creating international courts, including the International Criminal Court, or preparing and making signed the Convention on the Safety of United Nations and Associated Personnel.
- Political: strengthening of the role of the Security Council and regional security organizations such as ECOMOG and NATO in the management of humanitarian and political crisis; development of new priorities of some of the crisis by major powers originally not interested in the management of these kind of crisis, thus questioning the role and/or necessity of major powers in support of regional organisations when it is much needed (see the French support in Central Africa to the MONUCA, the role of Great Britain in Sierra Leone recently at the side of UNAMSIL and the failure of Operation "Assurance" (1997) by the same contrary effect that none of the main powers had a vested interest in the success of the mission in Zaire).
- Practical: strengthening mechanisms for interagency co-ordination, increasing the number of tasks and functions assumed by agencies and partners, strengthening of civilian-military-humanitarian-political partnerships, what we call the "New

¹ Adam Roberts, Third Forum on International Security (Zurich, Oct. 19-21, 1998).

peacekeeping partnership” at the Pearson Peacekeeping Centre and birth of new “models” of intervention (the theory of the “Four pillars” of the MINUK for example).

- Ethical: adoption of new codes of conduct and new rules of engagement when necessary.
- Institutional : creation of new political (Secretariat d'État in France for example) and institutional structures in response to the need to intervene when deemed necessary.

But these new options and phenomenon have not succeeded in shaking up some of the most basic rules of the UN system, such as the absolute respect of state sovereignty and non-interference in the internal affairs of states, two rules which still leave millions of people in the Congo, in Sudan and in Angola, for instance, with no choice but to let themselves die, because there are no guarantees of access to the victims or of minimum assistance and protection. Faced with these moral dilemmas, which are also unsolved political questions, what sort of new rules and positions could the various players in the system develop in the coming fifteen years?

The Future of Complex Humanitarian Operations

The Role of the United Nations

The United Nations should continue to play a central role in directing complex humanitarian relief operations, either under the aegis of the Security Council when the operations are a threat to international security, or through the combined and integrated forces of UN players. In early 1999, Sergio Viera de Melo, Undersecretary-General responsible for the Office for the Co-ordination of Humanitarian Affairs (OCHA), proposed that “the only effective way to deal with many of these crisis is for the UN Security Council to exercise its central and unique responsibility for the maintenance of peace and security.” At the same time, he pleaded for the member states and other players to attempt to bridge the gulf, which has never been so deep or wide, between existing international humanitarian law standards and respect for them on the ground, and for increased access to humanitarian aid by those who need it.

Obviously, the UN's ability to deal with this type of crisis has been sharply criticized by outside observers: lack of clear mandates, lack of vision and unreadiness of troops involved, lack of equipment, lack of co-ordination between UN agencies and other international players, lack of support at headquarters (the less than 0,5 ratio described by Brahimi), lack of expertise in understanding local issues, lack of funds, lack of training and rapid rotation of personnel, and so on. There are as many grievances as recommendations on how to solve them. Nevertheless, the keywords that must continue to guide UN humanitarian operations are:

- Consent
- Capacity
- Legitimacy
- Respect for human dignity
- Respect for international humanitarian law and rules of conduct

Rarely are all these conditions met at once. Hence the Brahimi report's emphasis on not getting involved until minimum conditions guaranteed by member states have not been met. Respecting this rule is the only way to make everyone agree that the failure of an operation is

more the consequence of bad faith on the part of member states than the fault of the United Nations. But in the case of a humanitarian disaster, can we really wait ?

The Role of States

The role of states has changed a great deal in the past few years. Recently there has been a manifestation of the desire to deal with humanitarian crisis better by stepping in sooner rather than later. Sooner, because everyone knows that an ounce of prevention is worth a pound of cure when it comes to the dilemmas of whether or not to intervene with force once the harm has been done. Later, because the member states have finally noticed the failure of models, which, instead of political decisions, implement humanitarian policies that have no vision of how to get out of the crisis and that are powerless to stop the worst atrocities, whether in Rwanda, Srebrenica or Timor.

The way various states run humanitarian operations has also changed enormously. In Europe, the main role of providing aid and funding has been devolved to the European Community Humanitarian Office, known as ECHO, and so states that wish to do more have specialized in certain types of action. The British have operational and logistic units on standby. The Norwegians have 400 nationals that can be seconded to the UN and sent in quickly for period of three to six months. The Swiss have 1,500 volunteers, most of them specialists in coping with natural disasters. The Americans, in recently criticising the shortcomings of their own co-ordination system in Kosovo, are now seeking to rationalize their rapid-reaction system within US AID. Canada, which has few truly operational agencies, is timidly organizing an external direct-action team in partnership with the army and the Canadian Red Cross, but still gives funding priority to multilateral agencies.

The philosophy of most national donor agencies, despite a constant decrease in the percentage of GNP devoted to humanitarian aid, is thus still to trust the major UN players and NGOs that are part of the system, while demonstrating to the public the tangible value of their direct actions, especially when their military forces can do it. The military forces of the states that wish to strengthen their operational and logistic complementarity with willing NGOs should be able to do so and it should be a regular part of their mutual training. As an example, humanitarian NGOs know the immense cost of the logistic support of NATO forces in setting up winter shelters for Kosovan refugees in Albania when there was still no hope of their returning home. At the same time, militaries, according to many, should do better in the management of issues dealing with a "soft humane" approach of refugee problems.

Finally, it is still just as crucial that states think long and hard about the importance of preparing for the stages that come after the management of a humanitarian crisis. One crisis leads to another if no one gives immediate thought to a medium and long-term view of what the future of a society or state weakened by a crisis will be. As Jonathan Moore, a UN Development Program advisor, points out:

"Donors have a problem in dealing with transitional societies because there is a virtual contradiction between the requirements for this kind of assistance and their own stubborn habits: an important, short-term mentality, a focus on band-aid measures instead of steps to address the root causes of problems; too much emphasis on their own interests and techniques rather than relying on local resources, and a misplaced passion for "instant democracy."²

² Jonathan Moore, "The Humanitarian Development Gap, *International Review of the Red Cross*, No. 833, p. 103-7.

The Role of Non State Actors

Non state actors, after an unprecedented growth in their numbers over the last ten years or so, are starting to draw some conclusions about their past operations: a return to the chief principles of international humanitarian law, rationalization of operational practices in the field through the adoption of more standardized techniques, approval of new ethical policies that serve as reminders of adherence to the main principles defined by the International Red Cross. On the world stage, the biggest agencies are becoming truly international: there are 20 branches of Doctors Without Borders, 10 members of CARE International, Lutheran World Federation, ADRA, Action Against Hunger, Handicap International, and many more. They sign MOU with main UN agencies and in one way transform the humanitarian operations (or the "Charity business" as wrote William SCHAWCROSS) in the past in an oligopolistic game. Also, the main international NGOs are playing an increasing role in defining humanitarian policies and are going international with their messages, their recruiting and their sources of funding. There are backed in this movement by strong umbrella and advocacy organizations like InterAction in the U.S., VOICE in Europe, or the International Council of Voluntary Agencies (ICVA) in the Southern Hemisphere.

Emerging Priorities

The recent tragic assassination of three UNHCR humanitarian workers in the province of West Timor reminds us how imperative it is that individual states, the UN and international agencies define new ways of protecting the more than 10,000 international workers providing aid in humanitarian crises, not to mention the tens of thousands of nationals who support their actions. International escorts, deployment of UN Blue Helmets or Blue Berets, arrests of perpetrators and judgements in the International Criminal Court: whatever the measures that have to be taken by agencies or states, there can be no development of humanitarian aid operations until the professionals they employ can be better protected. In this field, it is therefore important to think of new ways of acting to protect those who do the protecting: special units, specific mandates, a new international body not subject to the whims of the states. New solutions must be quickly found to these new problems and they have proved to exist the past (UN guards in Iraq, training of special military forces for the management of the security in refugee camps – Zaire – Goma – 1995-96).

Great progress has also been made in the area of "humanitarian co-ordination" in recent years, as well, as a result of the concerted efforts and regular exchanges organized by the OCHA and the work of the Inter-Agency Standing Committee (IASC). Thanks to this vision of "a shared global responsibility," significant improvements have been made in the conditions of resource allocation, rationalization of priorities, and sharing of efforts, without calling into question the specific mandates of each agency. These mechanisms seek to make the most of complementary strengths and focus on better utilization of resources.

Like the involvement of military or police forces in peacekeeping operations, the professionalization of humanitarian workers is a crucial element of successful relief efforts. The application of minimum standards for disaster relief under the direction of the "SPHERE project" recently showed that at the dawn of the 21st century, the main operational partners, like donor agencies or governments, did not yet have common criteria universally accepted by the humanitarian community. But now this has been achieved, thanks to the impetus given by the big international NGOs. Also the "Code of Conduct in Disaster Relief", another Red Cross initiative, is a somewhat belated attempt to fill the void in the matter of respect for rules of conduct and basic ethics that should guide the participation of humanitarian workers, who should ideally remain neutral, impartial and in the sole service of the victims.

But there is still too little sustained effort on the part of various humanitarian agencies to ensure that their services are perceived as being of high professional quality. Training centres of excellence to train the 10,000 professionals or volunteers doing humanitarian work internationally are still too rare: it is much simpler to turn a civilian professional into a humanitarian worker than it is to draw up a profile of the ideal humanitarian worker, both flexible and effective. The increasing complexity of operations, the increasing risk associated with a poor reading of the environment, the increasing number of players and of areas of operation must encourage us to strengthen the skills of humanitarian workers significantly and afford them irreproachable credibility. The efforts at rapprochement being made by various partners of “the new peacekeeping partnership,” particularly military and humanitarian, do not mean that they are not still wary of one another.

Military forces, which will continue to be increasingly involved in the management of logistic operations of major humanitarian efforts, must also improve their skills in human management of refugees and displaced persons. A huge material capacity is no longer going to be enough to help solve a humanitarian crisis if the capacities and vulnerabilities of refugees, the conditions of psychological and physical protection of the people, and the management of vulnerable individuals or threatened groups are not analysed carefully and supported on a foundation of skills and sustained interest.

New Strategies for a New Vision of Humanitarian Work

Based on the working hypotheses I have just advanced, the strategies that will be developed in the future will have to be guided by a greater concern for effective delivery of aid, a stronger guarantee of access to victims, and provisions aimed at a stricter application of existing international legal instruments. Not surprisingly, many of the recommendations of the Brahimi report on improving UN peacekeeping operations can apply equally to complex relief operations. It is important that the credibility of all players involved be strengthened by clear measures that will help improve:

- The quality of operational mandates and the definition of players having a role, by default or by the agreement of other parties, to intervene in a particular situation and clear commitments on the part of the “strong players” that they will be respected.
- The quality of action through the reinforcement of the financial means of operating agencies, within a holistic vision that reduces national involvement and maximizes coherent, integrated global strategies.
- The safety and protection of both NGOs and victims, starting with the most vulnerable, whose rights have been trampled, often barbarically, with impunity in the last ten years.
- Respect for the basic rules of international humanitarian law through the reinforcement of measures making the perpetrators of atrocities accountable and punishable for their actions.
- The reinforcement of conditions of access to and protection of victims. Broadening of the conditions of execution of international protection mandates, based on the concept of “expanded mandates” which might be granted to a number of international NGOs, could be a step in the right direction. Military and police forces should also be fully aware of their responsibilities in such situations.

- The search for concrete ways to equalize conditions of protection and aid for groups that do not yet have a clearly defined status — internally displaced persons to various vulnerable groups that are the first victims of conflicts (minorities, the stateless, disabled people, women and children, and so on).

These resolutions cannot be implemented until there is the gradual emergence of a consensus among the major states, big agencies, asylum states and other players in the system. The crisis in Kosovo and in Chechnya continue to demonstrate that the Security Council, as currently structured, will be an inoperative instrument as long as the interests of one of the Big Five come before the suffering of populations and freedom of access to the victims. While we know and acknowledge that the only private international organization capable of operating in this type of conflict is still the International Committee of the Red Cross, we must believe that continuing to agitate so that the United Nations equips itself with the means to take action, both military (protection) and humanitarian, which would be acknowledged as impartial and neutral in a conflict, could help the international system find credible responses to the most acute humanitarian crisis.

For example, that 100,000 East Timorese refugees are today the frightened victims of out-of-control militias that have just assassinated four humanitarian workers raises once more the question of the legitimacy of rapid reaction teams led by an international force to find a solution to a situation in which the asylum state is both passive and implicated in crimes against humanity.

Doctrinal reform is thus just as necessary as structural reform. The Brahimi report emphasises the structural reforms necessary for sound management of peacekeeping operations. Deputy Secretary-General of the United Nations Louise Fréchette, a Canadian, is in charge of studying the implementation of the recommendations. At the Millennium Summit, Canada, through its prime minister, also proposed to set up an international commission to examine the conditions for humanitarian and military intervention in domestic conflicts. This is an extension of “the right to interfere” in the internal affairs of a sovereign state under certain conditions, a principle already approved by the UN’s General Assembly.

The debate should go further than just rights already recognized by the Security Council with regard to threats to international security. For this, not only forces already at the service of the United Nations are needed, but recognition of the “denationalization” of national troops to place them under a strictly UN operational command, whose mandates and rules of engagement would be known by all parties before the troops were deployed. This is again the idea of the Rapid Deployment Force that we are thinking about.

It is also important to improve the skills of all military, police and civilian personnel involved, through systematic and comprehensive training policies, both nationally and internationally. Until February, the MINURCA troops in the Central African Republic were made up of members from twelve African nations. ECOMOG contingents have long been composed of West African troops. The regionalization of contingents of peacekeeping troops will therefore be a major trend in the years to come and states such as Canada and others will have to make a special effort to reinforce the professional skills and training of both officers and troops, such as those from the Third World, to increase their ability to serve in peacekeeping and humanitarian operations.

The Pearson Centre for Peacekeeping Training is working to this end and believes that improving the skills of all players is the best way to settle the humanitarian crisis of the 21st century.

SESSION FOUR

EXTRACTS OF DISCUSSION

Lt Gen Nambiar (India) : Security Council Resolution 1318 dated 07 September 2000 contains the declaration on ensuring an effective role for Security Council for maintenance of *international peace and security particularly in Africa. The first para states that it "Reaffirms its commitment to the principles of sovereign equality, national sovereignty, territorial integrity and political independence; pledges to uphold the purposes and principles of the Charter of the United Nations; and underlines the need for respect for human rights and the rule of law"*.

In a speech given in Canada late summer last year, Vaclav Havel claimed NATO's campaign in Kosovo to be the first in history to be fought for entirely humanitarian purposes. He claimed NATO had no political, economic or strategic interest in Kosovo and was acting purely for altruistic reasons. This, in his view, made the campaign a just war. Here I would like to highlight one very important point about just war. Just war was only to be undertaken as a last resort; when all other means of conflict resolution had been expended. The onus of establishing the justness of the cause rested firmly upon the person or the State that resorts to it. The declaration of such war was only to be made by a legitimate authority, which emphasises the relationship between the moral precept and the political culture. Stress in just war is on the protection of the non-combatants and its tradition is a philosophical combination of proportionality and discrimination.

When applying the theory of just war to deal with humanitarian intervention, I think these aspects, particularly those that fall within the domain of politics rather than military, are important. The military dilemma is to subordinate military planning and methods of execution to meet political ends that are not always clearly defined even within the political system.

Paul Robinson in his article in the Autumn '99 issue of International Journal makes certain observations that require some thought. He talks of the main characteristics of NATO's conduct of war in Kosovo as a desire to avoid friendly casualties. In its air campaign against Yugoslavia, according to him, NATO showed its willingness to kill for its principles but not to fight.

A point worth noting is his quotation of John Keating who had said that sense of honour is the motivating factor for soldiers in war. He goes on to say "*Coming face to face with one's opponent and having to fight him causes one to treat him with respect; to honour him as a warrior, to restrain one's behaviour towards him. The pilot bombing a target from 15,000 feet never sees his enemy, never even has to fight him and thus sees no need to honour him or behave in a restrained way towards him. Is this form of warfare ethical when it turns soldiers from warriors into mere killers?*"

Another important point made by Paul Robinson is that "*As a result force protection has come to dominate Western military thought. New technology that allows Western nations to avoid friendly casualties has made it easier for them to initiate war without considering the consequences. War has become more likely as a result. The attacks on civilian rather than military targets impelled (Milosevic) to surrender.*" This is the worrying conclusion: "*It suggests that if one is unwilling to take the risks involved in attacking an enemy's military forces, victory can still be achieved by assaulting the civilian population.*" I think this language needs some **thought** if nothing else.

Lt. General R Sharma (India) : With such a strong panel, we are no doubt thoroughly convinced that one of the core mandate of UN, hereafter, is going to be humanitarian

intervention. But this has very wide political, economic and most of all, security-oriented ramifications, who will be the giver and who will be the recipient? The recipient is invariably going to be from the third world and the giver is the UN which today means the Security Council.

Out of the permanent members of the Security Council, China seems to be indifferent to peacekeeping and Russia is too engrossed with the CIS. So ultimately those who count are the P-3. For a third world problem to be perceived and implemented by the P-3 alone or the P-1 in the ultimate – is something to be thought about. There are certain cases like this that should come under the purview of the General Assembly. Chapter IV, Article 10 permits the General Assembly to take on security matters provided they are not contradicting Art 12. **Either the Security Council should be expanded to include those who understand the problem of non- Western countries or take it to the General Assembly.**

Mr. Prakash Shah (India) : The Charter makes provision for the Security Council's right to intervene to use force. When we move to humanitarian intervention one way to make it legal is by saying that the humanitarian situation is a threat to peace and security. But if it is a moral question, a much larger decision making body would have greater credibility in humanitarian interventions. Hence, when it is not just a matter of threat to peace and security, why can't the General Assembly be consulted? Because if abhorrence is experienced by a large majority of the countries, then perhaps the acceptability of humanitarian intervention will be far greater than what it is today in terms of hidden motivation of P-5 and so on.

Mr. Bruce Oswald (Australia) : NATO has no humanitarian agenda. It is a military organisation and based on consensus. When the Soviet Union collapsed, the reason for this consensus collapsed too; but the consensus itself did not collapse. The idea was that there exist some higher values. Given a choice between solidarity and human right agenda, even Vaclav Havel chooses NATO solidarity. The reason is a very hypocritical position that NATO is ipso facto right. There is no possible alternative. This message was extended through to countries that were to join NATO. Even in Bulgaria and Romania, when the population were against the intervention, their Governments stayed solid with NATO supporting their agenda. What is very worrying is that one reason why NATO was successful was that they already had the **official information Press** which could promote NATO message in various languages. During NATO operations, this included international TV coverage. This meant that the same agenda could be spread through the population far more efficiently.

Ambassador Peggy Mason (Canada) : On what basis should humanitarian intervention take place? As things now stand it will be the Security Council that will determine when and how and where to intervene. In my view, the General Assembly should have a right to contribute in this process. But it must be pointed out that what the General Assembly was doing is that it is opposing humanitarian intervention and therefore not entering into a debate on the criteria.

But I think there is a problem in practical terms in getting the General Assembly in matters as controversial as humanitarian intervention. The General Assembly has to develop its own thinking. Of course, the legal aspects have to be kept in mind.

In my view, the Security Council should be enlarged in order to cover many of the states but I would not like to see more veto portions out to new states; rather a development in the other direction that the veto be only used for security related problems of P-5 and not for any other political problems regarding other countries.

Comment : At times the humanitarian agencies contribute to conflict creation rather than conflict resolution. Many times, impartiality is doubted in humanitarian assistance if there is a

lack of understanding of the society one is dealing with. It is important, therefore, that humanitarian agencies work in concert with the military troops on ground.

Mr. Virendra Dayal (India) : The oft-repeated question is why doesn't the General Assembly do something? We need to remember history. The Africans became members of the UN later. The impact of the West on them took the form of Christianity, civilisation and commerce. It is now transformed to human rights, humanitarian systems and the WTO. **Therefore, we cannot bring about humanitarian intervention by steps but by consultation, consensus, discussion and debate. There cannot be two rules one to say that the Charter should be respected for certain purposes but for humanitarian intervention, it is not respected.** The way of courage and honesty is to build a consensus, get the amendment or get the General Assembly in the picture.

SESSION FIVE

RELATIONS BETWEEN PEACEKEEPING FORCES AND OTHER AGENCIES IN THE MISSION AREA INCLUDING NGOs

RELATIONS AMONGST THE DIFFERENT PARTIES INVOLVED IN UN MISSIONS

By

Col Annette Leijenaar

Col Annette Leijenaar joined the South African Army in 1974 and became one of the first South African women to enrol for a degree in Military Science at the South African Military Academy. She is an intelligence Officer and has served with the South African Forces in Namibia/Angola from 1981-1988. She has also served in several capacities as Training Officer throughout her career. From 1995 to 1998, she was South Africa's Military Attache in London, to the UK. Amongst others, she also holds a MBA degree. Her post graduate studies focus in Macro Defence Economics. She has taken up her current position as Chief of the Training Unit, DPKO UN in January 2000.

Introduction

The now already, widely discussed, Brahimi Report was released on 21 August 2000 and concludes with the following shared vision of a United Nations, extending a strong helping hand to a community, country or region to avert conflict or to end violence:

"We see a SRSG ending a mission well accomplished, having given the people of a country the opportunity to do for themselves what they could not do before; to build and hold onto peace, to find reconciliation, to strengthen democracy, to secure human rights. We see, above all, a United Nations that has not only the will but also the ability to fulfill its great promise, and to justify the confidence and trust placed in it by the overwhelming majority of humankind."

This vision can only be obtained if the different parties involved in UN missions are willing and equipped to participate and contribute towards an integrated (UN) mission management process.

Aim

The aim of this presentation is to evaluate the relations amongst different parties involved in UN missions against the background of an integrated management process.

Scope

The aim will be accomplished by discussing the functions of the integrated management process as yardstick for the said relations. The Brahimi Report and the Assessment Team to UNAMSIL's Report will be used to provide recommendations for improvement.

Background

Numerous publications addressing the relations amongst the parties involved in UN missions have been published over the last few decades. Topics often include the words "interaction", "cooperation" and "coordination" and they discuss related activities of the different parties in UN, and other, peacekeeping missions. BUT when one looks at the modern definitions of "management" the said activities only represent a small portion of the overall management

process. Do so many topics address the overall issue of "coordination" because this is where the main shortfall is in the integrated management process of missions OR are missions not managed in an orchestrated manner? Analyses often refer to the internal functioning of UN missions as "crisis management". Are UN peacekeeping missions perhaps only "crisis driven"?

Definitions

An integrated management process plans, organizes, leads and controls the human, financial, physical and information resources at its disposal to obtain certain goals. Management can be defined as:

"the process or series of activities that gives the necessary direction to an enterprise's resources so that its objectives can be achieved as productively as possible in the environment it functions."

In layman terms: satisfy the involved society's needs through the application of resources. In UN peacekeeping mission terms: creating a secure environment by means of the implementation of a mandated mission. Mission mandates and plans should allow the effective implementation of an integrated management process.

Relations according to the Oxford Thesaurus refers amongst others to: relationships, connections, affiliations, interconnection, interdependence and associations.

The question to be answered is: How can an integrated management process orchestrate relationships in an UN mission to secure a successful outcome?

UN Missions and Classical Music

The largest group of musicians that perform classical music is the orchestra playing a huge variety of music that has been written over the last four centuries. The UN missions perform peacekeeping related activities that are composed through the creation of mandates and mission plans. The conductor directs the performance of the orchestra and strives to draw from the musicians as powerful a performance as possible - one that will satisfy the audience. The Senior Representative of the Secretary-General (SRSG)/Force Commander (FC) strives to draw the best performance from the different parties involved in the mission - one that will satisfy the population involved as well as the international community. When a composer is commissioned to write a piece of music, he must ensure that the piece satisfies the client. Resolutions, mandates and mission plans also aim to meet the client's needs. The size of the orchestra usually reflects the type of music it performs; it normally employs a core of musicians who play in most performances and it hires extra players for works needing larger forces. The mission also has its usual participants, but sometimes hires soloists to perform a specific task and choirs when it needs to share information with a specific audience. But how effective are the relations of different UN mission parties: are they all playing from the same sheet of music; is the SRSG's/FC's rostrum placed in a position that enables him to oversee the whole orchestra; has the mandate provided him with a baton to direct the operation and is the audience satisfied? Is the mission orchestrated in a harmonious fashion that will enable the international community to write a review that will state, "a mission well accomplished"?

The Parties Involved in the Performance

The parties involved in UN missions should reflect the tasks identified in the mandate. Big and small orchestras are found. But some players are indispensable: the UNAMSIL Assessment Team (AT) highlighted the need for a violinist, the Deputy SRSG, to lead the team. The composition is planned by Mission Planning Services (MPS) who has to decide how powerful a performance is needed. Their sheets of music will dictate when and where and how strong a performance is needed from the parties involved. The players are involved on different levels and in different stages of the execution of the mission's tasks, but the one is lost without the other: soloists might be needed for short impromptus, movements require long periods of interaction and the military might have to perform a serenade in the evening when other parties have already gone to bed. The SRSG might request the attention of the whole mission when it is a female player's turn to perform an aria. And when the media and information sections perform cantatas and lieder the military need to keep quiet. The SRSG will also have to appreciate NGO's performing cadenzas to exhibit their virtuosity. Even impromptus from diplomats and sometimes Heads of States contribute to the successful outcome of the mission. As long as the humanitarian actors, donor countries, intergovernmental organisations, the media, NGO's, the ICRC, the military and leaders in New York act according to the musical score of the mandate and plans, the SRSG's successful performance is safeguarded. Remember UN missions do not provide time for rehearsals. The relations amongst parties involved in UN missions are orchestrated through an integrated management process that plans, organizes, leads and controls all activities.

Planning

Planning is the management activity that determines the mission and goals. It determines the ways of attaining the goals, the resources needed for the task and guidelines. DPKO is responsible for the planning of new missions. The mandate spells out the goals, resources and guidelines and the most significant parties involved in the creation of mandates and providing advice to the Security Council in this regard, are normally the Secretariat in close consultation with the Member States (MS) and principal UN agencies. The Security Council must assure itself that the proposed mandate meets the human rights standards and practical guidelines for specified tasks and timelines.

The relations between the different parties in this activity should be well coordinated and communicated during the development of the mandate and the planning of the mission. The inputs of these parties are inter-dependent: their commitments regarding resources should be reliable and well coordinated through their governments and organisations. The Brahimi Report addresses potential shortcomings in this regard:

"The Security Council should leave in the draft form resolutions authorizing missions with sizeable troop levels until such time as the Secretary General has firm commitments of troops and other critical mission support elements, including peace-building elements, from MS."

Information gathering, analysis and strategic planning capacities are critical resources in any planning process. Without proper strategical, operational and tactical analysed information, no plans can be made or executed. The Brahimi Report's recommendation in this regard states:

“... The Secretary General should establish an entity, referred to here as the Executive Committee on Peace and Security (ECPS) Information and Strategic Analysis Secretariat (EISAS), that would support the information and analysis needs of all members of ECPS: for management purposes, it should be administered and report jointly to the heads of DPA and DPKO.”

The lack of proper information on all levels of UN missions creates tension and misunderstanding amongst the parties executing the mandate and plans. It is suggested that a mini-EISAS be established on mission level to ensure that all information is properly gathered, analysed, distributed and used in the execution of tasks. It is critical importance that trust and confidence exist amongst the parties involved in this process otherwise consensus and cooperation cannot exist. No mission can create mutual trust amongst parties without timeous and analysed information.

Organising

Organising deals with allocation of the resources to relevant parties. Duties are assigned and procedures fixed to attain set objectives. This is a difficult task regarding UN missions because some parties are inside the structure and some are outside. Furthermore some parties (NGOs) need to share resources; others (military) are believed to have all the resources and this might empower them beyond their given mandate; certain parties have emotional objectives and others are directed by sources outside the mission; some parties' resources (personnel and equipment), do not meet the UN Standby Agreement System (UNSAS) standards. The already difficult circumstances are complicated when resources arrive in the mission are too early, too late or never.

The Brahimi Report has several recommendations that address “organising” related aspects :

“The Secretariat should, as a standard practice, send a team to confirm the preparedness of each potential troop contributor to meet the provisions of the memoranda of understanding on the requisite training and equipment requirements, prior to deployment; those that do not meet the requirements must not deploy.”

The Report makes several logistical support and expenditure management recommendations. The most relevant to this discussion are :

- *“The General Assembly should authorise and approve a one-time expenditure to maintain at least five mission start-up kits in Brindisi, which should include rapidly deployable communications equipment*”
- *“The Secretary-General should be given authority to draw up to US\$ 50 million from the Peacekeeping Reserve Fund, once it became clear that an operation was likely to be established, with the approval of ACABQ but prior to the adoption of a Security resolution.”*

It also addresses an issue that was unclear in the UNAMSIL mandate:

“Security Council resolutions should meet the requirements of peacekeeping operations when they deploy into potentially dangerous situations, especially a clear chain of command and unity of effort.”

The Assessment Team to UNAMSIL concluded that, *"A significant number of UNAMSIL military and civilian staff, as well as external entities, are confused about UNAMSIL's mandate."* The confusion was caused by unclear guidelines regarding the support to the Government of Sierra Leone and the RUF. Diplomats from ECOWAS, the UK, military, civilian UN agencies, NGO's and the media were confused. Confusion creates tension and uncertainty amongst parties. The team also pointed out that a Deputy SRSG, to support the SRSG, was crucial to strengthen the chain of command.

Once the mandate is finalized and members are deployed to the mission, every party in the mission should have clarity regarding the mission's strategy. The UNAMSIL Assessment Team recommended the following regarding the mission's strategy:

"All staff must be aware of the mission's overall strategy and have a thorough understanding of the current situation, outstanding issues and UNAMSIL's mandate and ROE's. Cooperation and coordination with "external" partners must be strengthened and they must be part of UNAMSIL's overall strategy."

The relations amongst parties cannot promote common goals if the mission strategy is not communicated and understood by all. Relations between the civilians and military will not be cohesive and complimentary to one another, if they do not clearly trust and rely on one another's capabilities to execute the mission strategy. The different parties are to a large extent dependent on one another's resources and expertise. It is of critical importance that UN agencies, NGO's, the media and other "external" parties have positive relations with the mission because they are interdependent. One of the best ways to promote good relations with "external" parties is to keep them well informed of all activities on regular base. Information briefings should always be included in mission plans. The Brahimi Report recommends the following in this regard:

"Operational support for public information: a unit for operational planning and support of public information in peace operations should be established, either within DPKO or within a new Peace and Security Information Service in the Department of Public Information (DPI) reporting directly to the Under-Secretary-General for Communication and Public Information."

Mandate guidelines are manifested in the mission through policy and decision making. This coordinated process must include all related parties to ensure that they have a common understanding of what is expected from them and on which levels decision are made and executed. The recommendation of the UNAMSIL assessment team in this regard, reads as follows: *"Policy and decision making must reflect the inputs across components."* Relations amongst parties are coherent if all parties experience ownership of the decision making process.

It also suggests the revision of procurement policies to facilitate, in particular the rapid and full deployment of an operation within the proposed timelines, as well as providing field missions with much more flexibility in the management of their budgets.

The UNAMSIL Assessment Team suggests, amongst others, the following recommendations regarding the allocation and quality of human and physical resources:

- *"Contingents must be adequately equipped, trained, led and motivated to carry out their mandates."*

- *"UNAMSIL training needs to be improved and coordinated."*
- *"The military component should be staffed with logistics and communications officers...."*
- *"The logistics and communications shortcomings of proposed contingents needs to be assessed during troop contingent selection....."*
- *"It is suggested that all TCC's who have signed the UNSAS state more clearly the type of units, equipment and readiness status"*

It is important that DPKO MPS staff and Troop Contributing Countries (TCC) representatives and other organisations in New York cooperate and communicate effectively. MPS must have clarity regarding the mission's needs and the TCC representatives and other organisations must know their own capabilities. Different parties in the mission should be able to communicate their needs for resources with one another. The mission leadership cadre should coordinate and negotiate the even distribution of allocated resources. The "have's" should not be allowed to dominate the "have not's" and manipulate task distribution. The interdependence of different parties should lay the foundation for sound interaction.

Leadership

Leadership refers to directing human resources of the mission and motivating them in such a manner that their actions are in accordance with the goals and formulated plans. Superiors, equals and subordinates collaborate with individuals and groups to attain the mission's goals. Taking the lead, which is getting and keeping activities going, motivating and influencing personnel, as well as communicating with and amongst personnel, has a profound effect on the climate prevailing in the mission.

The Brahimi Report addresses "effective mission leadership" specifically and recommends the following:

- *"The Secretary-General should systemize the method of selecting mission leaders, beginning with the compilation of a comprehensive list of potential representatives or special representatives of the SG, force commanders, civilian police commissioners and their deputies and other heads of substantive and administrative components, within a fair geographic and gender distribution and with input from Member States;"*
- *"The entire leadership of a mission should be selected and assembled at headquarters as early as possible in order to enable their participation in key aspects of the mission planning process, for briefings on the situation in the mission area and work with their colleagues in mission leadership;"*
- *"The panel recommends that a revolving "on-call list" of about 100 military officers be created in UNSAS to be available on seven days' notice to augment nuclei of DPKO planners with teams trained to create a mission headquarters for a new peacekeeping operation."*

The UNAMSIL evaluation recommends amongst others the following:

- *"In regard to team building within the mission, senior personnel should make an effort to meet junior personnel."*

- *"The disconnect which presently exists between UNAMSIL and the agencies must be rectified."*
- *"UNAMSIL should continue to develop a cohesive command and control structure, with further development of the Force and Senior Headquarters."*
- *"There is a need to improve mutual understanding between contingents on regional or cultural lines."*
- *"Action is required to ensure all in UNAMSIL project the image of the UN more positively."*

The UN DPKO Training Unit is currently negotiating a proposal for the development of a "Mission Headquarters Orientation Programme" for civilian and military parties involved in UN missions. It is foreseen that the programme will be ready for implementation within six months.

It is clear that the importance of leadership on all levels is one of the most critical ingredients to ensure the successful outcome of any mission. Leaders from all mission participating parties should lead with authority, power, influence, delegation, responsibility and accountability. If these components of leadership are exercised with mutual respect, the mission will be able to execute its mandate with zeal and enthusiasm. Relations amongst parties should focus on leading with expertise and following with trust. This will result in cooperation, coordination and direction in the execution of mission tasks.

The importance of motivation is often neglected when the relations amongst parties dealing with UN missions, are considered. Motivation is an important ingredient that will keep parties and individuals, often operating under difficult circumstances, moving towards the formulated mission goals. It is the one factor that can bind different parties together to work towards a common goal. The mission must ensure that all parties share the common goal; that they communicate it and that success be rewarded and de-motivators be removed. Motivation is fundamental to the successful outcome of UN missions.

Control

Control implies that leaders of all parties should constantly make sure that the mission is on the right track in the attainment of the mission goals. The aim is therefore to check that performance and action conform to plans to attain the predetermined goals. Control enables mission management to identify and rectify deviations from the plans, and at the same time obliges it to continually revise the mission goals and plans.

The Brahimi Report makes several recommendations under the heading "Peace and the information age". Several of the proposals will ensure that control over all mission related activities can be monitored, revised and amended. The Report for instance recommends the following:

"The Panel encourages the development of web site co-management by Headquarters and the field missions, in which Headquarters would maintain oversight but individual missions would have staff authorized to produce and post web content that conforms to basic presentational standards and policy."

The Brahimi Report's recommended enhancement of the Lessons Learned Unit (LLU) will

provide it with the resources to monitor mission performance and to recommend improvements that will contribute to the positive rectification of deviations to set performance standards.

The Report also states that unless the United Nations takes steps to become a true meritocracy, it will keep on losing qualified personnel. It urges the UN to reward excellence and remove incompetence to prevent additional resources to be wasted and ensure that lasting reform is possible.

The UNAMSIL recommendations requests the:

- *"inspection and verification" of contingents in their home countries."*
- *"... emphasis be given to training both civilian and military staff on mission specific automated systems."*
- *"Every effort should be made to immediately bring UNAMSIL to required levels of staffing in all areas."*
- *"More emphasis needs to be placed on training recruited staff and certifying their abilities prior deployment"*

The above recommendations are clear. It focuses on relations that emphasize mutual respect for professional behaviour of all parties involved in UN missions. Professional interaction amongst all parties will allow for constructive feedback.

Control must ensure that deviations are early detected. The danger of "conflict creep" implying a change in the character of the conflict, and "mission creep" which means that mission tasks change without changing the mandate and resources, must be prevented by constantly checking that reality on the ground, performance and actions, are in line with the predetermined goals and objectives. Bosnia and Somalia suffered from these inter-related "creeps". The will of all parties functioning in the mission is negatively affected if "conflict creep" and "mission creep" are not identified through proper control mechanisms. Carefully formulated mandates can prevent the "creeps" to sneak upon the mission.

The control function also requires the evaluation of deviations (performance-gap) and the rectification of these deviations (corrective actions). From the UNAMSIL Report it is clear that the standard of training of certain UN mission participants does not meet the challenges facing members in the mission area. There is a training performance gap that needs to be addressed urgently. The UN DPKO Training Unit is very much aware of the performance gap. BUT it has suffered from personnel shortages to such an extent that it is also "crisis driven". The Brahimi Panel believes that a methodical management review of DPKO should be conducted, but it also believes that staff shortages in certain areas are plainly obvious. This will include the Training Unit. Training is an important actor in closing the monitored performance gap of UN missions.

An Integrated Management Process

Meeting the challenge "to save succeeding generations from the scourge of war" requests all parties involved in UN missions to lead through the implementation of an integrated management process. The relations amongst the parties will be build on their ability to plan, organize, lead and control all mission related activities in a well orchestrated fashion. It includes CIMIC, coordination and the effective relations amongst all the parties bringing expertise to the mission from New York down to Dili, Freetown, Kinshasa, Asmara, Addis Ababa or Sarajevo.

BUT it is more than that: it requires the full commitment of every party to understand and implement the complete integrated management process if we want to "end a mission well accomplished".

Conclusion

The "rot" (baton) started with Beethoven: deaf, disorganized and venturing beyond the capabilities of existing orchestras it was no longer enough for players to follow their own seated leader when he remembered to look up from whatever part he was playing. His symphonies required ever-larger ensembles with an intricacy that demanded a coherence that could only be supplied from without. This created the need for an objective non-player to create order amid amounting chaos. The profession of the conductor, the "maestro" was born.

Modern UN missions have also become too complex to function effectively without the art of proper conducting to create a harmonious executable mission, where the music can be heard and the players are fit to play according to the mission score. Nietzsche once said that life would be an error without music. For many people in the world, life will be an error without professionally conducted and orchestrated UN missions. The total integrated management process allows all parties involved in UN missions to play in harmony according to the mandated score. Then we can conclude in the words that Longfellow wrote in "The Day is Done":

*"And the night shall be filled with music,
And the cares that infest the day,
Shall fold their tents, like Arabs."*

**RELATION BETWEEN PEACEKEEPING FORCE
AND OTHER AGENCIES IN THE MISSION
AREA INCLUDING NGOs**

By

Lt Gen Mr Kochhar, PVSM, AVSM

Lt Gen Kochhar, PVSM, AVSM, the Director General of EME joined the Indian Army in 1959. He has been awarded the AVSM for the management of Indian Army missions deployed under the UN flag. He was awarded outstanding Mechanical Engineer of the year 1997 by the Institution of Engineers in India. He has been awarded the Ph.D degree twice – for theses on “Problems of Repair and Maintenance in Different Terrains – A case Study on India” and “UN Peacekeeping Operations – A case Study of Somalia”. Right now he is finishing a book on peacekeeping and operations in Somalia. As the Addl Dir Gen, SD Dte he was responsible for selection, training, equipment, deployment and management in the mission area, and the induction of the Indian contingent to Angola, Liberia, Mozambique, Rwanda, Somalia, Cambodia, Yugoslavia, Iraq, Kuwait and Southern Lebanon.

Introduction

At the January 1992 Security Council Summit meeting, world leaders expressed optimism about the future role of the UN in international relations. This indicated to most observers that the paralysing influence of the Cold War would no longer impair the effectiveness of the UN Security Council as the organ with primary responsibility for the maintenance of international peace and security. Underlying this optimism was the view that established principles, procedures and practices of peacekeeping would increasingly serve as an effective instrument to reduce the level of violent conflict internationally.

By mid 1993, the dream had vanished. The brutality and senseless ethnic violence in the former Yugoslavia, the relapse of the civil war in Angola and the failure of the UN to achieve lasting peace in the failed state of Somalia had changed the situation dramatically. It was time to take stock and to face the realities. The UN machinery, however, is slow to appreciate these realities and even slower in reacting to them. An analysis of the last eleven UN and Multifunctional Peace Support Operations (MPSOs) indicates that failure to adapt to changing circumstances, inability to find new solutions to new problems and the taking on of more complex roles with old scripts is seriously hampering the effectiveness of the UN and affecting the attitude of member states and belligerent parties towards UN peace operations. Yet, it is comfortable to stick to the ways we know and to ignore the fact that the nature of conflict in which the UN is expected to broker peace has changed.

Although, one may argue that stability and the defusing of conflict in any given state are more likely to be the product of democracy, human rights, social and economic justice and development rather than anything a peacekeeping force can do, one cannot ignore the fact that such operations are usually undertaken in situations where the crossroads to better society lie far back in the past. Degeneration of the security environment in which conflicts take place is usually far advanced and, as a direct result, the region is awash with arms and dominated by various armed factions fighting each other, and harassing the population. The classic chicken and egg situation arises. There is no stability without security'. No lasting security without stability. It seems therefore inevitable that any given peace operation will have to address both issues simultaneously.

The concern that outbreaks of instability, combined with failing national societies and human suffering, could become unpredictably explosive and seriously threaten international peace and security has produced a modern interest in a form of international intervention that far transcends traditional global responses. A broader, more ambitious form of intervention, these "second generation" peacekeeping operations have led to an increase in global engagement in a wide range of intra-state conflicts, as well as involvement in the process of national political reconstruction, including the rehabilitation of collapsed state structures. During these operations, some of the tasks assigned to military peacekeeping forces were no longer clearly distinct from humanitarian action, as in the cases where the peacekeeping mission included ensuring the delivery of humanitarian relief supplies. In some cases, the blurring of responsibilities was compounded by the fact that the political objectives of peacekeeping were unclear and mandates were ill-defined.

In today's complex world, international and non-governmental civil organisations have become increasingly important in the formulation of political, social, or economic solutions to world crisis. In most cases, these organisations are a crucial part of long-term solutions. More often than not, they must take over economic and political development after a peace operation or formal military involvement has ended. The traditional guarantors of global security-military forces-must now find ways to work more closely with these various organisations. The crisis in Bosnia-Herzegovina sharply demonstrated the new roles and responsibilities that these organisations have come to shoulder in the post-Cold War world and the high hurdle that the challenge of co-ordinating activities with these civil organisations presented to the IFOR deployment.

Every military operation must be directed towards an attainable objective or end-state. In a joint and multinational Peace Support Operation (PSO) of long duration, involving many civilian organisations and agencies, military strategic objectives may be milestones along the way in achieving the political end-state or an actual element of that end-state. Military activities may be designed to assist the further development of the PSO by other civilian agencies. Such complex issues must be addressed in the formulation of the mandate and mission plan in order to achieve both unity of effort and purpose among all military and civilian organisations and agencies involved in the PSO. In the context of a PSO, the principle of *objective* relates directly to the other principles of *unity of effort*, *co-operation*, *civil-military co-operation and liaison*, and indirectly to *mutual respect*, *transparency and credibility*.

Widening Role of Peacekeeping

The role of the classic peacekeeper - to monitor the implementation of an honourable agreement between two or more parties to a conflict, to do so usually unarmed, and to man a distinctly marked observation post or patrol a demilitarised cease-fire line - has become the exception rather than the rule. Since 1988, the number of UN peace operations has increased dramatically. Civil wars, fuelled by deep-rooted hatred and involving countless armed factions, each pursuing its own agenda, as well as the abundance and availability of weapons and ammunition, confront peace forces with a highly constrained operational environment. These operational environments are a serious challenge to the traditional principles of peacekeeping. The impartiality of peace forces is never recognised by all parties to the conflict. The extent to which consent, as an absolute requirement, can be assumed and adhered to, becomes increasingly problematic. Freedom of movement, traditionally seen as a key principle for effective peacekeeping, is constantly denied to peace forces and/or military observers. Cease-fire agreements are violated as soon as they are agreed upon. No distinct front lines exist. In the

worst-case scenarios no accountable or legitimate political authority exists In operational areas. And last, but not least, forces serving under the UN flag have become the target for warring factions, which has increased the risk to their physical safety. The changes that have occurred in the operational environment have added an array of new and challenging tasks to the mission of any peace operation, current or future. These include.

- Ensuring uninterrupted delivery of humanitarian aid and assistance to isolated populations;
- Guaranteeing the safety and security of civilian and administrative personnel national aid workers and NGO personnel;
- Protecting the local population;
- Undertaking de-mining operations;
- Human rights monitoring;
- Disarming, cantonment and demobilising of armed factions;
- Executing police functions;
- Undertaking preventive deployment; and elections monitoring and providing security for election points and workers.

Types of Agencies in Mission Area

While performing the tasks enumerated above, the peacekeeping force will come into contact with a number of agencies. Before we go on to examine the concept of relationship, it would be appropriate to list out the agencies which are likely to encountered in the mission area. The list is illustrative not exhaustive:

- Permanent UN agencies like -- UNHCR, UNICEF, and WFP
- Country specific UN organisations like International Criminal Tribunal for Rwanda (ICTR)
- ICRC
- Human Rights Organisations like Amnesty International
- International and local NGOs-many of them are linked to UN agencies
- Press
- Political organisations
- Social organisations
- Student bodies
- Local police

Role of Humanitarian Agencies in Relation to Peacekeeping

Discussions of humanitarian and peacekeeping activities often disclose fundamentally different concepts of their relationship. In the view of some, humanitarian action takes place squarely within peacekeeping operations, lodged fully within the political rubric of the United

Nations. Others envision humanitarian efforts integrated within but nevertheless insulated from the surrounding political framework. Still others approach humanitarian efforts as free-standing initiatives, structurally independent of peacekeeping activities. In *An Agenda for Peace* of June 1992, Former Secretary-General Boutros Boutros-Ghali noted that with the passing of the Cold War and of frequent superpower vetoes in the Security Council, the UN and its security arm have emerged as "a central instrument for the prevention and resolution of conflicts and for the preservation of peace." Humanitarian action ranks among the efforts to foster peace through addressing "the deepest causes of conflict. economic despair, social injustice and political oppression". Although the Secretary-General and Security Council later exercised greater caution in approaching the peace enforcement element of *An Agenda for Peace*, humanitarian activities for the Council remain prominently and firmly situated within peacekeeping operations.

The centrality of humanitarian action is confirmed by the experience of Special Representatives of the Secretary-General who have managed such undertakings. "The co-ordination of humanitarian assistance should be an essential component of any peacekeeping operation," notes Aldo Romano Ajello from his experience in Mozambique. "[it] is, above all, an essential instrument in the implementation of the peace agreement". A second approach stresses the need to insulate humanitarian action from peacekeeping activities. An integral part of same world body that authorises and maintains peacekeeping operations, UN humanitarian organisations also have their own mandates and terms of reference. "Despite the UN's inclusiveness, its legitimacy, the size and expertise of its specialised agencies, and its authority to sanction intervention," notes one analyst, "the objectives and motive force of participating organisations are self-generated and self-directed."

From this perspective, humanitarian action, in principle and by definition, is a response to basic human needs for protection and assistance. International humanitarian law requires that such action be devoid of extraneous agendas, political, religious, or otherwise. Responding to the tension between their humanitarian mandates and their membership in the UN family -- their own governing bodies are themselves comprised of UN member states -- UN humanitarian organisations have sought different ways to insulate their activities from the UN's political-military sphere.

Another school of thought holds that humanitarian action in complex emergencies should be institutionally separated from the United Nations altogether. A host of humanitarian organisations -- first and foremost the International Committee of the Red Cross (ICRC) but also some non-governmental organisations -- emphasise their structural independence.

The ICRC, basing its activities on the right of civilian populations to humanitarian assistance and the obligation of governments to respect that right, underscores the consensual nature of humanitarian action. In its view, "humanitarian intervention" -- that is, humanitarian action backed by military force -- is a contradiction in terms. As a matter of principle and of operations, it has maintained a clear separation from UN political-military activities, which, whatever legitimacy they exercise in their own right, compromise the impartiality of associated humanitarian organisations and activities. Although enforcement activities under Chapter VII are perceived as greater threats to the integrity of humanitarian action, independence is also sought from Chapter VI undertakings as well. The ICRC also keeps its distance from the humanitarian efforts of UN and other organisations.

An interagency paper, "Respect for Humanitarian Mandates in Conflict Situations", provides a set of principles and operational guidelines for complex emergencies. The paper essentially straddles the integrationist and Insulationist approaches.

"Given the interrelated causes and consequences of complex emergencies, humanitarian action cannot be fully effective unless it is related to a comprehensive strategy for peace and security, human rights and social and economic development as proposed within the framework of the ' *Agenda for Peace*.' The paper therefore offers operational guidelines for humanitarian activities within "integrated and unified operations." At the same time, the paper affirms the need for carefully insulating such activities. Because "humanitarian and political objectives do not necessarily coincide," UN humanitarian organisations should maintain a certain degree of independence from UN-authorized political and/or military activities. ... [They] are responsible for and should enjoy autonomy in accordance with their mandates."

Key Issues in Relationship with Other Agencies

Military objectives, capabilities and perspectives on the problem could hardly be more unlike those of the NGOs. Regardless of how frustrating or confusing this co-ordination is, we must remember that "although military forces can maintain an absence of war, they cannot themselves build peace." Max G. Manwaring remarked that "contemporary conflict requires strategic planning and co-operation between and among coalition partners, international organisations, non government organisations and civil-military representation." In these new missions, a range of issues must be addressed virtually simultaneously-from economic, political and military to social, cultural and legal. Thus, "the creation of an integrating structure is among the most daunting challenges the international community confronts." A recent RAND publication focused solely on the problem of interagency co-ordination in mission area, noting that "even among US agencies alone, such co-ordination is difficult to achieve. US interagency processes remain fraught with competition and confusion, and lack authority and accountability. Neither the military nor the civilian agencies are sufficiently familiar with each other's capabilities, objectives or limitations to effectively co-ordinate their activities."

Beyond interagency co-ordination lies the far more daunting task of dealing with NGOs. For example, in Somalia dealing with 78 NGOs was difficult for the military, but co-ordination among agencies at the outset helped alleviate tensions. The military needs to understand better the requirements and philosophies of the NGOs and the functions of specific organisations. A roundtable discussion at the Strategic Studies Institute explained that "in military terms, humanitarian affairs are the primary effort and military activity the supporting effort in most peace operations.

The Army must consider NGOs as a resource with vital experience and unequalled knowledge. They should be accepted as full partners. Often, NGOs and PVOs precede military forces into crisis areas where peace operations take place. Many of these agencies will already have established a close rapport with the belligerents and local nationals in the area. Thus, in establishing its own role as a benefactor, the task force must form a close civil-military partnership with these agencies, which will help ensure unity of effort and implementation of effective programs. The first step in the synchronisation of these efforts requires civil and military components to reach a common appreciation of each other's capabilities, which should lead to a greater degree of mutual respect. It may be noted that many civilian agencies are wary of working with, being associated with, or being overwhelmed by the military. However,

generally NGOs reluctant to work with the military are simply unfamiliar with military capabilities, objectives and limitations.

It would be foolish to discount the cultural differences between the military and civilian humanitarian agencies. Tension is inevitable when the military considers civic action as secondary missions to war-fighting and while civilians involved see their primary mission as protecting and assisting innocent civilians. Still, the only way to combat such parochialism is to begin working together. Overcoming these problems prior to deployment increases the chances of successful mission accomplishment. While organisational and cultural differences between civilian and military organisations do create problems, the bottom line is that interagency operational level co-ordination is usually incomplete in the preparation phase. Establishing appropriate co-ordination mechanisms between these various services, agencies, nations and organisations in advance may not guarantee success in an operation, but an absence of such co-operation will nearly always assure failure.

Principles of Interaction with other Agencies

Objective

Every military operation must be directed towards an attainable objective or end-state. In a joint and multinational PKO of long duration, involving many civilian organisations and agencies, military strategic objectives may be milestones along the way in achieving the political end-state or an actual element of that end-state. Military activities may be designed to assist the further development of the PSO by other civilian agencies. Such complex issues must be addressed in the formulation of the mandate and mission plan in order to achieve both unity of effort and purpose among all military and civilian organisations and agencies involved in the mission area.

Unity of Effort

The necessity for continual military interaction with a large number of international organisations, NGOs and private voluntary organisations will probably make co-ordination with their activities one of the most difficult challenges. Unity of effort recognises the need for a coherent approach to a common objective between the various military contingents, and between the military and civilian components of any operation. Unity of effort also acknowledges that co-ordination with civilian agencies can usually only be achieved through dialogue and consensus and not by command. It can best be achieved through the development of a political/military mission plan. The SRSG or HoM will have prime responsibility for the co-ordination and achievement of unity of effort. To achieve unity of effort at the strategic level requires close liaison between the authorising political body and national political bodies and, at the operational and tactical levels, close and early liaison between the military and civilian components of the operation. Effective liaison at all levels and regular conferences and meetings involving all agencies and parties will be essential in achieving unity of effort.

Flexibility

The multi-agency environment in which PKO are conducted, and the multifunctional nature of the challenges to be confronted, require commanders at all levels to place a premium on initiative and flexibility. Detailed orders will often be overly prescriptive for the management of environment., hence, the requirement to be fully aware of superior intent and the political context of the PKO, and the practice of mission analysis and the adoption of a manoeuvrist

approach. The principle of *flexibility* relates directly to that of the *freedom of military movement*. The successful management of PKO involves the management of change and the transition to peace. Within the constraints of the mandate, and thus their ROE, forces should be able to adapt and move from one activity to another at short notice and with the minimum outside assistance. Thus, flexibility is vital to the successful conduct of operations and, in particular, peace enforcement that has to be capable of dealing with an escalation of military activity.

Restraint and the Use of Force

Political considerations and the need to work with a wide range of civilian agencies will require that all military actions, and in particular the use of force, are restrained and balanced against the long-term requirements of peace-building. The management of the consequences of the use of force and the achievement of objectives is one of the most important considerations with which the SRSG, HoM or JFC must deal. It affects every aspect of the mission and requires continual review to balance security and mission accomplishment. The JFC should make the final determination regarding force capability requirements after reviewing the situation, mandate and operational constraints. Appropriate, supporting ROE should be requested by him and submitted for approval. The rules of international (humanitarian) law and the politically approved ROE must be observed.

Legitimacy

The greater the perceived legitimacy of the PKO, the greater will be its support within the international community, contributing nations, and the involved parties, including the civil community in the mission area.

Security

Self-defence is an inherent right and force protection a command responsibility in all military operations. In its mandate and political and military directive, the PKO may also be given specific responsibilities for the protection of any civilian components of the operation. This will have to be taken into account when planning the size and composition of the force and when drawing up military orders and ROE. On occasion, aid agencies may employ local civilians or expatriates as guards and escorts. When they do, their security status, precise responsibilities and operating procedures will require co-ordination with the activities. This interaction must be regularly reviewed by the JFC. All military personnel involved in an operation must be trained and equipped in such a manner as to maximise their safety while carrying out their tasks. While they cannot be forced to do so, civil agencies operating within a mandated military JOA should be encouraged to make their personnel appropriately aware of the risks and dangers they may face.

Promotion of Co-operation and Consent

The promotion of co-operation and consent and the willing and active involvement of all parties and the local people will be fundamental in achieving a lasting and self-sustaining peace. The wider support of the international community will also play a part in sustaining the operation. Any force activities that may result in a loss of consent should therefore be balanced against this requirement.

Impartiality

All operations must be conducted impartially without favour or prejudice to any party and in accordance with the mandate. This is essential to retain their trust and confidence. At some stage in a campaign, a force may be accused of being partial and this may have a negative effect on the credibility and ability to accomplish the mission. Whenever possible, such accusations should be refuted and all actions taken to demonstrate and convey the impartial status of the PKO. Effective communications and transparency of operations are key in maintaining at least the perception of impartiality with the parties. The actions of all the parties will be judged in accordance with the mandate and international humanitarian law. This intent and the consequences of their actions should be conveyed in a clear and unambiguous manner to the parties, and any infractions of international humanitarian law and/or the mandate should be dealt with swiftly and decisively, irrespective of the party concerned.

Credibility

For the PKO to be effective, it must be credible and perceived as such. The credibility of the operation is a reflection of the assessment by the parties of the force's capability to accomplish the mission. Establishing credibility will also create confidence in the operation, not just among the local parties, but also with the international community. A co-ordinated plan will be important in achieving this. While the PKO should not appear to pose a direct threat to any of the parties if they remain compliant, there should be no doubt that it is fully capable of carrying out its responsibilities and is supported by the political will to do so. Therefore, the national military components must be well-equipped and self-sufficient, as well as prepared and trained for their mission.

Mutual Respect

The respect in which the PKF is held, will be a direct consequence of its professional conduct and how it treats the parties and the local population. Through status of forces agreements (SOFAS) or other special agreements, the PKF enjoys certain immunities related to its duties. Notwithstanding this, its members must respect the laws and customs of the host nation and must be seen to be doing so. The PKF will also acknowledge the *de facto* status and position of the parties to the conflict and will usually not act to change them, except as agreed to by all parties. Commanders should also ensure that the same principles are recognised and implemented among the different national, cultural and ethnic elements within the formations that make up the PKF.

Transparency of Operations

The PKF's mission and concept of operations must be easily understood and obvious to all parties. They must be fully aware of what the mandate demands of them and what the consequences will be of not complying. Likewise, they should also be made aware of the advantages to be gained by compliance. Failure to achieve common understanding may lead to suspicion, distrust or even hostility. Information should be gathered and communicated through open sources wherever possible. While transparency of operations should be the general rule, this must be balanced against the need to ensure the security of the mission and its members. The requirements of force protection, especially in the conduct of peace enforcement, may render transparency inappropriate.

Civil-Military Co-operation and Liaison

Ideally, all Implementing agencies, both military and civilian will be involved in the development of the mission plan. At the tactical level, the timely and effective harmonisation and co-ordination of military activities with those of the civilian agencies are essential for success. Co-ordination should encompass all involved political, military, diplomatic, administrative and humanitarian government organisations and agencies, and NGOs. Ultimately, co-ordination can only be achieved through consultation as these agencies have permanent mandates and agendas that may compete with each other and be different to those of the military force. Co-operation arrangements should be supported by the establishment of committees, action groups and extensive liaison with all the agencies and organisations involved. Relations between the military component of an operation and non-military agencies should be based on mutual respect, communication and the standardisation of support to ensure that unnecessary overlap is avoided and that unity of effort is concentrated on the fulfilment of the mandate.

International Legal Issues Concerning Non Mil Agencies

There is growing awareness among the wider humanitarian community of the extent to which international law provides a supportive framework for operational activities. That framework entails elements of international human rights, humanitarian, and refugee law. Recent debates are clarifying for practitioners, many of them previously unfamiliar with the provisions or nuances involved, that each of the three set of laws has its own specificities, some of them mutually reinforcing, and its own potential relevance to their work.

Refugee law articulates protections to be enjoyed by persons qualifying under the internationally agreed legal definition of refugees. Predating both refugee law and human rights law, *humanitarian law* stipulates certain rights in conditions of international and internal armed conflict. *Human rights law* is broadest in scope, applicable in peacetime and war and to non-refugee as well as refugee populations. In addition, international declarations and conventions provide both breadth and specificity of protections to general or selected populations. Regional as well as international legal instruments make up the operative framework within which protection and assistance activities are conducted. That framework, international lawyers confirm, is itself evolving.

While the international legal framework provides a supportive context for the activities of practitioners, various legal instruments define protection variously. As understood by UNHCR, "the phrase 'international protection' covers the gamut of activities through which refugees' rights are secured." UNICEF defines the concept of protection as "ensuring respect for the rights expressed in the Convention on the Rights of the Child".

The ICRC's mandate is framed by international humanitarian law, which seeks to limit the means and methods of warfare and to protect all those who do not (or no longer) participate in hostilities. The ICRC views the provisions for war-related needs articulated in humanitarian law as complementary to the protections provided by human rights law. The Guiding Principles on Internally Displaced Persons, distilling the applicable provisions of international law although still lacking formal legal status, affirm the right of each person "to be protected against being arbitrarily displaced from his or her home or place of habitual residence." Enumerated principles govern protection during displacement, "in particular from genocide, murder, summary or arbitrary execution and enforced disappearances."

The joint promotion of protection principles will require a common understanding of the framework provided by international law. Even those who believe that the international legal framework needs to be more widely understood by practitioners, however, concede that the framework itself is no panacea. The rough and tumble world of civil wars is characterised by belligerents who show little or no respect for such laws and for their obligations under them.

Organisation for Coordination at the Apex Level

Within the United Nations system, the United Nations Security Co-ordinator (UNSECOORD) is tasked with co-ordinating, planning and implementing inter-agency security and safety programs and acting as the focal point for inter-agency co-operation on security issues. UNSECOORD's operating costs are funded on an inter-agency basis, and its mandate covers all UN staff and staff on UN mission, whether involved in humanitarian assistance or other UN activities, With the exception of staff of UN peacekeeping missions. UNSECOORD is a relatively small office, consisting of the UN Security Co-ordinator, who also holds the post of Assistant Secretary General for Conference and Support Activities, five professionals and three administrative staff.

In high threat areas, UNSECOORD provides field security officers (FSOs) funded on an inter-agency basis as required to support the Designated Official (DO), normally a high-ranking official from a UN agency who reports on security matters to UNSECOORD in New York. The DO is responsible for developing overall UN policies on the ground, formulating security and evacuation plans, forming a security management team (SMT) of senior agency and sometimes NGO representatives, and for establishing security phases on the basis of the perceived threat to UN operations and personnel. The DO, in consultation with the SMT, co-ordinates UN security measures with the host government, with embassies, and with NGOs. As of April 1997, there were 27 UNSECOORD FSOs funded on an interagency basis.

Training Issues

The Preparation of Individual Soldiers

While international collaboration among senior military commanders has increased, military -Civic actions often still confuse individual soldiers. As Ralph Peters wrote, "we need to change the force to fit the times.... we must have soldiers of adequate quality in sufficient numbers, and they must be well trained and appropriately equipped.... when we think about the Army of the future. . . we need to start thinking from the soldier up". During Operation *Restore Hope*, the US Army discovered that troops were bewildered by the overlap between combat missions and peacekeeping. Moreover, many military units were ill prepared for a mission that required a mind-set very different from the warrior ethos. Because each soldier's actions often carry significant political consequences, it is imperative to focus training on the small-unit level. In addition to the tactical training for the soldiers, officers need special consideration. Armies the world over too often cling to traditional solutions, praising a "past that we do not understand." Company and field grade officers need specialised training since they often must function "two levels higher" during PKO, thinking and operating at the operational and strategic levels. Preparation for PKO should account for broader command and political-military responsibilities borne by lower-ranking soldiers than is common.

A Proposal for Mandatory Training

To minimise the impact of civil-military co-ordination problems, multidimensional training must occur regularly. With the vast proliferation of PKO, there is a need to establish special training divisions or institutes at national or international level to train personnel in multifarious facets of PKO including interaction with other agencies. In the summer of 1994, Joint

Readiness Training Command (JRTC) of US Army conducted simulated exercises involving more than 6,000 troops from various countries along with foreign observers and humanitarian aid representatives. In the summer of 1996, JRTC replicated a combined and joint task force mission in an operational area similar to Bosnia or Somalia, complete with scenarios of ethnic strife, civil war and competing insurgencies. As one participant noted, "the realistic conditions posed by JRTC provided participants with the mental preparation and practical experience necessary to perform future peace operations. There is a need for more such simulated exercises at international level.

While training prior to scheduled deployment on peacekeeping operations is certainly both sensible and appropriate, it is insufficient. All armies should integrate multidimensional operations that involve ICRC, NGOs, PVOs, UN participants and other relevant agencies and relief organisations. Preparing at the training centers prior to civilian and military involvement in PKO will allow all parties involved to anticipate various problems and make the actual deployment and operation run more smoothly. Such training will allow military commanders to work with their civilian counterparts and give regular soldiers an opportunity to prepare psychologically and tactically for peacekeeping missions. The training will also benefit the NGOs, PVOs and other multinational forces that have never worked together in a simulated operational environment. In addition to tactical training, a staff officer training program should be conducted simultaneously. For example, during the multidimensional Co-operative Nugget 97, more than 3,000 military personnel from three NATO countries and 17 Partnership for Peace countries were trained at the JRTC. Simultaneously, two company of field grade officers from each participating nation were involved in the staff officer program. Civilians of comparable stature from other government agencies, NGOs and PVOs can also be included. The program included travel to the US Army Peacekeeping Institute at Carlisle Barracks, Pennsylvania, and a session at Fort Benning, Georgia, for follow-on instruction

Expected Problems

Many military members hesitate to institutionalise such training because they do not want humanitarian emergencies to interfere with training for traditional "war-fighting" missions. Institutionalising Military -Civic action training carries with it the perception of permanence. However, such will not necessarily degrade war-fighting readiness for most units. The key is to preserve war-fighting skills while augmenting effectiveness at peace operations since war-fighting and peace operations must not become alternatives but compatible and symbiotic techniques aimed at a common goal. Indeed, an estimated 90 percent of the training for peacekeeping is also training for general combat capability. As we prepare for the missions we would like to fight, the real missions we are currently conducting are improvised at great expense to our readiness, unit integrity and quality of life of our service members. Through increased exposure to PKO, the military will come to realise that, peace operations and war-fighting may seem diametric. In fact, they are inextricably linked. While we anticipate that most Armies will enthusiastically participate in these exercises, some NGOs may fear a closer association with the military. However, many NGO thinkers believes that NGOs are ready to come on board as long as they are included in upper-level decision making. In fact, a NGO participant at the 1996 JRTC exercise noted that non-military players add "a new element to military decision making." Multidimensional exercises would improve interagency co-ordination and the NGOs' familiarity with the military. Interagency co-ordination at the planning as well as execution stages of training will better preserve the independence of the NGOs. In addition, greater NGO involvement will demonstrate the military's increasing appreciation and respect for the civilian role in responding to PKOs.

This proposed training would not fundamentally solve any of the Army's problems. It would not change the Army's structure, rearrange the allocation of resources and personnel or modify Army doctrine. All it would do is take the best training that the Army has to offer and make it better reflect the types of missions the Army currently faces and will continue to face for at least the near future. Deployments often will be unpredictable, often surprising. And we frequently will be unprepared for the mission, partly because of the sudden force of circumstance but also because military is determined to be unprepared for missions it does not want, as if the lack of preparation will prevent our going.

Training in India

India has moved towards institutionalising training of UN peacekeepers. Units, formations and individuals selected or likely to participate in UN peacekeeping missions, undergo specific training in the Peacekeeping Training Centre in New Delhi, under the guidance of Headquarters ARTRAC. A large pool of officers, JCOs and NCOs and OR who have participated in earlier UN missions are available as instructors. Their experience and feedback after each mission helps in updating the training content and methodologies at the Peacekeeping Training Centre. Since a good peacekeeper is also a good soldier, the skills required for peacekeepers are built on the foundation of basic military skills. The Peacekeeping Training Centre re-emphasises the core values of a soldier's training - respect for human rights and local customs and traditions of the community and skills required for interacting with various agencies in the mission area.

Security issues Involving NGOs and Other Agencies

The humanitarian aid community, to include the United Nations, the Red Cross, non-governmental organisations (NGOs) and private voluntary organisations (PVOs), has been struggling to come to terms with the increased risk their personnel face in conducting relief operations. A recent survey of the humanitarian community concluded that personal security was a major source of stress for expatriate field staff working in dangerous situations. Only 6% of those interviewed - which included development workers - recorded no security problems at their work location.

There have been increasing number of cases of relief workers being targeted as illustrated by examples below :-

- In Somalia, more than a dozen relief workers have been kidnapped and killed since 1991. In 1995, an Italian doctor was murdered while working for the NGO Caritas/Italy.
- In Burundi, Tutsi extremist bands have repeatedly attacked relief convoys, compounds, and personnel. In 1995, at least 10 international and Burundian relief workers died in politically or criminally motivated attacks, while in 1996, three ICRC delegates were killed while conducting relief operations.
- In Sudan, four Sudanese working for Save the Children, Norwegian Peoples Aid, and German Agro Action, died in three separate war-related incidents in 1995.
- Also in Sudan during 1995, 41 international relief staff were taken hostage and held for various lengths of time by various parties to the Sudanese conflict, while an

additional 29 were seized in 1995. There were 35 evacuations of relief personnel between mid 1995 and mid 1996 for security reasons.

- In October 1995, an American relief worker lost her legs and another was injured when their car hit a land mine near Goma, Zaire.
- A French relief worker was killed in November, 1997, during efforts by security forces in Tajikistan to free her and a colleague from their abductors.
- Six International Committee of the Red Cross (ICRC) workers were murdered inside a compound protected by security guards in Novy Atagi, Chechnya in December 1996.
- In January 1997, three Spanish medical personnel working for the NGO MDM were murdered in North-West Rwanda, while in the same attack an American was severely wounded and lost a leg.
- In February 1997, five personnel representing the UN High Commissioner for Human Rights Operations in Rwanda (HRFOR) were ambushed and murdered in South-West Rwanda.

In keeping with this, the UN Security Council has also demonstrated increasing willingness to envisage the use of coercive military action in support of humanitarian space or in order to enforce international humanitarian law (IHL). Resolution 751 on Somalia specifically refers to the need for "safety and security of the staff of humanitarian organisations", and there are numerous parallels in other texts.

First, it is important to remember that humanitarian organisations are by definition "soft targets." Traditional "target hardening" measures adopted by military and paramilitary organisations, such as increasing available fire power, use of quick reaction force, focused intelligence collection, and issuing personal weapons are not viable solutions for relief agencies: in fact, they may even enhance the risks they face. Reasonably or unreasonably, even implementing increased physical security measures such as concertina wire and occupying walled compounds are often debated within the relief community. While physical precautions are often implemented on a case-to-case basis, it is often only after the security situation has deteriorated to a point where staff security is seriously threatened or incidents have already occurred that agencies will take visible security measures. Almost all agencies will resist collaboration with armed units, fearing association will undermine the key tenets of impartiality and neutrality which, in their view, affords them access to contested areas.

Second, in general, agencies prefer to take what has been referred to as an "anthropological" approach to security, believing that close and sustained association with the distressed population, as well as adherence to humanitarian principles, will afford the best degree of protection. This protection can take a number of forms, primarily consisting in establishing a conduit for information as a relationship is built between the community and the aid agency. In cases where potential attackers are from the benefiting community or well known to it, local pressure from the populace may act as a deterrent to criminals or paramilitary groups. Local communities may assist in early warning and, in extreme situations, in evacuation by alerting departing staff to the safest exit routes. The anthropological approach is also consistent with practices that emphasize reducing the material scope or incentive for abuses to take place, for example through the use of local merchants and service providers for delivery and

distribution tasks and, more generally, integrating the local population into the implementation of emergency assistance.

The down side of this approach is that it often requires highly experienced relief workers to implement effectively. Understanding even basic cultural perspectives, let alone the nuances often associated with individual behaviour in high stress situations, requires no small amount of experience, training and awareness. There is also the problem of armed intimidation, with populations forced to choose between the immediate threat of an armed intruder or the more long term danger of lack of access to relief supplies and assistance. There is also the possibility that security conditions may change so quickly that it is impossible for supportive elements in the local population to alert those attempting to help them. And while tying an organisation's security directly to the population it serves, may enhance the effectiveness of relief provision to some degree, hostile elements will always view external actors differently from locals, and their treatment will reflect how the assaulting organisation views their utility in achieving its own objectives.

Third, the culture of relief agencies and the nature of their work heavily influences their approach to security. Relief organisations are committed to providing assistance to those in extreme distress, and in most cases the risks associated with these operations are acknowledged as being part of the package. This is not, of course, to suggest that there is any enthusiasm for risks which are disproportionate or unnecessary. The creation of "humanitarian space" is a critical concern from the twin perspective of gaining access to those in need and providing a secure environment for agencies to operate. Risks associated with establishing and maintaining this space are inevitable in extreme circumstances, and the willingness to take risks is often rewarded from within aid organisations and by those who fund them. Many of the most experienced relief workers began their careers in circumstances more benign than the current environment, and the "work ethic" which has become a cultural part of the relief community is rooted in a more forgiving past. This is a large part of the challenge relief agencies face today - a significant cultural re-orientation toward risk reduction and control as opposed to risk-taking to achieve results. Risks need to be assumed consciously and intelligently- as the adage in the community has it, "when you are busy saving lives, don't forget your own".

Fourth, the need to maintain an independent character is also an Integral part of NGO culture, and all the more so in the context of relief operations where the need to maintain impartiality is uppermost. There is very rarely a hierarchical relationship, even between UN agencies and implementing partners, or anything even remotely resembling "command and control" in the military sense. The term "implementing partners" is far different than the contractor-client relationship in government-commercial or strict commercial relationships. This implies a collaborative relationship as opposed to an employee-employer one, and it is a relationship that is tied to the nature of the work of providing relief. While this "collaborative" relationship may have been somewhat eroded by what the International Federation of Red Cross and Red Crescent Societies (IFRC) among others, has called the emergence of "contract culture" in the relief community, and NGOs are in reality somewhat less independent than they would claim or wish, the underlying sense of a co-operative venture among independent entities at the service of civil society or human rights still exists.

Lastly, as we have said, if violence is tied into the nature of conflict or the war economy, incentives not to engage in it may be inoperative regardless of their source. It is even quite possible that local populations may lend support to aggressive or abusive action, directly or indirectly, because they view the action of those groups as more conducive to their long-term

interests than is access to relief. Trying to judge behaviour in internal conflict by rational, liberal standards is almost always a big mistake.

Co-operation and creation of synergy between relief agencies, both within the structure of the UN security systems and as an adjunct to it, is an essential precondition to improving security capabilities. The economies of scale associated with sharing information, resources, practices, and personnel is essential to ensuring minimum acceptable security standards. In addition, co-operation and cost sharing eliminates any "competitive advantage" an agency might accrue from opting out of co-operative security arrangements. Detailed "best security practices" should be established in the NGO community, for many of the same reasons discussed in the previous paragraph. Initial steps taken in this direction should be expanded, and should cover training, planning, information sharing, and communications.

Case Studies on Relation with Other Agencies

Somalia

In the case of Somalia, the co-ordination problems were more internal than international. They involved the lack of co-ordination of efforts among the various groups involved in the missions.- the inter- and intra-state mission commands, the civil and military components, and the humanitarian aid organisations.

- There were often conflicting national and international interests among the contributors to these peace processes. These impacted negatively on the disarmament component of all three operations.
- The large number of participating countries in UNOSOM II also led to fragile command and control structures, national micro-management of contingents, and the imposition of limitations on the use of manpower. Command and control channels were indirect, slow and vague.
- The three peace processes - but in particular UNOSOM II - suffered from the lack of a Joint doctrine, defined structures, and clear procedures. Directing and co-ordinating all civilian and military field operations towards one common goal thus became difficult, if not impossible.
- As in most international operations with these characteristics, there was no joint management system fusing the military, civilian and humanitarian relief components of the missions. This lack of joint management was exacerbated by the absence of effective systems for gathering information, which would have helped to avoid open confrontation. The lack of management was also aggravated by the growing need to protect civilian components engaged in humanitarian missions. This need put a strain on scant military manpower which, compounded with media pressure and the lack of effective information gathering systems, created resentment and distrust, thus undermining the missions' unity of effort.

In Somalia, the need for a joint doctrine/procedure within the UN system to unite the civilian and military missions, aims, objectives and the sharing of the responsibility for reaching these, was evident. The liaison between the UN's military and civilian components and NGOs also needed some kind of formalisation. A common goal shared by NGOs and the military did exist in Somalia, but it resulted from the force of circumstances. Even this forced co-operation

had become strained by the time the transition between UNITAF and UNOSOM II took place. The arrival of international bureaucracies restricted goodwill- The whole process demonstrated the need for a well-defined structure and procedure to direct and co-ordinate field operations towards one common goal.

Although the civil affairs officer is a familiar participant in many military operations, there was no doctrine in the collective experiences of either the services or the Joint Staff to cover a situation in which a country had descended into a state of anarchy. Along the way, however, there was a rediscovery of the need to consider military, diplomatic, and humanitarian efforts as parts of a common whole. Although there was no longer a single government in Somalia, there were at least 49 different international agencies, including UN bodies, non-governmental organisations, and HRO's. Dealing effectively with those agencies became the primary challenge for civil-military operations in Somalia. This was an important function because the HRO's not only provided many of the relief supplies that helped fight starvation, but agencies such as the Red Cross and Feed the Children were on the scene prior to the arrival of our forces and long after their departure. To this basic difference in perspective should be added another- for a variety of reasons, relief agencies tend to be suspicious of military and security personnel, even when they come as peacekeepers.

One thing that affected relations in Somalia was the pattern of accommodation that the relief agencies had followed to ensure they could work there effectively. This usually meant hiring local security forces-often in concert with the area's dominant clan. When peacekeeping forces arrived to set up their own security arrangements, there were the inevitable questions as to their authority. Once these issues were settled, it was also necessary to make exceptions to policy when weapons were confiscated from those people employed by the relief organisations as their security forces.

During the UNITAF phase of the operation there was an undeniable increase in both security and the amount of relief supplies being distributed. This period of relative peace allowed more relief agencies to enter the country, but it also underlined the need to insure closer civil-military co-operation. Sometimes these co-operative efforts involved small but important things-such as allowing HRO representatives to fly "space available" on military aircraft. More substantial efforts took place when military forces during both *Restore Hope* and UNOSOM II worked side by side with relief agencies to dig wells, rebuild roads, repair schools, and the like. With the need to control access to key port areas and food distribution points, it also became essential to provide photo ID cards to the relief workers- This requirement in turn meant setting up procedures for verifying organisational and personal *bona fides* because, as one observer said, "People came to view' the ID card as both official UNITAF certification of a person's role as a humanitarian worker and also as a gun permit." Finally, some agency had to issue the cards and to regulate what privileges, if any, these ID cards would convey.

For these and similar reasons, one of the most important initiatives of the Somalia operation was the establishment of the Civil-Military Operations Center (CMOC). Set up in December 1992 during the early stages of UNITAF, CMOC became the key co-ordinating point between the task force and the HROS. Liaison officers from the major multinational contingents, together with the US command, used this center as a means of co-ordinating their activities-such as providing military support for convoys of relief supplies and assigning pier space and port access to Mogadishu Harbour for the HRO's. These practical duties also lent themselves to the broadening of contacts between the military and civilian components, including the creation of parallel CMOC's in each of the nine Humanitarian Relief Sectors. Eventually, CMOG

controlled the issue of ID cards and maintained a data matrix showing the status of food relief supplies throughout the command's area of operations. Equally important, however, was the fact that CMOC was able to work closely with the Humanitarian Operations Centre run by the United Nations-thus allowing a single focal point for all relief agencies operating in the country.

The Commonwealth Mission in Rhodesia/Zimbabwe

Once again, this was the exception to the rule. The CMF was in essence a British force with a unitary command and control system, and under direct orders of the governor (and therefore the British Government). This meant that a uniform 'value system' existed throughout Rhodesia as far as monitoring operations and assembly were concerned. Only one commander controlled operations in the whole of the territory. The fact that the appointed governor was effectively in charge of all operations in Rhodesia, as well as the agencies of the government of the day, implied a close working relationship between the political, military, police and relief components of the mission. This translated into formalised co-operation and a working relationship directed towards a common goal with one set of norms.

Namibia and Angola

These demonstrate the same problems related to the lack of

- Integrated strategies between the different components of the mission;
- Integrated command and control structures;
- Joint planning mechanisms; and
- Proper communication and reporting systems.

These deficiencies were painfully evident, for example, in Namibia. The Force Commander reported to the Special Representative of the Secretary-General (SRSG) only with regard to the political aspects of his mandate. As far as technical matters were concerned, he answered directly to the office of Special Political Affairs in New York. This dual axis of command made it uncertain as to whether the Force Commander's position was totally subordinate to, or somewhat at par with that of the SRSG. Strained relations between the force commander and the SRSG led to the appointment of a civilian Deputy Special Representative whose main role was to restore the breach in the command set-up by co-ordinating the military and civilian components of UNTAG. His appointment further reduced face-to-face interaction between the Force Commander and the SRSG. UNAVEM II suffered a similar fate.

Liberia

Relations between regional peacekeeping forces in Liberia and UN peacekeeping and humanitarian personnel were problematic. Responding to civil war which erupted in late 1989, the Economic Community of West African States (ECOWAS) deployed a peacekeeping contingent, the ECOWAS Cease-fire Monitoring Group (ECOMOG), in August 1990. The UN Security Council in September 1993 authorised the United Nations Observer Mission in Liberia (UNOMIL), tasking it to monitor and verify the implementation of a peace accord. Relationships between the regional initiative and the United Nations were highly uneven and largely unsatisfactory. Among the problems were the domination of the ECOMOG initiative by Nigeria, which had its own political agenda in the region, an absence of professionalism among ECOMOG troops; and UNOMIL's late arrival on the scene. In early 1993 relief vehicles and

personnel belonging to the UN and NGOs were strafed at the Liberian border by ECOMOG aircraft in an attempt to prevent humanitarian activities in non-government controlled areas. ECOMOG also imposed and enforced a ban on the importation of relief supplies from Cote d'Ivoire. There were also serious problems within the UN family itself, including the prohibition by the UN SRSG of aid efforts, including those by the UN's *own* agencies, in non-government controlled areas.

Cambodia

In Cambodia the relationship between the UN military and the domestic law enforcement agencies was carefully structured to define the parameters of each force's function. During the election itself, this took the form of a complex system of perimeter policing. On the inner perimeter, only unarmed UN civilian police were present at the actual polling stations. Armed UN military personnel were deployed on a second perimeter a minimum of two hundred metres from the polling sites. Finally, any domestic policing agencies were only permitted on a further perimeter another two hundred meters beyond the UN military. This system sought to establish a balance between the need to provide security at the polling venues, without compromising the free spirit of the election by having high profile and heavily armed policing (especially by discredited local policing agencies) at the points of voting.

The Relation Between the Peace Mission and the Media

Peacekeeping operations are carried out under the full glare of public scrutiny. By using satellites and other modern communications technology, the press is able to distribute reports and pictures faster than ever before. Incidents, sometimes embellished or slanted toward a partisan viewpoint, are screened on television the same day and the next morning are in the press to excite audiences in those countries that are parties to the dispute, as well as their allies. The role of the press during delicate negotiations is indeed of incalculable importance. When information is withheld, journalists fall back on speculation. Such speculation, although usually inaccurate, is often close enough to the truth to be accepted as such by large sections of public opinion, and even by governments. Belligerents may sometimes find it advantageous to leak part of a story to the press to build public support for their own position. On occasion, such activities can grow into fully orchestrated press campaigns.

Certain of the warring parties in Somalia understood this 'media weapon' extremely well, staging events to get to the soft underbelly of the democratic world - public opinion. In such circumstances, it was extremely difficult, if not impossible, for the UN mission in Somalia to set the record straight without destroying its neutrality. An opposition tactic was to stage a demonstration and attempt to provoke peacekeepers. Women and children would be deliberately mixed into organised crowds to complicate the problem of control. An example was the demonstration staged on 13 June 1993 in front of a Pakistani strong point. (Not by accident, the site selected was next to the only press centre in the city.) As the crowd was nearing the Pakistani position, shots were fired at the soldiers from the top of nearby buildings and from the crowd. The Pakistanis returned fire, wounding some of the civilians. The organisers reached their goal to present to the press an image of a UN out of control, beamed across the world within minutes after the event had taken place. It would have been far preferable to have been able to disperse this organised crowd with non-lethal means, thus preventing a contrived demonstration from becoming damaging in terms of world opinion.

The issue of the relationship between the media and the peace operation is of considerable importance. This was clearly the case in both Somalia and the former Yugoslavia, to give but two examples. UN missions must accept the fact that the media will be present in any theatre of operations, and that it plays a major role in keeping families informed and in determining, to a great extent, how the world public will perceive the operation. The approach of the headquarters of a mission to the media can either enhance greatly, or sink a mission. The challenge posed to the mission headquarters is to deal with the needs of the media, to implement effective information/briefing sessions, and to build a trustworthy relationship with the journalists.

Conclusion

To sum up, let us emphasise two points :

- The real "peacekeepers" in a peace operation are the humanitarian relief organisations (HRO's) that provide both aid for the present and hope for the future.
- The HRO's may not be our allies, but they must at least be part of our planning and co-ordination efforts.

UN peace keeping force must observe certain basic rules as outlined in this paper while dealing with non mil organisations. They must understand that all agencies have an agenda which may not be in tune with the agenda of the force. They must therefore utilise their favourable points rather than harp on their negative role which restricts the functioning of the force.

UN relief agencies should continue efforts to strengthen their internal security capabilities in many of the same areas, and work on mechanisms to improve the security situation of both implementing partner organisations and other NGOs operating in the same area. Efforts to strengthen and adapt the UNSECOORD structure should be intensified, particularly in areas that directly support the operations of the security management team (SMT). Overall analysis of security incidents occurring throughout the relief community should be undertaken as a matter of urgency, and information analysis, assessment and dissemination systems should be instituted and shared. Inter-agency synergy in this respect needs to be a conscious objective, and the notion of building a TFSOC into on-site co-ordination mechanisms such as OSOCC should receive serious consideration.

Military organisations can provide a range of support to relief organisations in the area of security, but this support must be provided in the context of agency concerns for impartiality and neutrality. Specific procedures for information sharing should be developed, training opportunities investigated, and various mechanisms for providing direct protective support explored. Doctrinal projects should be furthered and shared. Forces should be carefully structured to maximise their deterrent value with credible force, while at the same time containing elements to support civil-military operations.

ACHIEVING UNITY OF EFFORT AMONGST THE NEW PEACEKEEPING PARTNERSHIP

By

Ambassador Peggy Mason

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Thank you very much. Just a little note on the brokering and the work of the UN expert group - India has a distinguished expert on that panel. The aim is to bring the brokering of small arms and light weapons into a legal framework. I have the challenging task of promoting brokering or some aspects of brokering.

I sought to identify the objective behind the title of this session – ‘Achieving Unity of Effort Among the New Peacekeeping Partnership’. From my experience in working through the whole issue of what initially would always be called unity of command – it is a reflection of the fact that the peacekeeping forces – the military and the other agencies- are developing a common language that in actuality properly reflects the kind of coordination that needs to take place.

The focus of my presentation would be on the strategic level and missions headquarter structure – and what would come through is the political-diplomatic perspective. Before that, it is important to remind ourselves that it is not just coordination among the members of the Mission, among the partnership, as important as that is, but the coordination with the parties to a problem – the civil society, the subjects of the Mission, especially at the local level - that forms the backdrop for a successful mission. This must be kept in mind and in this regard I would make reference to a guiding principle. Local inputs and capacity building are not only integral to the reconciliation process but to the entire peace implementation effort. The most fundamental guiding principle for the effective planning and implementation of a peace settlement is the enhancement of local and national capacities through active consultation, engagement, and participation. As basic as this principle may be, it is probably the least honoured in practice. So at every stage when we talk about ways to make ourselves as a mission work more effectively, we have to keep reminding ourselves of the population, the goal and the object of enabling the populace to take over when the mission departs.

The term ‘new peacekeeping partnership’ is a term coined by the Pearson Peacekeeping Centre to refer to the diverse variety of participants in the modern multi dimensional peacekeeping operations. The implications of such diverse actors and tasks have been eloquently laid out. One of the key participants - the political diplomatic partner in UN Missions

– generally in the person of the Special Representative of the Secretary General (SRSG) is responsible for the intendance of the overall implementation of the peace settlement, the military forces and observers, the civilian police, humanitarian agencies and development agencies. What we are trying to do is enhance local capacities to get beyond the relief phase and lay the groundwork for the developmental phase - the human rights partner, the democratisation and institution building partner, to name a few. The new peacekeeping partnership means to convey the multi dimensional participation in the new mission along with multi dimensional objectives. The use of the term partnership conveys that they are all active participants in the fulfillment of the mission.

While it is true that certain tasks of the partners would be clearly delineated, there will clearly also be cases where there is much overlap particularly among the humanitarian agencies and the NGOs. There will also be tasks primarily of one partner but requiring the facilitation and assistance of others – for instance, the military partner facilitating humanitarian assistance. But there will also be joint tasks involving a number of partners actively cooperating; there is often the possibility of an overlap in the phasing and timing of these functions. One of the unequivocal examples of this is disarmament, demobilisation and reintegration of ex-combatants. This task probably requires engagement of every one of the partners in the new peacekeeping partnership, at one time or another. In planning and implementation terms, this is a highly sensitive and sophisticated operation. That is the reason for my focus on development of a ‘joint’ doctrine on this. The military feels comfortable with the term; the civilians find it difficult. An example of the requisites for an effective disarmament, demobilisation and reintegration is – coming to an agreement on the guiding principles for its planning and implementation. This requires getting the assent of all the participants on how to deal with the problem.

Now on the question of why the need for an integrated mission structure? With a political head. This was not there at all. The Dy SRSG is now the lead humanitarian representative on the ground and thus has the responsibility of ensuring coordination among all the agencies. Under the SRSG, come the Police Commissioner, the Head of Human Rights, Chief Administrator, Force Commander, the Head of Civil Affairs, the Head of Humanitarian Affairs. And this contrasts with the first generation peacekeeping. There at the bottomline is the UNHCR, UNICEF. Under that are the many partners, humanitarian and development actors, implementing partners and so on. The point that I wish to emphasise is that there is no hard and fast line between those individuals and the SRSG, which signifies that these independent UN agencies - independent also of the UN Secretary General; he has no budgetary control / authority over them – have agreed that they will work within the mission structure; they will agree to a coordination framework, but they will not have absolutely relinquished their independence. Hence they do not come under the chain of command, and so at any given point they could move back.

While in the first generation peacekeeping, Cyprus is the best example to cite, where the main task of the mission was a military one, that is, to position themselves between two forces while the political process was in progress somewhere else. There were pitfalls in that approach, though Cyprus could be cited as one of the most successful peacekeeping operations as it had kept the two parties apart preventing outbreak or reemergence of violence. But the political process – the desired end state, the overall arrangement leading to a comprehensive settlement - has been a dismal failure.

When you look back on the conflicts in the years immediately after the demise of the Cold War, when it became possible to look at and foresee, and ultimately negotiate comprehensive settlements, the example I want to look at is of Cambodia and UNCTAD. We have a situation where not only all of the parties to the dispute were constrained to join the negotiating process, but all other relevant actors participated too. The influential regional actors had to support part of the negotiating process and part of the agreement and the P-5, the Security Council, not only facilitated the negotiations in various ways but supported the agreement too. The end result was - a comprehensive peace settlement and a multi dimensional mission with the mandate to implement the settlement.

Apart from the SRSG who doubles as the head of humanitarian affairs and coordinator among the humanitarian partners, the other side was also an outward coordination function between the mission and the factions, representatives of all the relevant external actors - especially the Security Council. That preeminently in a best case scenario is the key role of the political head of Mission - to ensure through the necessary contacts, a unified response from a mission perspective to any problems, any challenges to the implementation of the peace agreement. In the case of Cambodia and UNCTAD, the then SRSG had subscribed a contact phone of the ambassadors of the five permanent members of the Security Council. When a problem arose he would quickly transmit back to the Security Council members the view of the mission on how the problem should be addressed and made a unified response possible. Such was the unity of effort among the relevant actors, up till the Security Council, that the UNCTAD was able to withstand first, the challenge of one faction pulling out of the disarmament aspect - the Khmer Rouge refused to participate in the efforts at disarmament effort . And then the ultimate challenge, of Khmer Rouge pulling out of the election process. Hence, we witnessed the genesis of an integrated mission headquarter structure under an SRSG, characterised by multidimensional nature of the mission tasks, with a preeminence of the political role in overseeing the settlement and ensuring achievement of the settlement.

How are we to achieve the unity of effort? Apart from the above mentioned comments, I would like look into, in Jeane Dui's language, the need for a political, military, humanitarian and economic plan. To achieve unity of effort then at the strategic level there has to be a concept of operations delineating and agreed in state. In a subsequent conversation he mentioned that this concept of operations has to delineate a critical path for getting to the end state. And for our purposes, the most relevant aspect is what needs to be done by which partner to enable movement to the next phase. So it is not just a matter of each partner delineating the tasks of the other partner, but relating those tasks specifically to the achievement of the desired end state.

The UN Secretary General in conjunction with the relevant UN agencies and NGOs has developed a process designed to promote integrated mission planning. The Brahimi Report has made a number of recommendations in this regard, and Col Leijenaar has focussed on this in particular. Now, how do we ensure integrated mission planning at the UN headquarters? Apart from commending Brahimi Report on that, I would like to mention the statement made by a Colonel that the mission plan must identify the objectives and goals of the mission. The problem, and this is a political-diplomatic perspective, that we face is that there are two prior steps; Security Council Resolution providing the mandate but, behind that peace agreement - if there is one - informing the Security Council resolution. Because when there is a peace agreement, very often the Security Council resolution simply states that mandate is found in paras so and so of the peacekeeping. Even the best integrated mission planning exercise in the world is not going to substitute for defects in the mandate or defects in peace settlement.

The founding point for unity of effort is a peace process that produces a credible peace agreement to which all parties and all relevant external actors are committed. This is preeminently a political process and the peacekeeping operation is not and can not be a substitute for it. The discussions held earlier here were about the problems that arise if a mission is a substitute for a political process which is aimed at trying to reach some sort of an agreement.

So the originating point for unity of effort is this peace process that produces some kind of political peace agreement. The Brahimi Report is very modest as regards "certain minimum threshold requirements" that it sets for a peace agreement, one of them being consistent with the international law reference to human rights considerations. But it does not go any further. Against that, there is of course what the Brahimi Report also focuses in particular, a peace agreement that leads to a Security Council Resolution. What is required in this Resolution, according to the Report, is a clear, credible and achievable mandate. They very specifically focus on the problem of ambiguity in the language of the Security Council. They focus on the reason for it; that is a lack of agreement among the members of the Security Council on what the mandate should be. They correctly identify this as intolerable; this is where there can not be a mission authorised. If the Security Council cannot reach a minimum agreement on what the objectives of a mission should be then they should not authorise it. It is to the credit of Brahimi for clearly identifying this aspect. To this I would add the need for flexibility. Flexibility refers to the presence of sufficient discretion so that in resolving genuine problems with respect to peace implementation, the political-diplomatic partner - the SRSG - does not have to constantly go back to the Security Council for adjustments to the mandate; as there is sufficient flexibility to make some adjustments. In this regard a very useful Brahimi recommendation in terms of mission planning is the need to enhance contingency planning. By doing that in advance, the finalisation of the Security Council mandate would be based on the various inputs from the ground that could help anticipate what some of the problems might be and, in the language of the Security Council resolution, provide a flexible enough mandate to deal with that.

What happens if there is no integrated mission? In circumstances of a comprehensive mandate, not a narrow one as in Cyprus, but in circumstances of a broad nation building, reconstruction, democratisation, human rights - if the structure of the UN mission in Kosovo is observed, it could be noted that there are four deputy SRSGs representing reconstruction, maritime reconstruction, nation building, civil affairs - and the logical ones that would be in charge of these functions - the UN in charge of the civil administration, UNHCR in charge of the humanitarian aspects, the reconstruction having the preeminently major donors involved, the European Union providing the Dy SRSG and the nation building and democratisation process coming from the OSCE. A very impressive structure in terms of trying to identify the importance of the various partners, but one partner is missing from this integrated structure - the military. The mission in Bosnia had three structures. Here we have two. The UN and the military - UNMET with all the other partners and KFOR.

In Bosnia, there were three set of parties involved - the military, the UN and OSCE, and the European Union. The military proudly stated that it had achieved its military objectives with respect to problems of heavy equipment ahead of schedule. On the contrary, through the medium of the television, everyone watched the utter failure of the UN mission to secure the return of the refugees. The ultimate end state, had there been an integrated concept of operations, it would have been a multi ethnic Bosnia, and the return of refugees would have been absolutely fundamental to that. But there was the security problem, which an unarmed

civilian police could not solve. A little more of integrated planning initially would have prevented the problem from dragging on for so long.

What is thus required is a unified effort and a meaningful end state that might be able to achieve the objectives. But what happens if a situation defies an imminent solution? If the situation is a combination of conflict and humanitarian crisis and, as Yvan Conoir described it, the pressure is on the Security Council to do something but none of the conditions are there for an effective and successful mission despite the desire to try and alleviate the humanitarian crisis.

The worst case scenarios still defy an assessment of the requirements. What I could suggest is that if a peace settlement is remote but there is a humanitarian crisis, and there is determination to deploy a mission with a military component to facilitate delivery of humanitarian aid and to try and stabilise the situation to allow some sort of a political process to go on, then there has to be certain minimum prerequisites. And that is – the P5 have to agree on the aim and scope of that humanitarian mission. If all that they could agree on is that it is only a humanitarian mission then they have to convey that with clarity and at the same time identify what the agreed political process is to resolve the outstanding problems so that the mission does not become a substitute for the political process to address those problems. So, my suggestion is to have certain minimum conditions to deploy which the Security Council agrees to without any dispute on the aim and scope of the humanitarian mission, and at the same time they must agree and state in the resolution as to what the political process would be to resolve those issues.

THE INTERNATIONAL COMMITTEE OF THE RED CROSS IN PEACEKEEPING AND PEACE SUPPORT OPERATIONS

By

Brig Gen Martin Rutsch (Retd)

ICRC Regional Delegate to the Armed and Security Forces in South Asia

Brig Gen. Martin Rutsch is an ICRC regional delegate to armed and security forces in South Asia. He entered early in the South African Air Force and trained as a pilot, after getting a Bachelor's degree in Military Science at the Military Academy in 1965. He served as a fighter and as a flying instructor. After promotion to Brigadier General and appointment as Director Personnel Development at Defence Headquarters, he was actively involved in the transformation of the New South African National Defence Force. He has been involved in bridging training of the various members coming from different armed forces, in order to equip them for service. He has also been an active member of the Ministerial Committees to set up and introduce civic education in the new South African National Defence Force. He has been tasked specially with the integration of International Humanitarian Law into the South African Defence Force. He was awarded the Southern Cross medal for outstanding service. After retirement in 1997, he was contracted to the ICRC as a instructor and in Jan 2000 he was appointed as the ICRC's regional delegate for relations with the armed and security forces in South Asia.

Introduction

During the last few decades the nature of armed conflict worldwide has changed. A study of these conflicts show that no longer do we experience the large scale inter-state conflict as seen during the early 1900s but rather smaller regional or even more common, intra-state conflicts. However, it would appear that the world community through the UN has entered into an era where it is willing to address itself to these conflicts. This is evident from the increasing number of UN sanctioned peacekeeping operations launched across the globe. At the same time one witnesses the proliferation of humanitarian organisations also becoming involved in these areas of conflict. One need not dwell too much on this to appreciate the situation. During this presentation, I would like to address some of the issues facing the humanitarian sectors involved in peacekeeping operations. I will do this, of necessity from a specifically international Committee of the Red Cross (ICRC) view point.

Non Military Humanitarian Activities

I think it might be prudent at the outset to look at the activities performed by the humanitarian organisations during peacekeeping operations. I do not profess to be an expert on the totality of these activities even less so, from each such organisations point of departure. Allow me therefore, to present the picture with a bias towards an ICRC point of view.

The ICRC has never seen itself or been the sole role player in the humanitarian field and has always had to allow for the presence in its theatre of operations of actors who, while pursuing broadly the same goals, base their action on different methods and principles. What is true is that in some respects there are critical overlaps such as in relief work, medical assistance and rehabilitation. Here the ICRC does not claim the exclusive right. There are, however, some activities where the ICRC could claim a specific right to such activities. It might be useful to look at these activities in more detail.

The activities that the ICRC would normally perform during peacekeeping operations may be divided into three areas, that is, those that it executes in order to prevent abuse of human rights or to ensure the application of international humanitarian law, and those that afford protection and relief to the victims of armed conflict.

The first activity involving the ICRC is the active dissemination of the content of International Humanitarian Law to the belligerent armed forces as well as the peacekeeping troops. The reason for this should be self-evident.

The second set of activities most often draws greater attention. Here, I refer to the protection and assistance afforded to the victims of armed conflict. I would like to briefly dwell on each of these in turn. Please keep in mind that circumstances dictate the degree to which these activities are performed.

The protection of the victims of conflict chiefly take the form of visits to detainees, be they prisoners of war or civilians detained in the course of the conflict. Here the ICRC focuses on humane treatment of the detainees and not the reason for the detention. Any recommendations for the improvement of conditions (if considered desirable) are then transmitted through constructive dialogue to the authorities. It stands to reason that this activity cannot be performed by the military, nor strictly speaking by an organisation not independent of political control and impartial in its approach.

The visits to detainees is supplemented by the tracing of persons whose families have no news of them or who have disappeared. The ICRC will then arrange for the exchange of family messages when normal channels of communication have broken down. Finally, the ICRC will organise family reunifications as well as repatriations.

However, it would appear that it is in the area of assistance to the victims of armed conflict that the ICRC is best known for. While this is understandable it is also possibly the one area where most of the questions are being asked of late. Relief work takes many forms be it the provision of assistance in the form of food, medical and shelter to refugees or internally displaced persons. It includes medical assistance to amputees or the rehabilitation of an area ravaged by the conflict.

While it is true that these are the traditional activities performed by the ICRC during the armed conflict, they are equally important during the peacekeeping phase, during that period when the international community is attempting to restore peace and stability to a region.

What is becoming an ever increasing task of the ICRC is the rehabilitation of the persons affected by the conflict. This may be as diverse as the restoration of water supplies, assisting farmers to recommence farming activities or supplying artificial limbs to victims of anti-personnel mines.

The question might be asked at this point on whether a move to peacekeeping operations might not also be the moment for the National Red Cross Societies to take over. The immediate answer is that the National Red Cross Societies should be involved, but under the lead of the ICRC, as per the Seville Agreement (1977).

The Right of Humanitarian Organisations in Peacekeeping Operations

The next question that must be answered, concerns the right of humanitarian organisations to be operative in peacekeeping operations. While it may be obvious that humanitarian organisations will be paramount, there are the more covert reasons that need to be looked at. Most private humanitarian organisations give themselves the right to intervene based on their desire to escape the guilt of silence and paralysis coming out of the Second World War and Biafra. They advocate a form of action that dispenses with government consent and shuns away from any form of compromise with governments; cooperation with authorities was viewed as neither conceivable nor desirable since they were often the very cause of the suffering and violence inflicted on the population. While such an approach may have its place, the ICRC bases its mandate for action on more legalistic reasons.

The ICRC has since its founding in 1864, played an ever increasing role in situations of armed conflict. It is not strange to find the ICRC active in over 58 countries of which over 20 are located in places where active armed conflict is occurring right now and in a further 30 where there is a situation of violence and internal strife. And might I add, that the ICRC has shown through its track record that it has a role to play in these situations. The ICRC can today be found in such places as Afghanistan, Sri Lanka, the Northern Caucasus, Central Africa and the Great Lakes, Angola and Colombia.

However, astute students of the Geneva Conventions (and Additional Protocols) will be aware that the ICRC's mandate for its involvement in any conflict situation derives from these very instruments. This means that in an armed conflict situation the ICRC has a specific role to play. But does it have a mandate to continue with its activities during peacekeeping operations, when the conflict has supposedly ended? After all, during peacekeeping missions the UN (or other UN sanctioned regional body) is there primarily to maintain or guarantee the peace. To answer this question, the ICRC needs to ask itself, does it have the mandate, that is the right, to operate in what could technically be termed as a situation of peace.

The right of the ICRC to act in an armed conflict has already been made clear. I have already mentioned the source of this mandate as the Geneva Conventions and the Additional Protocols. But these two instruments refer to armed conflict situations only. In the classical definition one would therefore assume that the mandate commences with the declaration of the armed conflict and ceases once peace has been agreed upon. The one possible exception is in the case of an internal non-international armed conflict as enunciated under "Common Article 3". But, the question remains whether the ICRC has a role to play in a peacekeeping situation, considering the fact that supposedly the armed conflict has come to an end.

To answer this question, three points can be raised. The first is the Red Cross Movement's Statutes which confer on the ICRC the right to take humanitarian initiatives in situations not covered by the Geneva Conventions or their Protocols, such as during internal disturbances and tension. From Article 5 of the said statute, and I quote : "... To carry out mandates as entrusted to it by the International Conference ...", the International Conference being the International Conference of the Red Cross and Red Crescent Movement, and "... *The International Committee may take any humanitarian initiative which comes within its role as a specifically neutral and independent institution and intermediary.....*". This gives the ICRC the right, as an independent organisation, to involve itself in humanitarian action in a peacekeeping situation.

The second point which indicates the right of the ICRC to take any humanitarian action, relates to the needs to the victims in the aftermath of an armed conflict. One does not have to ponder to deeply to realise that once an armed conflict has ceased and the UN peacekeeping mission is under way, that the suffering and deprivations resulting from such armed conflict do not immediately go away. Indeed, the ICRC's experience is that more often than not, there remains long after the restoration of peace, the dire need to assist those most affected by the conflict, such as the return of refugees, the release and repatriation of detainees or prisoners of war, the reuniting of families and care for the amputees, etc. In fact, those well versed in international humanitarian law will be aware of the obligation upon the belligerents to restore the conditions back to normality after armed hostilities have ceased. In fact, the bottom line is that the ICRC cannot just walk away from a situation where it is needed unless there is possibly another organisation equally able to execute the activities which the ICRC normally performs.

The third point arises from the recent Report of the Panel on United Nations Peace Operations, which categorically states that most UN peacekeeping operations did not deploy into post-conflict situations but tried to create them. The interpretation given to this is that a situation of peace has not occurred but rather that the conflict situation remains. In summary one can say that the original mandates, based on the Geneva Conventions remain in force that the ICRC does have a role to play during peacekeeping operations and also the mandate to perform it.

Interaction With Other Role Players

Given the right of intervention by humanitarian organisations in a peacekeeping situation, the question of management must arise. In today's world, the buzzwords are "coordination, responsibility and cooperation". The word has also had more than a decade of experience in post-cold war peace keeping with its new rules. A whole new set of 'rules' have evolved.

The post-Cold War period has seen some rather significant changes in the use of military resources. This stems from the willingness of the leading nations to revive the role of the UN Security Council. This has resulted in the Security Council taking steps to not only deploy military troops for peacekeeping purposes, but also for peace enforcement. However, another major reality is the rethink of military doctrine by particularly certain western states. This is particularly in the field of security and to use their forces in other than strictly military areas. Here one notices the use of troops in humanitarian action in situations where the civilian humanitarian organisations are unable to react in time with the level of service required.

The above scenario has lead to the development of a concept of "an integrated approach" to crisis management. This has meant a closer connection between military and humanitarian management. While the ICRC generally welcomes this, it feels the military involvement in the humanitarian domain gives rise to several paradoxes. The ICRC views humanitarian action as being governed by the principles of impartiality and non-partisanship; that is, it must be conducted independently to political and military objectives and considerations. The ICRC's humanitarian operations are inherently con-coercive and can thus never be imposed by force (even covertly). The military can hardly adhere to these principles, as it remains under political direction and is designed to use force even if it is for self-defense.

A further mitigating factor against military involvement in humanitarian activities is the selectiveness in its operations. In most countries the response to a situation involving an armed conflict is based on its own perceived interests as no surprise that humanitarian agencies continue to occupy the central role in a large number of crisis.

Notwithstanding the above, arising from NATO's deployment in Bosnia-Herzegovina, has been the establishment of central regional Civil-Military Co-operation (CIMIC) structures. The ICRC has been participating as an observer in these for exchanging information on humanitarian issues. The ICRC has also been attending the regular meetings held by IFOR/AFOR. However, the ICRC has made it clear that its participation does not mean that it is dependent on NATO for its security. The ICRC needs to keep its distance in order to maintain its independence, since it cannot be perceived as being subordinate to NATO or any other military force.

In summary, with regard to the relationship and cooperation between the military action and the humanitarian action, the ICRC's view is the following :-

- Military action should be clearly distinct from humanitarian activities. Involvement of the military in humanitarian action could create, in the minds of the authorities and the population the association of the humanitarian organisations with the political and military objectives that go beyond humanitarian concerns.
- Humanitarian action is not designed to resolve the conflict, but to protect human dignity and to save lives. It should take place in parallel with the political process aimed at addressing the underlying causes of the conflict and the achieving of a political settlement.
- Humanitarian agencies must be allowed to maintain their independence of decision and action while consulting closely with military forces at every phase and at every level. This should help enhance mutual respect and understanding of objectives and constraints.

Apart from the natural involvement of military forces in peacekeeping missions, there has been an ever increasing number of humanitarian organisations all becoming active in rendering assistance to the victims of the conflict. The ICRC has never seen itself as the sole role-player in the humanitarian field. It has always allowed for the presence of other actors who, while pursuing broadly the same goals have based their action on different methods and principles. This competition between aid organisations has become more frequently discernible in recent times. This has led to a certain amount of confusion and inefficiency, and at times created a perverse impact on the beneficiary population, such as the development of a welfare mentality or dependency. Moreover, lack of coordination may lead to duplication, overlapping or a surfeit of assistance in some places while others are entirely neglected.

However, the issue of cooperation between humanitarian practitioners is far from new and has been taken up by the United Nations in particular. Although it has periodically been the subject of intense discussion, it has failed to result in any really effective cooperation procedures. It was the 1991 Iraqi Kurdistan crisis that brought about the proposal to provide for the grouping and centralised coordination of all UN humanitarian activities as well as those of other operational bodies, including the ICRC. This project was basically perceived as a means of other operational bodies, in question and to ensuring that they "fell in with" the strategy

decided by the Security Council. The ICRC took great pains to distance itself from this UN action. The ICRC eventually endorsed a looser form of coordination between the two institutions.

It was on account of the various problems ensuing from competition and lack of coordination that the ICRC decided to promote a form of cooperation that would involve a division of tasks in such a way as to meet all needs in an appropriate and equitable manner. With this end in view, the ICRC has forged links with other organizations. Today, the ICRC has many operational contacts with certain NGOs and with specialised agencies of the UN (UNICEF, UNHCR, WHO, WFR, FAO etc) all of which has lead to closer collaboration.

To better understand the ICRC's point of departure with regard to its cooperation in the field of humanitarian action, it might be appropriate to briefly look at four of the principles under which the ICRC as a humanitarian organisation operates. These are humanity, impartiality, neutrality and independence. The first principle, humanity, will always remain the operative word for any action by the ICRC in a peacekeeping situation. The ICRC will remain neutral in its dealings with those involved in the peacekeeping mission, be it the former belligerents, the peacekeeping forces or the victims of the violence. The ICRC will also never discriminating between those in need, providing humanitarian assistance with impartiality. Finally, the ICRC must remain independent as a humanitarian organisation, rendering assistance in accordance with its mandate. It can therefore nor be subordinate to any other organisation which may have a particular policy or even to the UN, an organisation that by definition is a political body.

These principles are so fundamental to its operations that the ICRC has commenced with a specific project to inform all military peacekeeping forces, amongst others, of these principles. At the same time, it is these very principles that will guide the ICRC in its relationships with all the role-players in any peacekeeping operation.

Status of ICRC

Before concluding the presentation, it might of value to look in particular at the status of the ICRC, given that it is not an organ or subsidiary of the UN, nor is it considered an International NGO. While this may sound somewhat questionable, it is important to note that a inter-governmental organisation denotes an association of states; that is, established and based on treaty law which pursues common aims and has its own special organs to fulfil particular functions. International Non-Government organisations on the other hand are private organisations not established by governments or by inter-governmental agreement. It is interesting to note that the ICRC is neither, it has a double nature, while it is a private association subject to the Swiss Civil Code, it is simultaneously vested with a functional personality in the area of functions of a public international law character which have been widely recognised by States and by the United Nations.

Conclusion

In conclusion, it is clear that humanitarian organisations do have a role to play in a peacekeeping scenario. It is also evident that the ICRC, while not having the sole right to operating in the humanitarian field, it has a specific role to play, given to the ICRC by the Geneva Conventions and the Additional Protocols. The changing nature of peacekeeping and the new role expected of military forces does create some dilemma for the ICRC. These need to

be addressed as the ICRC is of the opinion that military action and humanitarian action should be separated. Furthermore, while there is no quarrel with the idea of a loose coordination between organisations in managing humanitarian action, the ICRC is of the opinion that the ICRC should be allowed to operate according to its principles, namely independence, impartiality and neutrality.

SESSION SIX

EVALUATING THE SCOPE OF AN INCREASED
ROLE FOR DEVELOPING COUNTRIES
IN PEACEKEEPING AND CONCEPT OF
A UNITED NATIONS STANDING FORCE

EVALUATION OF AN INCREASED ROLE FOR DEVELOPING COUNTRIES IN PEACEKEEPING

By

Maj Gen RS Nagra

Maj Gen RS Nagra, VSM was commissioned into the Regiment of Artillery in 1963. He is a graduate of National Defence College, India. He has varied experience and has provided leadership to the premier military training establishments. He has held command and staff appointments at all levels of the army. He has participated in several peacekeeping seminars abroad. As Additional Director General Staff, he has been responsible for coordinating operational, administrative and logistic aspects of all Indian troops engaged in UN mission and Training Teams abroad.

Introduction

Peacekeeping has evolved as a major international arrangement for resolution of conflicts and in providing humanitarian assistance in war-torn areas. More peacekeeping missions have been established in the last decade than those in the entire four decades preceding it. The deployment of peacekeeping forces has become the most visible face of the UN.

With the much debated Revolution in Military Affairs (RMA) affecting major developed countries, a process of moving away from the first and second wave wars (of agrarian and industrialised societies as Tofflers put it) is noticeable. On the contrary, conflicts requiring peacekeeping and peace making efforts could still be classified as first wave wars with a small percentage of second wave wars, as observed in Eritrea- Ethiopia. Major conflicts are increasingly intra state involving ethnic, economic, political and sub national groups. It may be one of the main reasons why the Armed Forces of developing countries whose armed forces are still geared for first and second wave wars, are playing an increased role in UN peacekeeping operations.

A brief evaluation of an 'increased role for developing countries in peacekeeping in the context of current and emerging trends in peacekeeping is in order at this juncture.

Countrywise monthly summary of troop contribution to United Nations Operations, for the month of May 2000 is attached as Appendix. It may be noted that out of a total of 35546 members, 26756 or a staggering 75% of the peacekeepers are from developing countries.

Hesitation on Part of Major Powers to Contribute Troops for Peacekeeping

In the past, a number of developed countries like the US, Canada and Australia have taken a lead in many peacekeeping operations. However, recently a trend has been noticed wherein, developing countries are hesitant in committing their forces for peacekeeping missions. The following could be the reasons for such reluctance :-

- Increased debate on the role and effectiveness of UN in prevention, resolution of conflicts and in peacekeeping operations.
- Increased role played by the media including live coverage of violences in conflict areas sometimes termed as CNN-isation-capture of UN soldiers, arrival of bodybags etc.
- Downsizing and restructuring of forces based on RMA thereby opting for enhanced sophisticated equipment and specialised skills for soldiers. There is a fear that

training of soldiers may suffer for six months (normal minimum tenure of UN peacekeepers) and disrupt rotation patterns.

- Special parliament approval required by countries like Japan for despatch of forces abroad.
- Intense domestic debate on whether or not to risk own soldiers in distant areas where national interests are not involved - purely based on a moral commitment to world peace.
- Economic power as an alternative to military power is increasingly available - major donor countries to UN are able to influence decisions of the world body in peacekeeping even without contributing troops.
- Most of the developed countries are currently downsizing and restructuring their forces after the end of cold war.

What Make Armed Forces of Developing Countries Suited for Peacekeeping Operations

Armed Forces of developing countries have certain major advantages when it comes to peacekeeping. They could be summarised as follows :-

- These armed forces generally are assisting their respective Governments in maintenance of law and order and have vast experience in counter insurgency operations.
- In the absence of specialised civilian disaster relief teams, armed forces of developing countries are increasingly called upon to undertake disaster relief during natural calamities. They assist in building logistics infrastructure like roads, railways, bridges and establish medical camps. These skills come handy in peacekeeping where the political aim and humanitarian considerations may take precedence over military aims.
- Some developing countries like India have an impeccable record in peacekeeping since the 50s (Sinai Gaza Strip Crisis and UN operations in Korea). They have the political will and participate wholeheartedly in UN peacekeeping.
- They have greater adaptability to the harsh and frugal living conditions in many conflict ridden parts of the developing world.

Motivation for Developing Countries to Contribute to Peacekeeping

Since the inception of peacekeeping, developing countries like India have contributed extensively to UN peacekeeping efforts. The major motivating factors for these countries are likely to be:-

- The country's contribution to the maintenance of international peace and security is recognised. This would enhance the country's image in the region and the world.
- To safeguard the country's interest in the region by contribution towards resolution of conflicts and peacekeeping in the region. This pre-empts the adverse fallout of the conflict such as refugee movement and presence of foreign powers in the region.

- Safeguard the country's strategic and economic interests by ensuring safety of sea and air routes of communication.
- Presents a favourable picture to major donor countries.
- Provides an international exposure to fledgling armed forces as seen in many of the peacekeeping operations recently undertaken in Africa.

Evaluation of an Increased Role of Developing Countries in the Context of Emerging Trends in Peacekeeping

Conflicts between states (inter state) has given way to conflicts within states (intra state) as in Afghanistan, Angola, Sierra Leone, Cambodia, Somalia and in many others. However, even parties in the intra state conflict have powerful foreign backers. Developing countries must tread carefully before committing troops for peacekeeping as the level of violence in intra state conflicts could match those of conventional war zones.

Intervention. It was held that the United Nations ought not to do anything that would interfere with the national sovereignty of a country. Russia held this view along with a host of developing countries like Jordan and India. Recently in Kosovo, several NATO governments put forward an argument that military intervention against another state could be justified in cases of overwhelming humanitarian necessity. The main basis for such an argument is 'general international law', but there may also be some element of reliance on the UN Charter or on Security Council resolutions (as in Bosnia and Somalia). Although it is still not easy to muster broad political support for major military interventions against the wishes of one or more of the significant parties to a conflict, the concept of intervention may not find favour with many developing countries (many of whom are NAM members). It is, however, certain that the massive human rights violations, hunger, disease and refugee flows, caused by conflicts and friction cannot be ignored. The central issue is how to intervene in a way which holds the prospect of resolution of a crisis, while remaining within the framework of the UN Charter and keeping national sensibilities in view.

Importance of Regional Groupings in Peacekeeping. There is an increased importance being given to regional groupings in peacekeeping especially in the Developing World. ASEAN countries contributed to the Core Group and subsequently sent significant peacekeeping contingents to the United Nations Transitional Authority in Cambodia (UNTAC). Recently, ECOWAS - Economic Community of West African States viz. Ghana, Ivory Coast, Liberia and Guinea have contributed to UNAMSIL. However, on the flip side, the role of some countries in favouring a particular faction and supplying arms in exchange for diamonds is coming under increasing criticism. Developing countries would do well to keep their neutrality status, in peacekeeping, unblemished. Hence the role of extra regional players continues to be of importance. Another point against reliance on regional groupings, especially in the third world, is that they tend to be easily influenced by powerful donor countries. A way out could be to involve two to three extra regional players, with good neutrality credentials, along with regional groupings.

Pressure of the Media. Media has come to play an increasing role in influencing public opinion. This may result in deployment or premature withdrawal of peacekeeping, missions. In Somalia, the media not only pushed the US government into intervening because of images of starving

children were viewed with discomfort by most Americans, but was also responsible for the eventual termination of the UN operation. This happened when Americans witnessed their boys being killed, and their bodies being dragged through the streets in a brutal fashion by the people they had gone to help. Later, observers felt that the US government reacted impulsively to media pressures, both to become involved, and then to withdraw. The Sarajevo Market place attack on 5th February 1994, though not the worst atrocity of the happened right in front of the cameras and became an instant media horror scoop that helped focus US and European public opinion on the conflict. In drawing conclusion, it can be surmised that objective assessment, independent of media coverage, is often essential.

Clamour for the use of Force. A peacekeeping force gains and retains its acceptability both internationally and among parties to the dispute, because it is impartial, The peacekeepers' neutrality gives them their unity and their strength. It results in their 'Legitimacy' - which as a US Army doctrine states- is the Centre of Gravity of a peacekeeping operation. The criticism of the partisan attitude of contingents of a few developing countries in recent missions could be attributed to the violation of these principles. Use of force is also likely to compromise neutrality and hence judicious decision is essential. A professional force well trained in peacekeeping operations (during their induction stage) and well led and managed in field is unlikely to succumb to the pressures of the media and the clamour for action.

Command and Control. Developing countries, by and large, do not generally have a widespread domestic debate on the intricacies of peacekeeping such as command and control of national contingents being sent abroad. Probably it is a blessing in disguise as adequate forces can be easily mustered from those countries. But it is a widely held opinion in developing countries that all personnel and contingents placed at the disposal of the UN for an operation must be under the operational control of the Force Commander or the Special Representative to the Secretary General who in turn is acting on behalf of Security Council. Problems have arisen when powerful countries have chosen to exercise discretion while executing the Force Commander's orders. Contingents complicate the matter by opening national channel of command with their government back home and seeking directions for conduct of operations. This aspect is receiving a lot of attention of late and a mission specific command and control set up, raising above national loyalties may encourage more developing countries to contribute troops for peacekeeping.

Readiness for the Peace Missions. In the past it took three to six months to deploy a peacekeeping mission with troops and equipment. Crisis in Rwanda and elsewhere in Africa have highlighted the urgency to despatch missions speedily. To obviate this, in 1994, a Stand-by Arrangement System was established with a database of individual states agreement's to provide the UN with specific resources within an agreed framework for UN peacekeeping operations authorised by the Security Council. The participating countries maintain their resources in country, on stand by for deployment. With only the US and to some extent Russia having ability for major strategic airlift at present, their cooperation and assistance would be required to deploy time bound peacekeeping missions. However, some developing countries like India have shown their ability to despatch forces at short notice to troubled areas using a combination of service and contracted air and sea assets. Experience has shown that even a small crisis can escalate into a major conflagration. Hence timing of a peacekeeping mission is very critical. If developing countries wish to play an increased role, then state of readiness and ability to deploy quickly need due attention.

Decision Making Process. There is a school of thought that the entire chain of management of peacekeeping is dominated by the west, led by the US. Only the Secretary General is elected. The west dominates the Peace and Security Committee and staff of DPKO. This is apparently a significant change from the past when neutral and non-aligned nations managed peacekeeping operations. As the troops contribution from developing countries is increasing, these countries should be involved in the entire decision making process associated with peacekeeping both before and during the conduct of a mission.

Military Hardware and High Technology. The array of military hardware available to warring factions and countries is awesome. The use of SU-27 and MiGs in the Ethiopia- Eritrea war, the havoc created by technicians (anti aircraft guns mounted in ground role on pick up trucks) in Somalia are an indicator of the anticipated level of violence in a peacekeeping operation. Accordingly, the peacekeepers are advised to be 'over-armed' with automatics, mortars, armoured carriers and even helicopters and fighter planes. Landing crafts and naval and air support are considered essential to ensure safety of peacekeepers.

Enforcement of no fly zones, port and shoreline monitorings require a number of hi-tech equipment including satellite photographs and sensors. Ability to field state-of-the- art communication and surveillance system is very essential for the efficacy of a Peacekeeping operation. A great amount of R&D effort is being focussed on development of equipment specific for low intensity fighting, of which UN peacekeeping operations is a good example, such as non-lethal weapons for crowd dispersal and self defence measures. The days of unarmed observers and lightly armed infantry in blue berets seem numbered. Sophisticated equipment and matching technical skills would be the proverbial force multipliers on peacekeeping missions. However, use of national assets of intelligence gathering such as satellites may not build confidence and trust between multinational regimes. Hence. commercially available data and systems, available to all systems, could be used.

Role of NGOs. The role of NGOs in strife torn areas has increased manifold. An assessment states that more numbers of NGO members are killed in these areas than peacekeepers. In order to address the roots of a conflict, the socio-economic and humanitarian needs of the population needs to be met. In this context the contribution of the NGO community world-wide needs to be increasingly recognised and encouraged. This calls for a high level of inter agency coordination.

Political Will. For a peacekeeping operation to succeed, backing of Security Council and the wholehearted political support by the international community is essential. The developed nations, especially the US have demonstrated the ability to focus the World's attention 'to do something,' in a conflict- as witnessed in Haiti, Somalia and Kosovo. In Cambodia, Australia (like France) played a major role in the initial negotiations and followed it up with contribution of the Force Commander, specialised signals unit and port and airport movement control staff. Similarly Australian diplomatic efforts in East Timor also included subsequent deployment of infantry. Developing countries have so far not taken any major initiative at the diplomatic, negotiations and inception stages of peacekeeping. Any such initiative would definitely require the backing of the Security Council and the international community. With increasing experience and ability to commit equipment and troops to peacekeeping, developing countries may take the lead in near future.

**MONTHLY SUMMARY OF TROOP CONTRIBUTION TO
UNITED NATIONS OPERATIONS AS ON 31 MAY 2000**

Ser No	Name of Country	Observer	Police	Troops	Country Total
1.	Albania	1	-	-	1
2.	Algeria	8	-	-	8
3.	Argentina	11	66	495	572
4.	Australia	29	90	1842	1961
5.	Austria	24	98	607	729
6.	Bangladesh	77	95	1509	1681
7.	Belgium	11	5	-	16
8.	Benin	8	5	-	13
9.	Bolivia	11	-	-	11
10.	Bosnia/Herzegovina	-	12	-	12
11.	Brazil	17	20	69	106
12.	Bulgaria	1	97	-	98
13.	Burkina Faso	2	-	-	2
14.	Cameroon	1	1	-	2
15.	Canada	26	118	187	331
16.	Cape Verde	-	2	-	2
17.	Chile	8	11	33	52
18.	China	37	15	-	52
19.	Colombia	-	3	-	3
20.	Cote' Ivorie	1	-	-	1
21.	Croatia	10	-	-	10
22.	Czech Republic	15	6	-	21
23.	Denmark	34	58	1	93
24.	Dominican Republic	-	16	-	16
25.	Egypt	53	88	73	214
26.	El Salvador	2	3	-	5
27.	Estonia	1	10	-	11
28.	Fiji Island	6	45	769	820
29.	Finland	25	31	501	557
30.	France	49	181	253	486
31.	Gambia	26	27	-	53
32.	Germany	10	419	14	443
33.	Ghana	25	297	1438	1760
34.	Greece	10	6	-	16
35.	Guinea	15	-	778	793
36.	Honduras	12	-	-	12
37.	Hungary	16	47	110	173
38.	Iceland	-	5	-	5
39.	India	32	673	3957	4662
40.	Indonesia	20	-	-	20
41.	Ireland	28	50	653	731
42.	Italy	26	85	46	157

43.	Japan	-	-	30	30
44.	Jordan	20	676	2217	2913
45.	Kenya	27	60	1124	2913
46.	Kyrgyzstan	2	2	-	4
47.	Libyan Arab Jam	3	-	-	3
48.	Lithuania	-	9	-	9
49.	Malawi	1	-	-	1
50.	Mozambique	2	3	10	15
51.	Namibia	-	10	-	10
52.	Nepal	22	123	765	910
53.	Netherlands	12	50	98	160
54.	New Zealand	22	12	667	701
55.	Niger	-	26	-	26
56.	Nigeria	15	126	3231	3372
57.	Norway	19	33	6	58
58.	Pakistan	90	318	774	1182
59.	Peru	3	-	-	3
60.	Philippines	20	127	825	972
61.	Poland	18	60	992	1070
62.	Portugal	6	231	765	1002
63.	Republic of Korea	12	-	464	476
64.	Romania	16	63	-	79
65.	Russian Federation	69	145	-	214
66.	Senegal	28	53	-	81
67.	Singapore	5	40	24	69
68.	Slovak Republic	4	-	93	97
69.	Slovenia	2	2	29	33
70.	South Africa	1	-	-	1
71.	Spain	8	121	-	129
72.	Sri Lanka	-	30	-	30
73.	Sweden	42	119	-	161
74.	Switzerland	17	12	-	29
75.	Tanzania	19	-	-	19
76.	Thailand	23	35	908	966
77.	Tunisia	6	13	-	19
78.	Turnek	13	173	-	186
79.	USA	35	791	-	826
80.	Ukraine	4	67	-	71
81.	United Kingdom	43	167	310	510
82.	Uruguay	61	1	-	62
83.	Venezuela	5	-	-	5
84.	Zambia	21	60	779	860
85.	Zimbabwe	-	77	-	77

ROLE OF DEVELOPING COUNTRIES IN PEACEKEEPING

By

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Col Gurmeet Kanwal is an alumni of Defence Service Staff College, India. During his career, he has had vast experience in various regimental, staff and instructional appointments. He has had peacekeeping experience as a Military Observer in UNTAG, Namibia. He has contributed extensively to various professional journals. At present, he is a Senior Fellow at Institute for Defence Studies and Analysis, India and is working on the project "India's Nuclear Force Structure".

An Impressive Half Century

If longevity and survival are criteria of success, the United Nations (UN) Organisation has succeeded admirably. On Jun 26, 1995, the UN celebrated its 50th anniversary. In contrast, the League of Nations had disintegrated after only 20 years. The UN was established to fulfil a deep longing for peace amongst the people of the world, determination on the part of states to "save succeeding generations from the scourge of war" and a firm commitment to create a world order in which fundamental human rights, and the dignity and worth of the human person are respected.¹ During the September 2000 Millennium Summit at New York, a visionary declaration charting the UN's future course was adopted by the world leaders : "We solemnly reaffirm, on this historic occasion, that the UN is the indispensable common house of the entire human family, through which we will seek to realise our universal aspirations for peace, Co-operation and development," The declaration also set out a number of measures in the area of peace and disarmament including providing the UN with necessary resources for conflict prevention, peacekeeping and related tasks.

The results achieved by a large number of UN organisations in many diverse fields of human endeavour, such as the World Health Organisation (WHO), UN Development Programme (UNDP), UN Children's Fund (UNICEF), UN Educational, Scientific and Cultural Organisation (UNESCO), UN Human Rights Commission (UNHCR), World Food Programme (WFP) and UN Conference on Trade and Development (UNCTAD) have been undoubtedly praiseworthy. However, the principle purpose for setting up the United Nations was the maintenance of peace. On this front, the record of the UN has varied from spectacular success in some peacekeeping missions to blameworthy failure in many others. Overall, despite this pulls and pressures of the Cold War and the partisan interests of some of the P-5 countries, it must be said that UN peacekeeping efforts have been reasonably successful. While most of the peacekeeping operations were conducted in Third World countries, maximum troops for these operations were also provided by these countries.

Writing on the occasion of the 50th anniversary of the UN, eminent Indian constitutional expert Soli J. Sorabjee had taken a dim view of the peacekeeping achievements of the UN. He said, "It is generally believed that UN peacekeeping has played a highly constructive role in maintaining international peace and security, as evidenced by the award in 1988 of the Nobel Peace Prize to UN peacekeeping forces. It is difficult to subscribe to this assessment. Especially after its failure in Bosnia-Herzegovina, Somalia and Rwanda".² While Sorabjee's assessment of the lack of success in three important missions cannot be faulted, it is unfair to mention only a few recent failures and ignore many signal successes, including those in Iran-Iraq, Namibia,

Cambodia, South Africa, El Salvador, Mozambique and Kuwait. The UN supervised elections in South Africa were conducted successfully. The Angola Verification Mission managed to ensure that the MPLA-UNITA standoff does not result in bloodbath even if it did not succeed in ending the civil war and resolving the conflict. Numerous other examples can be cited to support the view that success has been a regular feature of UN peacekeeping missions and not merely an occasional flash in the pan.

However, it is now becoming increasingly apparent that the UN system is being progressively undermined in international affairs through the indirect actions of certain powerful Western nations. The US led North Atlantic Treaty Organisation (NATO) intervention in Kosovo in 1999 is a case in point. NATO's decision to launch air strikes against Yugoslavia had completely bypassed the UN Security Council and also violated a large number of international laws. This does not augur well for the future of the UN system and is a greater cause for concern than the failure of some UN missions. It is in preventing aberrations like this that the countries of the Third World have the greatest role to play. This can be done by promoting the central role of the UN General Assembly as the chief deliberative, policy-making and representative organ of the UN where the majority view can and should override partisan considerations of the P-5 and attempts to bypass the UN system when it does not suit their interests. Since most of the conflicts that require UN intervention are in the Third World countries, these developing countries have a major stake in ensuring that the UN peacekeeping apparatus functions smoothly and impartially and that it is responsive to the special needs of the developing countries. The foremost requirement at present is to strengthen the UN to enable it to play its legitimate role in ensuring peace and security in the world. This can be done by harnessing the collective voice of the developing countries in the General Assembly as a diplomatic leverage to ensure that the will of the majority can be used for the common good on occasions when the P-5 appear to be guided by personal rather than the common interest in the Security Council.

Increasing Regional Cooperation

The developing nations of the so-called 'South', "still trying to reconcile the often violent imperatives of democracy and development,"³ are far more conflict prone than the developed countries. Fissiparous tendencies due to trans-border ethnic conflicts, the struggle for political power between disparate ideologies (MPLA-UNITA in Angola), rampant warlordism (Somalia and Sudan), savage competition to control precious resources such as diamonds (Sierra Leone, Liberia and Angola), a growing market for narcotics that makes drug trafficking by non-state actors profitable (the Golden Triangle) and strident Islamist fundamentalism (Taliban's Afghanistan) make a potent cocktail for ongoing intra-state conflict among Third World countries. Due to the widespread presence of ethnic communities across several state borders, such conflicts soon assume inter-state dimensions (Rwanda-Burundi, Ethiopia-Eritrea). Unless the national interests of major Western powers are involved, it is difficult to get UN Security Council approval for a peacekeeping force to be sent to such areas.

An encouraging development has been the recent trend towards increasing regional cooperation for peacekeeping. At a time when the UN's peacekeeping efforts have hit a new low (only 14,000 Blue Berets deployed in August 1999, against a peak deployment of 80,000 troops in 17 missions world-wide during the early 1990s), regional efforts have come as a shot in the arm for peacekeeping. Of various regional organisations, NATO is fielding approximately 30,000 troops while the Commonwealth of Independent States (CIS) countries have deployed about 15,000 troops in some of the trouble spots in the former Soviet Republics.⁴ Africa has

established a 15,000 strong regional peacekeeping force called ECOMOG (Economic Community of West African States – ECOWAS – Monitoring Group) to support the besieged government of Sierra Leone. ECOMOG comprises troops from several African countries, including Gambia, Ghana, Guinea, Mali and Nigeria and has also been active in Guinea-Bissau and Liberia. It has been reported that some African states are moving towards the creation of a permanent regional peacekeeping force.⁵ In early 1999, more than 300 troops from Niger and Benin were deployed in Guinea-Bissau, in addition to 110 peacekeepers already deployed there from Tongo, to help ensure a cease-fire between rebels and government forces.⁶

The African countries are increasingly realising that the key to success in peacekeeping is a high level of training and coordination and are willing to accept outside help. Under a French initiative named le Renforcement des Capacites de Maintien in Ivory Coast to train Afrique (RECAMP), a Peacekeeping Academy has been opened at Zambakro in Ivory Coast to train African soldiers to participate in international, regional and sub-regional peacekeeping operations.⁷ Exercise Guidimakha '98 was held in February 1998 under the aegis of RECAMP in cooperation with Mali, Mauritania and Senegal. Cape Verde, Gambia, Ghana, Guinea and Guinea-Bissau also took part. Since 1997, the US has trained African battalions in Benin, Ghana, Malawi, Mali, Senegal and Uganda under the US African Crisis Response Initiative (ACRI).⁸ Exercise Blue Crane, a regional peacekeeping exercise for the Southern African nations, was held in early 1999 under a South African initiative. The exercise was supported by several Western and Third World nations, including India.

India, which has participated in 30 of the 46 UN missions so far and has contributed over 50,000 Blue Berets for UN peacekeeping efforts world-wide, had offered to set up a regional training and research institution dedicated to the task of peacekeeping. The proposal was received favourably by a majority of the members from 62 countries who participated in the first regional seminar on UN peacekeeping operations at New Delhi in March 1999. These efforts have now borne fruit. Nepal was reported to be planning a peacekeeping exercise sometime during 1999 with troops participating from nations in the region as well as Australia and the US.⁹ However, for some reasons it appears to have been postponed. All such efforts are bound to gradually lead to greater regional participation in peacekeeping operations and will act as a good substitute for the cash-strapped UN, though it would reinforce the UN system if the interventions continue to be approved by the Security Council.

South-South cooperation needs to go beyond regional peacekeeping and joint training for peacekeeping operations. There are other security related problems that the developing countries can address jointly. The clearance of thousands of anti-personnel landmines (APLs) from the areas afflicted by conflicts can be taken up jointly. At present, it costs approximately US \$ 1,000 to clear each APL and both funds and technical expertise are in short supply. Western companies that dominate and monopolies mine clearance contracts world-wide have huge overheads and rake in tidy profits from a venture that should have essentially humanitarian aims. Countries like Cambodia, Afghanistan and Angola have neither the resource nor the technical expertise to undertake mine clearance, with the result that for years after a conflict is over, innocent civilians continue to suffer casualties from indiscriminate mine laying activities of the parties to the conflict. Joint regional initiatives would result in cheaper solutions and reduced time frames for the clearance of vast tracts of areas riddled with APLs.

Army Engineers from countries such as India and Pakistan in Asia and Kenya, Nigeria and South Africa in Africa, could impart in-situ training to their counterparts from the regional neighbours of countries with an APL clearance requirement. Low cost mobile camps could be

set up to undertake the task of mine clearance in a systematic and organised manner. With good management and proper organisation, it should be possible to bring down the average cost of removing each APL to between US \$ 300 to 400 on a no profit basis. Once the viability of such project is established, there will be no dearth of donors, including NGOs, to come forward and offer finance. In this manner, the funds available for mine clearance could be better utilised to clear two to three times the number of mines being cleared annually at present. Vested interest that are bound to oppose such initiatives will obviously need to be overcome through the collective will of the developing countries.

Similarly, efforts, resources and expertise can be pooled in to set up artificial limb centres on a regional basis to provide relief and succour to the victims of landmines whose limbs have been amputated. Regionally organised army medical units can reach help to the amputees in remote areas, provide in situ relief and assist rehabilitation through physiotherapy and psychological support. Those who cannot be helped locally could be transported to the regional limb centres. The medical teams would also be in a position to provide low cost elementary health care to large segments of the local population that have been denied such facilities for many decades due to the ravages of conflict. People who have become refugees in their own land could be assisted to re-building shelters by being given simple technical know-how and limited building materials (CGI sheets, angle-iron pickets and nuts and bolts) that could be combined with locally available material to raise inexpensive shelters. Where possible, the employment of local unskilled labour for mine clearance and building activities would generate employment and give a fillip to the local economy. All this could be done through comprehensively organised peace support missions at a regional level with the approval of the UN Security Council. The crux of the matter is that the affected developing countries and their regional neighbours have to help themselves.

Restructuring for Future Challenges

Unless there is basic re-thinking on the evolution of a polycentric world order, where the threat of war is discounted as a viable instrument of policy, the UN cannot be an effective peacekeeper. During the early 1990's, there were, on average, over 50,000 Blue Berets in the service of peace in various parts of the world. The annual cost of UN peacekeeping operations was approximately US \$ 3,000 million. Some time ago the then UN Secretary General, Boutros Boutros Ghali, had proposed the creation of a 5,000 strong permanent UN Security Force, with additional guaranteed standby contributions from the member states, to enable the UN to respond to emerging situations in a reasonable time frame. However, the idea did not find ready acceptance among the major powers that would be expected to contribute significantly, both monetarily and materially, to the creation of such a force.

In the absence of a standing UN army, the Security Council decision-making apparatus needs to be urgently re-vamped. There is now an inescapable need to increase the number of permanent members of the UN Security Council to better reflect the emerging reality of economic influence and military power balance at the beginning of a new century. Germany, Japan and India are obvious candidates.¹⁰ The inclusion of Nigeria and Brazil also needs to be considered so as to ensure fair representation to the African and South American continents, respectively. As one of the most populous countries in the world, Indonesia can also stake a deserving claim to permanent membership of the Security Council. This would "further strengthen its capacity and effectiveness and enhance its representative character."¹¹ In 1997, the US had proposed that the strength of the Security Council should go up to 10 "with the

inclusion of Germany and Japan and three developing countries - one each from Asia, Africa and Latin America."¹²

As a large number of developing countries are growing rapidly, it would be inappropriate to dispense permanent membership on such basis. Also, such a proposal is bound to create a deadlock in the selection process, as the developing countries will not find it easy to agree on regional representation. Security Council expansion may then be confined to the inclusion of only Germany and Japan as the new permanent members. Another cause for concern is the suggestion that the new permanent members will have no veto rights unlike the present P-5. Such discrimination is unjustified and is unlikely to be acceptable to any of the prospective candidates. Either the veto should be abolished completely or it should be the common prerogative of all the permanent members.

The UN Declaration, adopted by 185 countries during the 50th anniversary special commemorative session of the UN from October 22 to 24, 1995, had called for such restructuring of the UN to meet the challenges of the 21st century. The document also focused on development, peace and equality and clarified that the principle of self-determination is not to be construed as authorising or encouraging any action that would dismember or impair – totally or in part – the territorial integrity or political unity of sovereign and independent states, particularly those that conduct themselves in compliance with the principle of equal rights and provide a government that represents all without any distinction. The declaration called on the international community to act in concert to defeat common threats such as terrorism in all its forms, transnational organised crime, illicit trade in arms and the production, consumption and trafficking of narcotics.

Restoring the Legitimacy of the UN

The most important task facing the developing countries is to work unitedly towards restoring the legitimacy of the UN as the pre-eminent organisation in the world engaged in the promotion of peace and security for all its members. The UN can be a peacekeeper or a peacemaker only when the major world powers, including the P-5 agree on the desirability of putting a UN label on their common will, as was witnessed in the Coalition Forces joint action against Iraq in the 1990-91 Gulf War. Since then, the increasing marginalisation of the UN Security Council in decision-making for the enforcement of peace, has become a cause for concern. This has been a perceptible trend throughout the long drawn out enforcement of no-fly zones over Iraq since the termination of the Gulf War. On a number of occasions, the US has resorted to aerial attacks against Iraq without first obtaining Security Council approval. Also, there have been six conflicts in the last five years, most of them in Africa, in which individual states or regional groups have resorted to the use of force without specific Security Council authorisation. In 1998, the US attacked Afghanistan and Sudan with cruise missiles (some of which even fell on Pakistani territory) in retaliation for terrorist attacks on US embassies, allegedly by Osama Bin Laden's Islamic fundamentalist terrorists. Expressing his concern, UN Security General Kofi Annan said, "The scourge of terrorism cannot be eliminated by unilateral action. I was, therefore, concerned by these actions. Terrorism can only be combated by joint international strategies and action. The UN should take a leading role in such efforts."¹³

However, nothing has undermined the credibility and the future effectiveness of the UN as much as the bypassing of the Security Council before the commencement of the US-led NATO air strikes against Yugoslavia. UN Secretary General Kofi Annan expressed his displeasure at "the emergence of the single super power and new regional powers" and "the preference of the

willing" to resort to unauthorised force. He said, "Unless the Security Council is restored to its pre- eminent position as the sole source of legitimacy on the use of force, we are on a dangerous path to anarchy. Unless the Security Council can unite around the aim of confronting massive human rights violations and crimes against humanity on the scale of Kosovo, we will betray the very ideals that inspired the founding of the United Nations."¹⁴

Echoing a similar view, former Soviet President Mikhail Gorbachev called the Kosovo war "a disgrace to all of us who tried to build a New World Order based on political methods and a strong role for the United Nations Security Council. Instead, we see NATO itself as supreme arbiter, using military power alone. It is pure lawlessness and I strongly condemn it."¹⁵ K Subrahmanyam writes : "The UN has been rendered redundant since there is no balance of power left in the world and the entire industrial world, barring a ramshackle Russia, is under US overlordship. If this is not a dangerous international security environment, what is ?"¹⁶ A.P. Venkateswaran, while condemning the imposition of "an unworkable military settlement on what is essentially a secessionist movement," writes : "At this point of time, it is not possible to make any precise assessment of the damage already done to the standing and prestige of the United Nations by NATO's unauthorised use of force against Yugoslavia. There is no doubt, however, that it will take a long time to restore the earlier confidence reposed in it by members of that world body."¹⁷

According to Muchkund Dubey, 'NATO is hardly the regional arrangement which can qualify for the maintenance of international peace and security. It is not recognised as such by all the countries of the region, a major power like Russia is outside and strongly opposed to it. It is a relic of the Cold War and still seeks to perpetuate the Cold War division of Europe. Its basic military character and coercive approach to dealing with security situations, militates against the essentially comprehensive and co-operative approach to security practised by the United Nations. It frequently tends to act outside the United Nations and at cross purposes with it. In fact, it has been the principle instrument used by Western powers to marginalise the United Nations and reduce it to a residual peacekeeping force.'¹⁸

It is not without significance that the former US secretaries of state wrote to Congressional leaders that as former secretaries they knew at "first hand the importance of the United Nations and its agencies in securing global peace, stability and prosperity."¹⁹ It emerges quite clearly that in the New World Order, despite its present shaky state, the UN will remain indispensable. As has been often said, if it did not exist, there would be a need to invent it. However, it is a human institution, managed and manipulated by human beings and cannot, therefore, ever be perfect Shashi Tharoor, executive assistant to the UN secretary general, sees an emerging role for the UN in providing a forum to move the world along towards universal human rights managing trans-national terrorism, drugs trafficking, money laundering and international crime.²⁰ Concerted effort, tolerance and respect for human dignity can decisively overcome the systemic shortcomings to ensure the peaceful coexistence of all the people of the world. The foremost requirement is for the 'strong to respect the rights of the weak', as envisioned by President George Bush in 1990.

In 1981, Kurt Waldheim, in his last annual report as the UN Secretary General, had remarked out of experience and observation : "For all our efforts and undoubted sincerity, the Organisation has not yet managed to cut through old political habits and attitudes to come to grips decisively with the new factors of our existence."²¹ Not much has changed since Kurt Waldheim made this perceptive observation. The invincible forces of 'might is right' thinking are apparently still at play in international relations. As president Woodrow Wilson had so

passionately advocated early in this century, the world needs organised peace rather than organised rivalries and a community of power instead of a balance of power. The lack of a community of power broke the League of Nations. The same lack of community of power will inevitably also break its successor, the United Nations, if some of the most powerful nations continue to practice their 'might is right' politics, completely disregarding national sovereignties and the spirit of international consensus, as was witnessed in NATO's air strikes over Yugoslavia recently.

Soon after the Kosovo conflict, the chaos in East Timor presented yet another challenge to the international community. Once again the troubling question of whether armed intervention is a valid response to the violation of human rights had to be addressed. After Iraq, Somalia, Rwanda, Haiti, Bosnia and Yugoslavia, "Indonesia is the seventh sovereign country in recent years, to be told to allow foreign peace enforcement troops onto its soil."²² However, since the East Timor case was not entirely that of intervention in the internal affairs of a sovereign country (the UN has never accepted East Timor as an integral part of Indonesia), consensus in the UN Security Council was much easier to achieve and an Australian-led peacekeeping force could be despatched very rapidly to bring the problem under control.

The developing countries have an immense stake in the future and should be at the forefront not only of peacekeeping and conflict but also of the following future challenges :

- Insisting on rapid progress towards total nuclear disarmament.
- Safeguarding food, water and energy security.
- Ensuring the entry into force of the Kyoto Protocol that contains binding targets for the reduction of greenhouse gases.
- Pressing for full implementation of treaties on biodiversity and desertification.
- The protection of human rights.
- Ensuring a more even distribution of the benefits of globalisation.

Looking Ahead

The present conflicts afflicting the developing countries will continue to defy resolution unless these countries decide to help themselves. Trends toward the emergence of regional security arrangements for the maintenance of peace are to be welcomed and should be encouraged. Regional solutions to problems of peace and security are bound to be more easily acceptable to the warring parties than solutions imposed by a distant world body. The ASEAN Regional Forum (ARF) is a good example of a regional security framework. In recent years, it has been gradually proceeding from limiting its activities to confidence building to becoming indirectly involved in conflict resolution. Though Asian security will inevitably remain linked with and will continue to be looked at in terms of the UN framework, this would be more plausible after the UN system goes through a process of reform and is sufficiently empowered to act as a viable and independent global security framework. Some commentators are of the view that it will not be possible to reform the UN system in an optimal manner in the near future because of certain deeply ingrained prejudices. This view appears to be overly pessimistic as it is premised on the assumption that the Western powers and China, will never give up the balance of power

approach. It is now becoming clear that realisation is gradually dawning that the balance of power approach is no longer suitable for ensuring a secure and stable world order. The Cold War mindsets will eventually fade away and UN reform will automatically follow.

During the course of the last one year, the UN has established new peacekeeping missions in East Timor and Sierra Leone, has set up an office in Angola, deployed a military assessment team as an advanced guard for a new peacekeeping force to monitor the cease-fire and peace agreement in the Democratic Republic of the Congo²³ and is gradually consolidating the peacekeeping operation in Kosovo. Eventual success in the Sierra Leone mission will bring peace after almost nine years of brutal civil war. In the Congo the UN has taken the first tentative steps to explore the possibility of bringing to a close the largest inter-state war in modern African history, to usher in an era of peace and prosperity. In the strife-torn Balkans, the UN is endeavouring to lay the foundations of free democratic societies. In East Timor, and perhaps in Aceh too, the UN will help the people to rebuild their lives after a prolonged struggle. The UN may not be a panacea for all the ills of a troubled world, but it is and must continue to act as a springboard for amicable and peaceful solutions to complex problems.

In the first year of the 21st century, the foremost challenge before the world is that of ensuring lasting international peace so that unfettered development can lead to the alleviation of poverty and all round prosperity in a framework of pluralistic democracy. "Except nothing from the 21st century," wrote Nobel laureate Gabriel Garcia Marquez. "It is the 21st century which expects everything from you". Will the world rise to the challenge? Or, will it succumb to Mathew Arnold's famous cry of hopelessness: "We are wandering between two worlds/One dead, the other unable to be born". Clearly, mankind's instinct for survival will ensure that Armageddon remains a distant nightmare. The prognosis for the future is hope, rather than despair, and the triumph of mankind, rather than holocaust or disaster. As a world-wide rethinking of social, political, educational and economic orders takes place, the obsolete thinking of the nuclear age will gradually but inexorably give way to a new Non-violent World Order with, hopefully, a strong and undisputed UN at the centre of it, backed by the collective will of the countries of the Third World.

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IS THERE A CASE FOR A STANDING UN FORCE?

By

Lt Gen Satish Nambiar, PVSM, AVSM, VrC (Retd)

Lt Gen Satish Nambiar, PVSM, AVSM, VrC was commissioned in the Maratha Light Infantry in 1957. He has seen active service in various theatres including CI operations and the 1965 and 1971 conflicts. He is a graduate of the Australian Staff College. He led defence delegation for discussions with Pakistan in 1991, was a member of an Indian Army Training Team in Iraq, Military Adviser at the High Commission of India in London and the first Force Commander and Head of Mission of the United Nations forces in the former Yugoslavia (UNPROFOR). He is a regular invitee to attend, participate and present papers at various international symposia, seminars, bilateral and multilateral discussions. He assumed his present appointment of Director, United Service Institution of India in July 1996.

There is no greater legitimacy for the use of military forces, and for that matter, civilian police, than for the maintenance of international peace and security. It should therefore be a matter of honour and privilege for countries to provide such forces for peace missions. However, the practical experience in this context is rather dismal. The inordinate delay in the arrival of troops in the mission area was a most frustrating feature of the missions that were set up for the former Yugoslavia and Cambodia, and to some extent, Somalia; even more inexcusable was the inadequate response for Rwanda.

In the case of UNPROFOR, we started deployment into the mission area with only the headquarters elements on 08 March 1992, by which time Croatia and Slovenia had already been recognised by the countries of Western Europe and the USA (thus compromising much of the content of the mandate). The first batch of troop contingents only arrived about ten days later, from within Europe: the French, Danes, Belgians and the Canadian battalion in Germany. Other contingents trickled in from Russia, Argentina, Jordan, Nepal, Poland, Czechoslovakia (as it was then), Kenya and finally in end June 1992, Nigeria. By this time Bosnia-Herzegovina had blown up on our faces and serious fighting had broken out even in Sarajevo (where the headquarters was located by specific orders to that effect from UN HQ) by the first week of May 1992. The international community's attention had shifted to BiH and Sarajevo, and in end June 1992, I received the first of nine extensions of mandate that were given to me between then and early October 1992 by the UN Security Council; and please remember that I had not yet received my full component for the mission in Croatia. From then on, that is, early July 1992, the operation was run on the basis of "band aid" measures by adjustment and readjustment of existing resources from within the mission area, till forces otherwise sanctioned by the resolutions passed in New York arrived from time to time. The irony is that today when we indulge in discussions on the subject, the UN HQ and the Mission are criticised for the inadequacies. The governments of the countries whose wise representatives passed these resolutions in New York without providing the wherewithal, are apparently absolved of all responsibility for providing their callousness, indifference and culpability.

One of the measures that has now been instituted to overcome this inadequacy is apparently that of earmarking of "stand by" forces by member states; most commendable and needs to be pursued with vigour. As of today this arrangement provides for about 100,000 personnel pledged by 74 member states. However, it is a moot point whether such "stand by" forces would, in fact, be available immediately on demand; the Rwandan experience indicates

that political expediency and domestic compulsions will always dictate the responses of member states.

Needless to say, because of the increasing dangers inherent in the conduct of peace operations, there is greater reluctance on the part of contributor nations to expose their troops to what is perceived as "some other parties' war". This attitude cannot be condemned as perverse. In a world that is shrinking every day in terms of communications, mutual accessibility and interdependence, we owe it to succeeding generations that we make it a safer place to live in. In so far as dangers to troops are concerned, I think most of my fellow military professionals, irrespective of the countries they may belong to, would agree that no self-respecting soldier, sailor or airman, would have any reservations whatsoever, about participation in a peace operation provided the mandate is clear, achievable, adequate resources are provided. He must also be assured that it has the political backing and support of the international community. The very reason for sending military personnel into a mission area is that there is an element of danger, which by their training, they are reasonably well equipped to face. Having stated that however, it needs to be emphasised that because the military as a well-disciplined force, undertakes an allotted mission without questioning the political merits and demerits, a greater responsibility devolves on those who confer the mandate.

Having analysed the aspect of ready availability of forces for United Nations peacekeeping operations in some detail, I have been of the view for some time now, quite contrary to the establishment view I may add, that the only real answer for meeting crisis situations that call for speedy deployment of military forces for the maintenance of international peace and security, is to raise and maintain a standing United Nations Force. Such a force needs to be of a defined composition (I have always advocated about a brigade group strength), properly organised and trained, and adequately equipped, to be available to the United Nations for immediate deployment when authorised to do so by the Security Council. My recommendation has been that such a force should be drawn from militaries and police of member countries on deputation for fixed periods of three to four years, with strict qualitative standards. Equipment will need to be provided for and training on a regular basis carried out. Reservations about costs, and possible biased utilisation at the behest of the more powerful members of the Security Council, are aspects that need to be resolved in context of the restructuring of the Security Council. Deployment of such a force is premised on its early replacement by another force duly constituted by the United Nations, or by regional organisations, or by a multinational force, as decided by the international community.

I was, therefore, most pleasantly surprised to receive an interesting communication only ten days back, from a former American Ambassador with whom I have been privileged to work on quite another subject, that of Nuclear Risk Reduction Measures. Aware of my deep involvement in UNPKO, he sent me a paper that indicates the introduction by two members of the US Congress (James P McGovern and John Edward Porter) of House Resolution 4453. This bill apparently calls for the USA to work with the UN Secretary General to establish a 6000 member United Nations Rapid Deployment Police and Security Force (UNRDF). The provisions of the Bill as given in succeeding paragraphs, could provide basis of discussion both in terms of desirability or otherwise, of having a "Standing UN Force", as also in context of an increasing role for developing countries in the conduct of peacekeeping operations.

The UNRDF will be a rapidly deployable force consisting of up to 6000 international volunteers employed by the UN. No US troops or forces from other UN member states will be part of the force. However, US citizens may apply.

The UNRDF will be trained and equipped as a single unit specifically for peacekeeping, and will be able to serve both in a traditional peacekeeping and civilian roles.

The Force will be able to deploy within 15 days in situations where a conflict is in danger of escalating, when gross human rights violations are being committed, and so on.

When the UNRDF are not otherwise engaged, they will serve as trainers of member nation peacekeepers and civilian police.

The UNRDF is not a standing army. Its primary purpose is to fill the three to six months gap between the Security Council decision to authorise an operation and when the member nations are ready to deploy national forces. It can only be deployed with a Security Council resolution.

The Force will not be used in Chapter VII interventions. It is not expected to fight its way into ongoing conflicts.

A few words on the motivations for this initiative are in order. It is good news that there are some people in the US Congress who are prepared to support the UN financially in its peacekeeping activities. Americans clearly do not want to see gross human rights violations played out on nightly news; not do they want the USA to shoulder the major burden in resolving conflicts. The problem of casualties is overcome by the fact that UNRDF casualties, though unfortunate, would not be viewed by the American public in the same way as regular armed forces casualties, because these are individual volunteers for an international force.

Reservations on this initiative are as follows :-

- Whether it will have the support of the US Congress.
- Would the USA and other developed countries underwrite the financial commitment and stay the course.
- The members of the Force must not be permanent employees of the UN but those on deputation for specified periods; it would be unwise to have a bunch of international gladiators.
- Would the P-5 or more particularly, the USA use the Force to pursue its own agenda; this will be one of the main concerns of the developing world.
- Will the Security Council be able to resist the inevitable urge to extend the period of deployment of the Force.

SESSION FIVE & SIX

EXTRACTS OF DISCUSSION

Col Kent Edberg (Sweden) : The Stand-by Arrangements Brigade (SHERBRIG) has been much criticised by the Non-Aligned countries. We have been criticised for trying to monopolise peacekeeping and to establish a kind of an elite force. The purpose of SHERBRIG was exactly the same as that mentioned by Gen. Nambiar in his presentation. The brigade was supposed to be deployed for an absolute maximum of six months, until we have a strict UN Rapid Deployment Force.

Lieutenant Colonel Mike Esper (USA) : It will be interesting to see how this plays out in the United States. This is a presidential election year in the United States and the way it goes could well decide how this House Resolution goes. Also, some members of the US Congress are very much against UN standing forces.

A couple of points about what I saw on the slides during the presentations. One said Chapter VI actions only, but then it mentioned humanitarian interventions. As we all saw in Rwanda, it very possibly could have been a Chapter VII type of action. Therefore, this force could not have deployed rapidly into Rwanda, because it would not have been properly trained or equipped to go into Chapter VII actions. Yet, as we all saw in Rwanda, with the terrible things that went on there and the cry especially in the international media to do something, could we therefore put a force like this into harm's way without the proper equipment to deal with the risks that would be involved in such an intervention. So we have to be very careful about how such a force is set up and then employed. We in the international community would then have to have the backbone to say that this is not the right force for that type of operation rather than put our soldiers, be they national or international, into harm's way without the proper tools.

In rapid deployment operations, the number one key is readiness. And along with that readiness, not just the readiness of the soldiers to fight, what is needed is the transportation means by which to get those forces to the conflict zone. Therefore, obviously, there is going to be more than just an international force involved. National forces, in terms of transportation assets and the things that go along with those for such a force, would also be involved.

Another key to rapid deployment operations is continuous monitoring, continuous planning of the world situation, so as to be ready to go into a mission on short notice and with a well-thought out plan. Obviously, to do such a thing takes logistics as well as planning staffs which have to be very professional and cannot be subjected to short-term volunteer obligations. It is rather important to keep people in it for an extended period of time.

Colonel Annette Leijenaar (South Africa) : One of the preconditions for rapid deployment is political will. That is one of the biggest problems I foresee in SHERBRIG for more than one country that at the same time need to show the political will to deploy immediately. It would be sad, if SHERBRIG with all its good intentions, cannot find that all the countries involved at the same moment share the same political willingness to deploy.

Brigadier C B Khanduri (India) : The UN Millennium Summit that ended on 10 September 2000, adopted a document called "Chartering the Future Course of Action," which contained a few important issues that concern us here. One is regarding the provision of the necessary wherewithal for United Nations peacekeeping operations for conflict prevention. Two, it asserted

that peacekeeping and related tasks must be supported. And three, as a corollary, the Security Council must be restructured.

I would add even more to what Gen. Nambiar is saying. At the United Nations Headquarters, there are only 32 military officers and nine police officers as staff officers who are looking after the some 40,000 troops now deployed in various UN missions. The first thing that is required is the strengthening of the United Nations Headquarters to ensure that it is in a position to provide staff and other necessary functions for the operations going on. Therefore, staff officers possessing adequate experience and inclination to UN operations must be inducted into the UN Headquarters. Secondly, the UN Headquarters must be convinced that there is a need to develop a strategy, a new concept, for future operations, which must be accepted in principle. It would include the force levels to be deployed, from where it would be taken out, and which would be based on strategic analyses of the 'flash points' that are already known to us and which are likely to flare up. Such studies must be carried out simultaneously to identify areas where this force will be required to be deployed and in what strength and other wherewithal.

Major General Karlis Neretnieks (Sweden) : I would like to comment on the very large participation of forces from developing countries in UN missions. It is very good in many cases. But I think that if we want to continue in that direction, we have to ensure that they receive extremely good training. Otherwise, we are on our way into a bad spiral where no one wants to go for peacekeeping missions. Because who wants to have a neighbour of a dubious quality when it gets tough. You experienced that in Sierra Leone, I think. Apart from that, the most important thing today is not getting forces from developing countries but getting developed countries to come back into the peacekeeping business. Because otherwise, we might create a situation where developing countries pay with their lives and the Western countries pay with money. And that can't be a good situation. In that context, you should welcome this European initiative to form a Crisis Management Force of 50,000 as a very positive development.

Mr Prakash Shah (India) : A suggestion was made about increasing the ratio of officers at the UN Headquarters to the number of troops deployed. As we approached the 50th Anniversary of the United Nations, the pressure was on to reduce people at the Headquarters. Everybody, especially the United States and the Western countries, were insistent that the UN was overstaffed and should be downsized. Successive Secretary-Generals had to actually reduce people. Now we have reached a stage where once again there is a need for more staff officers, military officers. But nobody is prepared to provide the necessary resources. So what we are back to is a proposal that had created a great deal of political problems, which is to bring back the idea of *gratis* officers. The *gratis* officers question at that time was that a whole lot of countries that can afford to give officers will give them and who will be paid for by the countries concerned and will not be part of the UN budget. However, the same countries which were prepared to offer *gratis* officers were not prepared to allow the UN budget to grow, they wanted zero growth budgets. Now we are back to the American proposal. A couple of months ago when I was at New York, the US Permanent Representative was canvassing with others including with India's Permanent Representative to bring back the *gratis* officers issue. If this issue has to be solved it must be solved within the context of providing the resources to the United Nations to provide those officers. Ad hoc arrangements like *gratis* officers only creates a whole lot of political problems. Because everybody thought that *gratis* officers will come only from developed countries — because only they could afford them — a compromise proposal was made by which a country that wants to provide one *gratis* officer should pay for two and the second should come from a developing country. This is the background to what is going on in terms of

increasing staff officers at the UN. I am in favour of increasing their numbers if necessary. But it should be done in the normal course of say increasing the budget of the DPKO.

As for the issue of Rapid Deployment Force, I am rather sceptical about this Bill going through the US Congress. But I am in some ways impressed that at least some people in the US Congress are at least thinking of it. There are, however, a number of unanswered questions and I don't know whether they have been covered. One such is, if they are going to be volunteers where are they going to stay? After you train them, you have to house them before you can send them out anywhere. Because one has to look at the cost of maintaining a Rapid Deployment Force of volunteers. Volunteers would be prepared to come for training, and they have to be stationed somewhere. If they are going to be trained and sent back to their own countries to wait there, it does not mean anything. Secondly, who takes the decision on rapid — by that I don't mean three months but within a week or fifteen days — deployment. Is it going to be vested with the Secretary General or does it have to come back to the Security Council. If it is the latter, given the way the Security Council functions, I have great doubts about its viability. It is not really the force but the rapidity of the decision by the Security Council which, I think, is often the major problem.

Colonel Suresh Nair (India) : The standby arrangement system has been going on for some time, whereby contributing countries have pledged — unwritten of course — to contribute troops to the level they can. It could work very well, provided countries keep them trained and ready. Add to that the Brahimi Report, which recommends that 100 military officers and 100 police officers be kept on standby on seven days call notice. If this recommendations are accepted, then it should serve the purpose. They can start the mission going with forces from standby arrangements and the police and military officers kept on standby according to the Brahimi Report suggestion. This would be a more practical way of quick deployment rather than standing forces.

Lieutenant General R Sharma (India) : My question concerns the great divergence of national policies on the general concept of peacekeeping. For example China, which is a member of the Permanent Five, has great reservations on peacekeeping. In fact, they have never joined in peacekeeping except in Cambodia. Even in that case, they sent only one battalion and imposed the condition that these troops would not engage Khmer Rouge forces. After that they withdrew and they have always opposed UN peacekeeping as a policy. There are other countries that have declared national policies on peacekeeping and the UN has been very accommodative about these. For instance, Japan and Germany came in for the first time in the post-Cold War period, but provided only logistical support. Germany provided a hospital in Somalia and Japan in Mozambique. We have already heard the US views on it, i.e., PDD-25, which has virtually ruled out UN peacekeeping as one of America's commitments. These are the countries that can contribute to UN peacekeeping for they have the wherewithal and the forces and they are uncommitted. Earlier on, countries like Sweden, Canada, and Norway, who were among the major contributors to peacekeeping have their own constraints today about finances and availability of forces. I would like to have views of Mr. Prakash Shah on the acceptance of these divergent national policies and on the end result of the proposal on standing forces.

Mr Prakash Shah (India) : Regarding the contribution of forces by the Permanent Five, it is my understanding that during the initial years of the UN, there was a tradition that they would not contribute forces for peacekeeping missions. The idea was that the UN Force should be neutral and impartial, and since it was the P-5 which made the decisions often had political agendas in various parts of the world where peacekeeping was taking place. I believe that perhaps this is the way to go even in the future. I don't believe that actual combat forces from the P-5 are

essential to success of peacekeeping operations. What is required of course is logistic support, which is perhaps best given by the P-5 because of the capabilities they have in this regard.

Mr J N Dixit (India) : The Gulf War changed all of it.

Bakhtiyar R Tuzmukhamedov (Russia) : As a follow-up to what Ambassador Shah said, the situation changed for the Soviet Union in 1973 as a part of a deal with the United States, when the latter deployed 36 military observers in the Middle East; we deployed 36 UNMOs as well. That was the original deployment since the Soviet Union was formed when Russia contributed to peacekeeping or peace support operations. However, the first unit rather than military observers was deployed in 1992 with UNPROFOR. Ever since, Russia as well as other CIS Republics like Ukraine and most recently Lithuania and Estonia, have been making contributions to peacekeeping operations. Currently, as far as I know, the authorised strength of the Russian unit with SFOR is 1,400. In practice, there are 1,360 men are deployed in Bosnia. There is a unit in Kosovo. Recently, we deployed a helicopter squadron in Sierra Leone. In addition, UNMOs scattered in various operations and 'civpols', and plus — a number which is sometimes difficult to evaluate — civilians deployed with various organisations. I am not sure about the official position of my country. The trend of the Russian participation in peacekeeping on the level of both UNMOs, civpols, and combat units will not be reversed in the near future. Because it is perceived not only as a matter of projecting its political interests, but also given the poor state of the armed forces it is a way of maintaining and keeping up the elite forces.

Colonel George F Oliver III (USA) : The Chinese are starting to make inroads into the military observer field and they have done quite a bit in Africa. Within the last three or four weeks, a four-star Chinese General stated that they are looking at it. As far as the US is concerned, I don't know the history of our involvement during the Cold War. I would suspect, and that is what everyone I have talked to also suspected, that it was best to be impartial and not let Cold War tensions get caught up in UN peacekeeping. We do have our standby arrangement system and have committed to logistics, strategic air and medical units, and so on. Our first combat unit participation was in Macedonia, where we provided a battalion. In Macedonia at that point in time, we had real interests and that is why we committed a battalion. Right now, we have 800 civilian police involved in UN peacekeeping operations and 36 military observers.

Major General R S Nagra (India): We have a standby brigade in India. However, the ground realities of standby arrangements are different from what theories propound.

When we talk of standby arrangements or standby brigades, we cannot have some 6,000 troops on standby but nothing to employ them with. Apart from the non-availability of logistic support, we will have no idea about the type of equipment that should be provided (equipment needs will differ from one situation to another), or whether these troops should be provided all types of equipment to meet all types of terrain and weather conditions, which is quite impossible. Thus, ground realities are entirely different and do not meet the theoretical propositions.

Regarding SHERBRIG, Bakhtiyar correctly brought out that it gives an impression of basically being a Nordic force. This is what all non-aligned countries as well as India feel. Any standby arrangement of that type must have representation from everybody in the world. Essentially, it must be seen as a United Nations force and not as a Nordic force. In any case, I am not in favour of standby arrangements, because the procedures are invariably long. There are instances when it has taken four months between the selection of the Force Commander and the induction of troops and that too only one battalion. In one case, though we had the

troops ready, it took fifteen days to arrange for aircraft to transport them to their destination. Given these factors, I see no reason for a standing arrangement. A period of four months is adequate enough time for deployment if we react properly right from Day One. There are no problems in organising a force in a country. The problem lies at the United Nations where it takes time for decisions to be made. The Security Council has to pass the resolution, the mandate has to be drafted and it reaches the Security Council only after toing and froing, where a lot of discussion takes place. As a result, by the time troops get deployed, four or five months have elapsed which time is good enough for a force to be put together and be ready for action. So, why waste money in putting together 6,000 troops? May be the United States could afford such a force, but not the UN.

Gen. Patil (India) : A standing force has inherent limitations because of the composition that is required to be a part of it which, moreover, cannot be decided until the Security Council has passed the mandate. If you have the composition, a standing force of 6,000 people, and if the mandate is not acceptable to the partners of the composition, what are you going to do! And as Mr Prakash Shah rightly brought out, there have been cases where to get a resolution accepted, firstly by the P-5 and then the participating countries, has taken upto six to eight months and still the mandate has not been very successful.

Secondly, the moment you have a standing force you convey a signal to the entire world that the United Nations is ever eager to intervene or take enforcement action as soon as it gets an opportunity. I don't think that is the intention of the United Nations. The UN would only like to get in militarily after all other measures have failed to resolve the conflict/problem at hand. Therefore, in principle, firstly it is unlikely that the P-5 will agree to finance it and allow it; and secondly, if and when you create one, it is not likely to meet the purpose for which it was created and then you may still have to implement several changes in its composition, deployment and transfers.

Colonel Gurmeet Kanwal (India) : Regarding Gen. Neretnieks' comment about the contribution from the developed countries, it would be welcome. As long as it is the UN flag and Sweden or any other country contributes a battalion along with battalions from may be Malaysia or Kenya or Indonesia, that is perfectly fine. Developed countries must contribute more to UN peacekeeping. But EUROCORPS has a different connotation. There we are talking about 'out of area' intervention without reference to the Security Council. Because somebody in his wisdom decides that developments somewhere in the world threatens his own security. We are treading on very thin ice here.

I agree that as long as democracy does not take firm roots in developing countries and the governments themselves are shaky, the efforts towards larger regional participation will also remain shaky to that extent.

There should be no doubt that it will be a capabilities-based force, which will need to be tailor-made for specific contingencies as they emerge in various parts of the world. But as long as the broad capabilities are well understood in this era of 'strategic uncertainty', it is a good idea. The idea is attractive, but whether the funding will be available, whether the political will at the international level will be available, to create this force are the questions that remain to be addressed. The kind of genocide that happened in Rwanda would not have happened, even if we had quickly put down a brigade strength of troops on the ground, as Gen. Nambiar pointed out. Surely the Security Council with all its elephantine deliberations can agree on preventing genocide when it is happening.

Lieutenant General Satish Nambiar (India) : When I made my pitch for the standing force, I accepted that the Indian Establishment does not go along with me on this and I knew that many of you did not agree with me. But I am surprised at some of the arguments that have been marshalled against the proposal which, I think, are not valid. I accept the scepticism towards the proposal. In fact, I doubt that the US Congress will pass this bill. That is a different issue. I accept the other argument about biased utilisation as well. It has to be overcome, but that does not make the concept invalid.

I did not want to go into much detail in my presentation. But the fact remains that not all 6,000 are going to be deployed. This force will have various elements and components, which will allow deployment of the type that is required at a certain point in time in a given scenario. Moreover, the draft bill itself says that the force will not be used in Chapter VII interventions — a Kuwait-style large-scale operation. And no contributor country comes into the picture because the soldiers involved are volunteers. And, of course, they have to be billeted and paid for by the UN, which in fact is going to be one of the problems because of money. But some of the papers enclosed with this gives one a feeling that the people who have come out with the proposal have appreciated the problems. For instance, on the Rwanda issue, it says that “the subsequent failure of the Security Council to deploy 5,500 peacekeepers at a six-month estimated cost of \$ 115 million allowed for the genocide which consumed 800,000 lives and \$ 2 billion in humanitarian assistance.” So they are trying to balance it out.

Another point to talk about here is the decision. It is a Security Council decision and all of us who advocate this agree on this. Now whether the Security Council as constituted today is the right forum is another matter. Again, this question does not devalue the concept. Regarding the American aversion to casualties, any casualty suffered by the standing force will not affect the American public as hard as it would in case of US regular units. And if the developed countries as well as others are prepared to provide the funds, the standing force may well come about.

Mr JN Dixit (India) : Barring very few exceptions, the primary motivations of all UN peacekeeping operations, especially the larger ones, are threefold. First, something affects the vital interests of the countries concerned, who want a peacekeeping operation to be undertaken. Secondly, there is a desire to build up one's image, project power, under the umbrella of the UN or directly where necessary; but where the UN provides the umbrella, the credibility as an international peacekeeper increases and the country gains importance. Third, unpalatable but has to be accepted, it is the expectation of money for the soldiers —foreign exchange at UN rates. We have to accept these facts. The point is it is not out of any pristine or altruistic motives that peacekeeping operations usually get launched, especially in the last decade. There is a qualitative difference between the peacekeeping operations of the pre-Cold War and post-Cold War periods.

The other points which I wish to make are all Indo-centric. I am not discussing this conceptually in terms of the New World Order where justice and fair play shall be ensured through, when necessary, use of coercive force by the UN. I am basically against interventionist peacekeeping or peace making operations. It is controversial politically, it is motivated, and it violates some basic principles of state sovereignty. As long as nation-states exist and remain the primary unit of interstate relations — if everything is changed because of technology and Information Revolution, it is a different ball game — this theology of international peacekeeping is not good unless it is totally unavoidable. Secondly, regional peacekeeping exercises are dangerous as proved in the Balkans and Sierra Leone, East Timor, and so on. So, if there is to

be an option for regional peacekeeping, it has to be under the umbrella of the UN with a certain terms of reference defined by the United Nations. It cannot be otherwise with regional groups starting operations saying there is a threat to peace and then seeking legitimacy through UN support. There are UN Charter chapters which allow regional arrangements, but actual operational peacekeeping through exclusively autonomous regional initiatives are not welcome. I entirely agree with what General Malik said in his inaugural speech about looking at regional peacekeeping initiatives cautiously.

Three points made by Mr Prakash Shah and some other speakers are very important. Unless the Security Council is expanded and the veto abolished in relation to such operations, it will not be an impartial deciding authority as we have seen. So, should not there be an international public opinion pressure about democratising the Security Council's procedural authorities in relation to peacekeeping operations. Abolishing the veto totally or expanding the Security Council appropriately is idealistic, but in the interim can we try this! Resources are very important. And the UN's experience in this sphere has been dismal especially in relation to peacekeeping operations. The Military Staff Committee, which was supposed to be an important adjunct to the Secretary General's office for such purposes, practically does not exist. It is there only on paper, and occasionally something happens.

In the present political ambience, a 'standing' UN force versus a 'standby' UN force is an irrelevant debate. Because, as long as there are no resources, as long as there are political hesitations, no country is going to agree to a permanent 6,000 troops. Ideally, there should be a force at the command of the Secretary General, which should be a multinational force with guaranteed resources. The question of location, as Ambassador pointed out, is very important. Where do we locate them? Here, I must make an additional point. While we are talking about peacekeeping operations by developing countries, we should also remember that most of the situations where peacekeeping has to be undertaken are also in developing countries. I do not recall any major suggestions about a UN peacekeeping force in Northern Ireland. In Kosovo, yes, but only when everything went out of hand. In the initial stages of the Yugoslav crisis, senior members of the NATO said that they will manage it themselves. So, this is where a standing force which should be multinational, majority of it should be from developing countries, is the ideal solution. But, since it cannot happen — Ambassador Shah raised the question of their location — if the UN is serious about it and the United States is idealistic, as it says, over the last ten years, there is sufficient land available in Virginia for a brigade to be located.

There is something very important in the points made about the cross-fertilisation of military cultures in a multinational force. That is where a standby force which is suddenly inducted into a situation needs more time for preparation. A standing force — I am talking of abstractions and norms — on the other hand can get over these initial difficulties of adjustments, different patterns of discipline, different patterns of command and control, perhaps different equipment or converting to a uniform pattern of military equipment. I would rather vote for a standing force if it ever happens than an ad hoc standby force, because then also it would be subject to national decisions. This is, of course, subject to my fundamental reservations about peacekeeping missions in general. It is time the P-5 wakes up; to use an American phrase, puts its money and policy decisions where its mouth is. For the last twenty years, I have personally attended seven General Assembly sessions including two in which India was directly involved in a crisis — 1965 and 1971 — when we were engaged in wars with Pakistan. I must tell you that the Security Council behaved pusillanimously. I am not talking about Kashmir, the angst for which is very deep in the hearts of those of us who joined the Indian Foreign Service

and saw it evolve. But even over more recent events, stating normative principles of what the world should be, if not backed up by resources and policy decisions, is not going to work. That is where seminars like this are important, where eminent scholars who interact, cogitate, and come to certain conclusions which should be projected to the UN through the respective governments, because the world is changing and there is greater internationalisation of politics. If the world perhaps is moving towards peacekeeping, then we better organise it properly.

CLOSING REMARKS

By

Annika Hilding Norberg
Project Director & Coordinator
Swedish National Defence College

Your Excellencies, distinguished guests and participants, friends,

I was kindly invited by General Nambiar to give the concluding remarks of the seminar, and as the General is a General, I decided not to argue.

As the issues we have dealt with over the last few days are of a particularly complex nature many solutions to the challenges have not yet been found. However, and as General Malik encouraged us in his opening address, I sincerely hope that our minds have been able to meet, or at least, have had the opportunity to get acquainted. In order to be better prepared for the challenges meeting us in the year 2015, it is through the sharing of ideas that we may hopefully contribute with at least some of the tiny pieces to the giant puzzle of international relations and to the understanding of the making and breaking of peace.

Our highly distinguished speakers have shared their extensive and long experience with us and raised a great number of proposals and suggestions. Given the limited time available, it would be presumptuous to attempt at making an exhaustive and fair assessment of these experiences, and the rich and fruitful discussions that we have held over the last few days.

However, on initial reflection one can possibly share a few preliminary observations. By recalling the objective of the project one can tentatively assess to what extent these objectives have been met.

In regards to the objective of widening and deepening the international network of organisations and individuals trying to enhance the capability of the international community to promote, make, build and keep the peace, I am hopeful. What lasting contacts you have made during the past week is obviously difficult to say today. However, thanks to the USI's contribution to our project, by hosting and organizing the sixth seminar in India, the total number of nationalities and organisations that have participated in the project now include some 39 countries. Contributors to our overall effort now include 36 military organisations and 117 civilian, of which 26 organisations are non governmental. We sincerely hope that the opportunity to meet with each other and exchange ideas will at some point in the future facilitate all of our work and our ability to communicate with peace generating colleagues around the world.

In regards to the second objective; to explore and convey more effective and legitimate ways of dealing with regional conflicts, the discussion over the last few days have pointed to a number of challenges, which have been complimented, some times indirectly, by various suggestions of solutions.

Crucial to the success of a peace operations is the willingness of the parties to the conflict to compromise, find and agree on a solution. As pointed out, we may wish to focus on only helping the states that are prepared to help themselves. But as was pointed out, the question

remains; what to we do with the next Rwanda? What is our long term strategy for coping with current developments in the DRC?

The nature of humanitarian emergencies and humanitarian interventions proved to be a boiling subject, challenging both the notion of sovereignty, as was high lighted by Shri Dixit a few minutes ago-and- the current trend of peace enforcement being undertaken by regional organisations or coalitions of the willing. Sovereignty, despite the persistence of globalization, is not yet obsolete. However, there are circumstances in which the viability of a state is so seriously put into question, the examples raised by Shri Dayal was Srebrenica and Rwanda, at which point, humanitarian intervention –may- be used as the last resort, provided all other options have been fully exhausted.

Who should have the right to intervene was also a most challenging issue. Here the views diverged. For effectiveness and rapid reaction, some argued lead nations and coalitions of the willing should respond when the United Nations was unwilling or unable to act (NATO, ECOMOG, CIS were the main organisations mentioned). However, the point was raised that this development is precarious since the fundamental element of legitimacy is not guaranteed, if the action is taken only by a state or a group of states, rather than the international community as a whole. True peace only comes with confidence and trust.

Normally, it is deemed difficult, if not impossible to have an impact on or effectuating change on the way in which the United Nations deal with the challenges of Peace Operation. Having said that, and as confirmed by Colonel Oliver when referring to the work of the Security Council; “if there is a will, there is a way, one just has to be flexible and indeed creative”. When the UN was unable to send military peacekeepers to ensure the safety and security in Northern Iraq, the concept of UN Guards was invented as explained by Col Campose. It is yet premature to state that the mechanism will and can be applicable elsewhere. However, it’s achievements to date, it’s cost effectiveness, it’s ability to engage and involve local authorities and resources in the work of it’s objective: to safe guard the deliverence of humanitarian aid, is indeed worth further study and- may- be the optimum UN mechanism for certain situations also in the future. Peace Keeping is still the Art of the Possible

Before I conclude, the focus is on the future and our next meeting to be held by Japan in March of next year. As Mr Kawakami presented earlier, the focus of the seminar will be on the issue of Safety and Security of UN Peace Keepers and Associated Personnel. Several times during the last few days, the issue has been touched upon by speakers indicating the relevance of the topic. The challenges to the safety and security of peace keepers and associated personnel that we are currently witnessing in many parts of the world, most recently in West Timor, has convinced us that the subject needs greater attention.

We are already working on the remaining meetings next year, that is, the eighth meeting in Argentina and the concluding meeting with the United Nations in New York. Should you have any suggestions, input or questions, please, do get in contact.

I would like to end the same way I started on Wednesday. That is, on behalf of the project partners, I would like to extend our most sincere appreciation and thanks to the United Service Institution of India, its President, Council, its Director General Nambiar of course, and also to General Nagra, Colonel Mehta, Colonel Chaudhary, and everyone of you distinguished contributors and participants, who have made this seminar possible, and our exchange of thoughts fruitful.

Finally, I would like to pay tribute to the Indian commitment to United Nations peacekeeping going back half a century, year in and year out, crisis in and crisis out. We must not give up. Just the fact that so many of you have taken the time to come here for this seminar in order to tackle the daunting challenges of peacekeeping & peace support, is hopefully, an indication of that if there is a will, sooner or later, there will be a way.

Thank you.

CLOSING ADDRESS

By

Lieutenant General Ravi K Sawhney, PVSM, AVSM
Deputy Chief of the Army Staff

During the last three days, we have had an intensive exchange of ideas on the challenges facing peacekeeping and peace support into the Twenty First Century. We have discussed some of the extraordinary and complex issues that face the United Nations peacekeeping operations today. Though we would have liked to cover a larger canvas, we had to limit ourselves to three days. Nevertheless, the exchange was interesting and thought-provoking.

One of the foremost purposes of the UN Charter is the maintenance of international peace and security. UN peacekeeping operations give expression to this key principle. What is unique about UN peacekeeping operations is their universality in terms of objective and composition. Its actions represent the collective will of the international community. Peacekeeping must be seen as part of a broader UN framework, and development must remain central to the UN agenda. Only a world free of hunger and want would be free of strife.

While peacekeeping operations are important, they cannot be a substitute for peaceful settlement between parties to the conflict. The UN peacekeeping is also not a substitute for development work and nation-building. Conflict prevention does not simply mean diplomatic or military efforts. It also means recognising and addressing underlying socio-economic causes. The solution to conflicts of ethnicity or subnationalism lies in national reconciliation. Democratic pluralism rather than the use of military force is the answer to growing violence.

While one does witness some support for regional arrangements for peacekeeping, we feel that the United Nations is the only universal body. Its unique role, especially in peacekeeping, cannot be arrogated by other organisations as it would lack legitimacy. It also begs the question that if resources for peacekeeping can be found by regional arrangements, why not for the United Nations.

Peacekeeping also raises the issue of applicability of humanitarian law to UN forces. This becomes a problem especially in missions that involve peace enforcement such as in Somalia. Entanglement with peace enforcement would also undermine the neutrality of humanitarian organisations. In any future peacekeeping operations, it is essential that prospective troop-contributor countries are involved in the early stages of the planning of the mission and preparation for the mandate which should be very clear and achievable. There should be congruity amongst mandate, resources, and objectives. There can hardly be any disagreement with regard to the usefulness of preventive diplomacy as a tool for prevention of conflicts. Ironically, preventive deployment is a rare occurrence. Only the spectacle of actual violence as witnessed in Rwanda and more recently in Sierra Leone, with all its tragic consequences, convinces parties to the conflict of the necessity of deploying a peacekeeping force. Successful preventive action such as in the Macedonian Republic can be highly cost-effective, saving lives and sparing general destruction. However, it must encompass a broad range of political, economic, social, and humanitarian measures aimed at averting or de-escalating conflict.

Co-ordination amongst different types of actors, including the host country's government, donors, UN agencies and non-governmental organisations is perhaps the most challenging aspect of humanitarian emergencies. The United Nations should have an effective capacity to

co-ordinate and harmonise the efforts of these players. There is also a need to develop the ethos for better understanding and mutual respect between civil and military organisations with regard to each other's working methods and comparative advantages. The role of developing countries as active contributors to peacekeeping operations has grown many fold. As most of these operations are in the Third World, the developing countries which are the objects of the Security Council's actions must also participate in its decision making. Security Council reconstruction must result in enhanced representation of developing countries in permanent as well as non-permanent members category. The forms and improvements are an intrinsic part of any organisation, which has to serve the needs of a changing environment. The UN is no exception. India supports a strengthened and revitalised United Nations, with its various organs functioning within their mandates in accordance with the UN Charter. We are of the firm opinion that peacekeeping operations should not be used as a substitute for addressing the root cause of a conflict. Those causes should be addressed in a coherent, well-planned, coordinated and comprehensive manner with political, social and developmental instruments. In furtherance of our initiative towards better and more meaningful peacekeeping, we have established a Centre for UN Peacekeeping under the aegis of the USI. We hope to conduct the first peacekeeping training capsule in November 2000. Thereafter, besides peacekeeping training, such exchanges would be a regular feature.

With that rather quick summary of a rather eventful and an information packed Seminar, I would like to thank all the speakers for their contributions to our understanding of the whole range of issues involving challenges to peacekeeping and peace support operations. I would like to thank Professor A Salmin, Major General Karlis Neretnieks, Shri Virendra Dayal, Lieutenant General Satish Nambiar, Professor Ove Bring, and Shri J N Dixit for their effective roles as Chairpersons during the six sessions. I also wish to thank all the members of the USI Council and Lieutenant General Satish Nambiar and his team of officers who have been instrumental in organising this Seminar. Their hard work over the last few days have not gone in vain. I would also like to convey special thanks to Ms Annika Hilding, the Project Coordinator and all the Project Partners without whose efforts this particular event would not have been possible.