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THESIS

CIVIL-MILITARY RELATIONS IN EUROPEAN SECURITY INSTITUTIONS – CHALLENGES OF MULTI-INSTITUTIONALITY IN PEACE OPERATIONS

by

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European security institutions have been involved in peace keeping operations in the Balkans for more then ten years. Their effectiveness is measured by the dramatic decrease of violence. In Bosnia and Herzegovina, the number of troops decreased from 60,000 in 1996, when NATO-led Implementation Force (IFOR) was deployed, to a planned 2,500 at the end of 2007. The number of military forces involved in providing security, a normal task for them, is even smaller.

The thesis argues that one of the factors which influenced the improvement of the effectiveness of the peace-keeping forces in Balkans after NATO took over the mission in 1995 is that NATO and EU military forces received clear missions and comprehensive political guidance from their political decision-making bodies. Because civilian structures did not micro-manage the conduct of operations despite the complex environment in which they operated, their effectiveness increased.

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CIVIL-MILITARY RELATIONS IN EUROPEAN SECURITY INSTITUTIONS – CHALLENGES OF MULTI-INSTITUTIONALITY IN PEACE OPERATIONS

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I. INTRODUCTION

A. PURPOSE

The thesis studies civil-military relations in the European security institutions that are conducting Peace Support Operations (PSOs) in order to identify whether their effectiveness is influenced by the existence of permanent Integrated Military Structures (IMSs)[1]. It analyzes the IMSs in three different European security institutions: NATO, a military alliance having a well established and experienced multinational command structure; the European Union, a relatively new actor in conducting PSOs, which has started to develop a military command structure in order to better conduct peace operations; and the Multinational Peace Force in South Eastern Europe, a regional security organization, having its own military command structure, designed to participate in peacekeeping missions. The civil-military relations inside these organizations determine the level of commitment to conduct PSOs and the quality of civil-military relations inside them influences their capability to cooperate among them.

The realities in ongoing peace operations make the cooperation among participating institutions necessary in improving the effectiveness of the international community in limiting the armed conflict and bringing the conflict to a peaceful resolution. The commitment of European security institutions in the Balkans created a complex environment in which they had to cooperate horizontally (among their military structures), crossover (among their military and civilian structures) and vertically (inside each organization). Analysis of these types of cooperation, and the problems they face, could provide a solution to improving these relations in a multi-national and multi-institutional environment in PSOs.

[1] Integrated Military Structures – permanent multinational military command structures existing in Security Institutions, such as NATO, European Union, Regional Security Institutions and, after 1995, in UN.

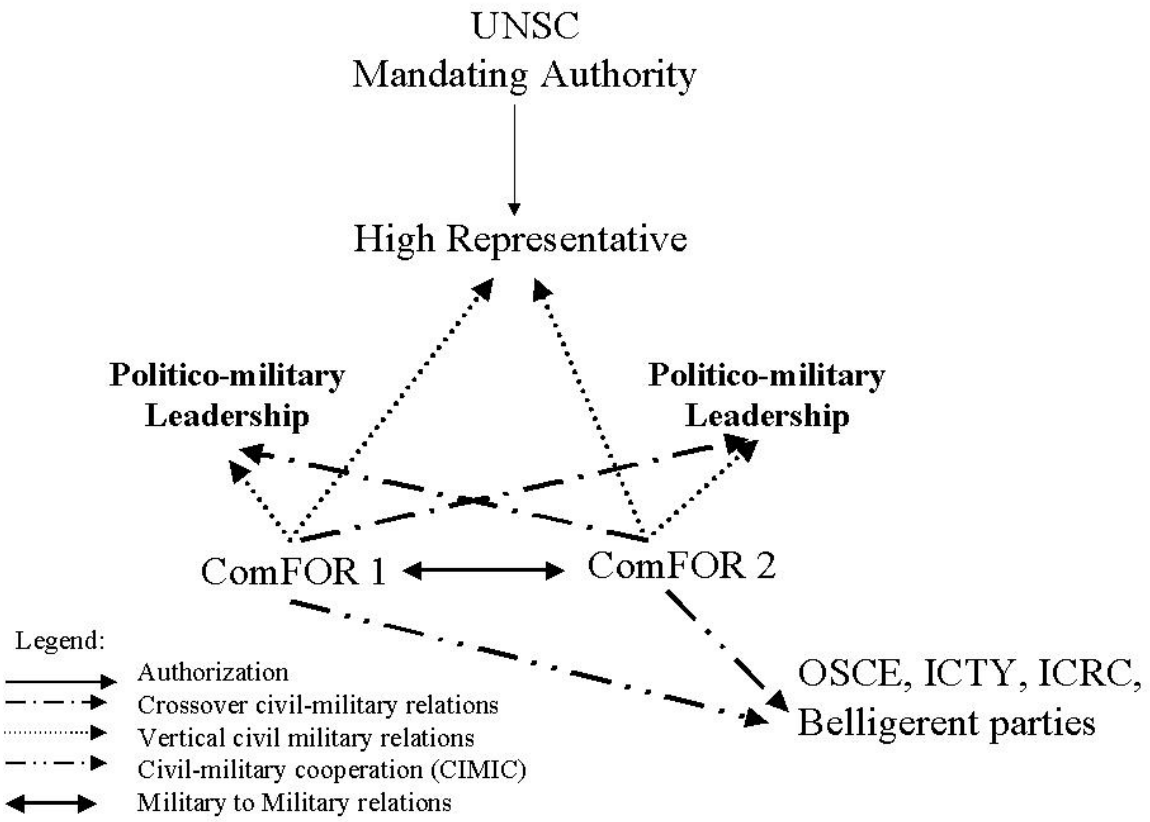

Figure 1. Generic civil-military relations in multi-institutional environment

B. IMPORTANCE

Peace Support Operations involve tasks that armies have carried out for a long time. But peacekeeping was never so demanding as after 1990, when the bipolar security environment lost its equilibrium, leaving the world with only one global power and in which the perspective of conventional warfare became more distant than ever.

The involvement of armed forces in peace operations made them transform their doctrine, their equipment and their mindsets. But, as Nicholas J. Lambert says,

> … in most operations however, the military will not be operating in isolation and other International Community members should not be discounted. There will be NGOs and PVOs (such as UNHCR, ICRC, OXFAM, WHO, etc.) who may well have been in theatre for a considerable time. The military may also find that they will be operating under or beside an internationally appointed civilian overlord who will

> have been given some form of legal powers to perform his own tasks within the signed political agreement between the parties.[2]

This fact changed the traditional understanding of civil-military relations because in these operations, the interference of what Lambert calls an "overlord", the civilian empowered to exercise control over the military forces, sets not only the overall mission, but he/she sets the way in which the mission must be accomplished, becoming over-involved in the micromanagement of the operation. This creates one of the most important challenges of the civil-military relations in peace operations.

Additionally, most of the missions are undertaken by multi-national forces, very often with different doctrines, procedures and mindsets, making the overall accomplishment of the missions more difficult and demanding, both for commanders and for civilian leaders.

The "relative decline of UN peacekeeping activity after 1994 reflected a loss of confidence following well-documented setbacks in Rwanda, the Balkans and Somalia"[3] and brought the international community to a new challenge. The UN started to be seen as unable to manage the military side of these operations, but the need for institutions able to take over did not decrease. Regional security institutions became relevant actors because "advantages of regional action are many. The willingness of a state to take part in a peace operation has a lot to do with its national interests and there is likely to be more importance attached to regional or sub-regional stability."[4] This development generated a new challenge, because mainly in Europe, appeared "regional blocs designed to police the 'liberal peace,'"[5] adding to the multi-national civil-military relations a new dimension: multi-institutionality. European security institutions went beyond this and, using the NATO model, created permanent command structures (called Integrated

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[2] Nicholas J. Lambert, "Measuring Success of the NATO Operation in Bosnia and Herzegovina 1995-2000," *European Journal of Operational Research*, Volume 140, Issue 2, (2002), 23.

[3] Tom Woodhouse, Oliver Ramsbotham, "Cosmopolitan Peacekeeping And The Globalization Of Security" *International Peacekeeping*, Vol.12, No.2, (Summer 2005), 142.

[4] *The Challenges Report: Challenges of Peace Operations: Into the 31st Century – Concluding Report 1997-2002*, (Elander Gotab, Stockholm, 2002), 53.

[5] Tom Woodhouse, Oliver Ramsbotham, "Cosmopolitan Peacekeeping And The Globalization Of Security," *International Peacekeeping*, (Summer 2005), 140.

Military Structures) and even permanent multi-national forces with varying degrees of readiness. These military structures are involved in planning, conducting and evaluating the way in which the forces are accomplishing their missions and tasks in PSOs.

The thesis analyzes the challenges of multi-institutionality on the civil-military relations in Peace Support Operations, focusing on the civil-military relations in European security institutions conducting operations in the Balkans. The purpose is to identify whether the existence of permanent military structures, and implicitly, of democratic civil-military relations, is a factor in improving of these relations and whether it can increase the efficiency of peacekeeping forces in accomplishing their missions.

C. LITERATURE REVIEW.

1. Prior Work Covering the Role of Institutions Role, Multi-Institutional Framework and Civil-Military Relations in Peace Operations

"To analyze world politics in the 1990s is to discuss international institutions: the rules that govern elements of world politics and the organizations that help implement those rules,"[6] writes Keohane in his article, *International Institutions: Can Interdependence Work?*. Barbara Koremenos, Charles Lipton and Duncan Snidal wrote in their article *The Rational Design of International Institutions* that "[i]nternational institutions are central features of modern international relations. This is true of trade… and even national security, once the exclusive realm of pure state action."[7]

In the 1990s, the UN's role as unique global actor in preserving peace has been challenged by an increasing number of security institutions, outside of the UN system, involved in solving the new problems that emerged in the post-Cold War environment. The UN proved to have limited tools to act in intra-state conflicts, its system of norms and values being strongly related to the Cold War peace- keeping doctrine that dealt mainly with inter-state conflicts. One of the first important challenges that the UN had to

[6] Robert O. Keohane, "International Institutions: Can Interdependence Work?" *Foreign Policy*, No. 110 (1998), 82.

[7] Barbara Koremenos, Charles Lipton, Duncan Snidal, "The Rational Design of International Institutions," *International Organizations*, Vol. 55 No.5 (Autumn, 2001), 761.

face in the new security environment was the ethnic conflict in former Yugoslavia. The limited and unclear mandate given to United Nations Protection Force (UNPROFOR) in Bosnia-Herzegovina made the international community consider this mission a failure. In an interview published in *Middle East Report*, Mark Duffield, professor of Development, Democratization and Conflict in the Institute for Politics and International Studies at the University of Leeds, answering the question "[i]s it also the view of UNPROFOR people themselves? Are they being restrained externally?", said that "[A] lot of officers feel this, yes. There have been a lot of problems between the past two senior commanders and UN Secretary General Boutros-Ghali about the inability to enforce their mandate. … Being there and not doing anything is the worst."[8]

In their study called *Cosmopolitan Peacekeeping and the Globalization of Security*, Tom Woodhouse and Oliver Ramsbotham propose a system that includes UN capabilities at the global level, but which would devolve the focal role in peace operations to sub-regional security systems.[9]

All these studies, and not only these, emphasize the fact that in the post-Cold War peace operations, the UN alone can no longer be the *peace provider*. Therefore, in regions such as Europe, which "are further advanced than others with their political and security-related mechanisms, and have demonstrated active interest in addressing their problems,"[10] the UN efforts should be complemented by those regional institutions.

But the participation of different institutions creates a new problem. In order to be real actors in this field, these institutions should have military forces able to carry out these missions. According to former United Nations Secretary-General Dag Hammerskjold, "peacekeeping is not a job for soldiers, but only soldiers can do it."[11]

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[8] Joe Stork, "Bosnia is the Classic Case of Using Humanitarian Aid as a Smokescreen to Hide Political failure," *Middle East Report*, No 187/188 (Mar-Jun 1994), 20.

[9] Tom Woodhouse, Oliver Ramsbotham, "Cosmopolitan Peacekeeping And The Globalization of Security," *International Peacekeeping*, (Summer 2005), figure 1, 143.

[10] *The Challenges Report, Challenges of Peace Operations: Into the 31st Century – Concluding Report 1997-2002*, (Stockholm: Elander Gotab, 2002), 53.

[11] Quoted in Margaret Daly Hayes, *Political-Military Relations within International Organizations*, report of the symposium at the Inter-American Defense College, 28 September 1995, Fort McNair, Washington, D.C., 1995, 7.

The value added by the participation of regional security institutions in peace operations increased the civil-military relations problems that had hampered some of the UN peace operation deployments. As Karen Guttieri writes,

> Civil and military actors, both within various troop-contributing states and in the multilateral arena, have waged fundamental contests over the determination of military mandates, specific military roles, training requirements, troop discipline, resource allocations, and multilateral command and control structures.[12]

Operations in Bosnia-Herzegovina furnished scholars with many examples of difficult and problematic relations between the civilian leaders and military commanders. Reed Coughlan, writing about the UN mission in Bosnia, emphasizes:

> … peacekeepers do not have a say in the definition of their mission. The United Nations, NATO and the international community laid out the scope of SFOR's mission. They did that in the relative safety and comfort of bureaucratic offices in the west where the rule of law is assumed and where social tolerance and diversity are celebrated.[13]

Mark A. Bucknam, former chief of the organizational policy branch within the Policy Division, under the director for strategic plans and policy (J-5) of the Joint Staff at the Pentagon, wrote a study in 2003 about the difficult civil-military relations that existed between the UN civilian leaders, UNPROFOR commanders, NATO and US civilians and military representatives during the air campaign in Bosnia-Herzegovina. "Holbrooke wanted more control over NATO bombing during his coercive diplomacy with the Serbs in September 1995, but [Adm.] Smith resisted interference in operational matters from outside the chain of command. Holbrooke recognized the admiral's responsibility for the lives of NATO airmen, but he interpreted Smith's claim that NATO was running out of targets during the Deliberate Force bombing campaign,"[14] writes Bucknam, in order to show the difficulties in putting together the NATO and US methods and procedures. On the other

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[12] Karen Guttieri, "Civil-Military Relations in Peacebuilding," in *Sicherheitspolitik und Friedensforschung* 2, 2004: 81.

[13] Reed Coughlan, "Peacekeeping in Bosnia: Dilemmas and Contradictions in International Intervention Efforts," in *Globalization of Civil-Military Relation: Democratization, Reform, Security, George Cristian Maior*, Larry Watts eds., (Bucharest: Enciclopedia Publishing House, 2002), 593

[14] Mark A. Bucknam. *Responsibility of Command. How UN and NATO Commanders Influenced Airpower over Bosnia*, (Maxwell Air Force Base: Air University Press, 2003), 6.

hand, the UN commanders were "uncomfortable participating in the charade of UN impartiality while NATO conducted a campaign aimed solely at the Bosnian Serbs."[15]

The different understanding of missions, tasks, capabilities and needs made some military commanders take initiatives that would have been regarded as disobedience to orders in normal national circumstances. As an example, Maj. Gen. Lewis MacKenzie, the first UN commander in Bosnia,

> … recounted his July 1992 role in securing extra firepower for Canadian peacekeepers by working around the UN bureaucracy and dealing with his own government: "The UN never did authorize us to bring the missiles for the TOW [antitank weapon]. We were authorized to bring the vehicle [it was mounted on]. In the end, we cheated and brought the missiles anyway. Can you imagine telling soldiers to bring the weapon but not the ammunition? We were also told we could bring mortars, but not high-explosive ammunition—only illuminating rounds to help us see at night. We ignored that order also."[16]

Additionally, a difference in interpretation of force protection between NATO and the UN made the NATO air campaign less effective than it could have been in another type of environment, based on joint planning and coordination. Dual key procedures[17]

> … worked as intended for air strikes; however, it was seriously dysfunctional for other no-fly zone operations. By giving UNPROFOR commanders veto control over air strikes, the dual key permitted Generals Rose and de Lapresle the power to manage the risks to their forces. UN army generals used the dual key to influence targeting decisions so as to prevail with their concept of proportionality, thus helping them to maintain Bosnian Serb consent for UNPROFOR's presence.[18]

During the UNPROFOR operation, another type of problems appeared: tense civil-military relations between the negotiators of the peace agreement and the

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[15] Mark A. Bucknam. *Responsibility of Command. How UN and NATO Commanders Influenced Airpower over Bosnia*, (Maxwell Air Force Base: Air University Press, 2003), 278.

[16] Cited in Mark A. Bucknam. Responsibility of Command. *How UN and NATO Commanders Influenced Airpower over Bosnia*, (Maxwell Air Force Base: Air University Press, 2003), 9.

[17] Dual key procedures were used by NATO and UN forces during the air campaign in Bosnia-Herzegovina. It meant that both NATO and UN commanders should have had to approve the air strikes against Serb military forces attacking Muslim civilian objectives in "safe zones".

[18] Mark A. Bucknam, *Responsibility of Command. How UN and NATO Commanders Influenced Airpower over Bosnia*, (Maxwell Air Force Base: Air University Press, 2003), 190

commanders of the forces on the ground, either the UN or the NATO Air Forces supporting them. Ambassador Richard Holbrooke, the assistant secretary of state for European and Canadian affairs in the US Department of State, in his memoirs, *To End a War*, only gave his opinion about controversies he had with Adm. Leighton Smith, the theater NATO commander. He mentions that " [Adm.] Smith did not wish to let the bombing be 'used' by the negotiators, and would decide when to stop based on his own judgment."[19] The American official considered even that the Admiral ''was edging into an area of political judgments that should have been reserved for civilian leaders.''[20]

All the difficulties in giving military forces a unitary framework led scholars and practitioners in peace operations to consider UNPROFOR as an unsuccessful operation. For example, Mark Duffield said that

> … [w]e have to find ways of getting past neutrality to identify and work with structures that can provide a platform for peace in these areas. There is a danger of just using humanitarian aid – Bosnia is the classic case of this – as a smoke screen to hide political failure.[21]

The situation in Bosnia-Herzegovina improved when NATO, as a military alliance, with its established civil-military relations, experienced planning staffs, standard procedures and defined doctrine took over the peace operation.

The controversial results of the operations in the Balkans led scholars to recommend a new approach to peace operations. In 2000, Nicholas J. Lambert, in his article, *Measuring Success of the NATO Operation in Bosnia and Herzegovina 1995-2000*, concludes, that

> … military will not be operating in isolation and other International Community members should not be discounted. There will be NGOs and PVOs (such as UNHCR, ICRC, OXFAM, WHO, etc.) who may well have been in theatre for a considerable time. The military may also find that they will be operating under or beside an internationally appointed civilian

[19] Richard Holbrooke, *To End a War* (New York: Random House, 1998), 146.

[20] Ibid. 118.

[21] Mark Duffield, Joe Stork, "Bosnia is the Classic Case of Using Humanitarian Aid as a Smokescreen to Hide Political failure," *Middle East Report*, No 187/188 (Mar-Jun 1994) 23.

> overlord who will have been given some form of legal powers to perform his own tasks within the signed political agreement between the parties."[22]

Heiko Borchert lists among the aspects that should be given attention when planning peace operations the following aspects: better coordination between civilian and military elements; the civilian side should have a central authority responsible for the civilian sector (like the military side's unity of command principle); more integrated approach to planning, implementing and evaluating the mission; information sharing among civilian and military components; and as early as possible coordination of activities between military and civilian components of the mission.[23]

After the experience and relative successes in the Balkans, other scholars, such as Walter Kemp, Ingo Peters, Leo G. Michel started to propose different ways to increase the efficiency of peace operation through creating a multi-institutional framework in which both militaries and civilians work together in order to better accomplish the missions. Ingo Peters launched the concept of "Interlocking Institutions."[24] Borchert and Maurer created scenarios for better cooperation between institutions involved in peace operations.[25]

2. Questions and Argument of the Thesis

Based on the literature review, the issue of civil-military relations in peace operations was studied by both civilian and military scholars and practitioners. The difficulties encountered by both civilian and military elements in this type of operation were also heavily debated and many solutions were recommended.

The change in the approach to peace operations that followed the operations in the Balkans (IFOR and SFOR in Bosnia-Herzegovina being the major ones, but also

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[22] Nicholas J. Lambert, "Measuring Success of the NATO Operation in Bosnia and Herzegovina 1995-2000," *European Journal of Operational Research*, Volume 140, Issue 2, (16 July 2002), 23.

[23] Heiko Borchert, "Managing Peace-building More Professionally; Improving Institutional Cooperation," in *OSCE Yearbook 2000*, (Baden-Baden: Nomos, 2000), 3.

[24] Ingo Perters "The OSCE, NATO and EU within the "Network of Interlocking Security Institutions: Hierachization, Flexibility, Marginalization," in *OSCE Yearbook 2003*, (Baden-Baden: Nomos, 2000).

[25] Borchert and Maurer, "Co-operation, Rivalry or Insignificance? Five Scenarios for Future Scenarios for the Future of Relations between the OSCE and EU," in *OSCE Yearbook 2003*, (Baden-Baden: Nomos, 2000), 403.

operations conducted by European security institutions in the Republic of Macedonia or Albania) revealed that in addition to the recognized difficult civil-military relations in a multi-national environment, another factor that increased the potential controversies between the two components of the international intervention forces had been added: Inter-Institutionality. But, despite the idea that this would make the accomplishment of the missions more difficult, this factor made possible the hand-over of the NATO SFOR mission in Bosnia Herzegovina to the EU-led Operation EUFOR. As soon as this happened, the newspapers stopped calling the Balkans the most violent place in Europe. At a ceremony in Sarajevo on December 2, 2004, NATO Secretary General Jaap De Hoop Scheffer said: "today is truly a day for celebration – for Bosnia and Herzegovina, and also for the wider international community. People no longer live in fear, state institutions had been established and there was respect of human rights."[26]

Why did not this new factor hamper the mission? What is the main difference in the situation between the years 2004 and 1995, or even 1999?

The argument of this thesis is that one important factor lies in how civilians and the military cooperated, how they were able to understand each other's philosophies, doctrines and procedures. And these were possible because, in the meantime, the EU had created and developed, inside their structure, permanent military command and planning institutions, namely Integrated Military Structures, learning from NATO experience in this field.

D. METHODOLOGY AND SOURCES

The thesis will approach the topic through a case study method. First, the civil-military relations in NATO, the EU and the Multinational Peace Force in Southeast Europe (MPFSEE) will be analyzed, comparing their politico-military structures according to their basic official documents and their evolution in time. Then, the civil-military relations in UNPROFOR, IFOR, SFOR and EUFOR (in Bosnia-Herzegovina)

[26] Jaap De Hoop Scheffer, speech at the SFOR handover ceremony, available at http://www.nato.int/docu/speech/2004/s041202a.htm, accessed February, 28, 2007.

will be analyzed in order to draw conclusions related to the evolution of inter-institutional civil-military relations and the effects of this evolution on the effectiveness of peace operations.

The conclusions will be used to identify how the experience gained in Bosnia could be used to implement similar solutions to other theatres of operation with comparable environments (multi-national and multi-institutional) that could lead to analogous results.

During the research, both primary and secondary sources will be used. In order to identify the structure and the civil-military relations in the security institutions, their founding documents will be analyzed, namely the North Atlantic Treaty, the decisions of the NATO Summits, European Constitutional Treaty, the EU Commission and EU parliamentary decisions, the MPFSEE Agreement.

E. THESIS OUTLINE

Chapter I introduced will introduce the subject by analyzing the existing literature on civil-military relations, peace operations and concepts such as *mutually reinforcing institutions* and *interlocking institutions.*

Chapter II focuses on the permanent military command structures in NATO, the EU and MPFSEE in order to identify their evolution, the nature of civil-military relations in these organizations and the influence of restructuring (in NATO), creation and development (in the EU and MPFSEE) on the relations between the civilians and the military in these institutions. It will assess if these organizations have political structures to exercise civilian control over their military structure and if there are mechanisms that are designed to evaluate their military effectiveness and defense efficiency.

After analyzing the civil-military relations in these three security institutions, Chapters III and IV focus on how the international community operated in a crisis area, namely Bosnia and Herzegovina. The initial involvement of UN forces led to escalation of the conflict rather then limiting it because the UN mission was unable to manage the complex environment created by the NATO involvement in supporting UN Operation in Bosnia and Herzegovina (UNPROFOR). Neither the UN nor NATO were prepared at

that time to effectively cooperate in such a complex situation. When NATO and, latter, EU took over the mission, they used the experience gained during the UN involvement and were able to improve the security situation in Bosnia and Herzegovina. The European security institutions therefore proved they were able to learn both from the experience they had in a loose cooperation with the UN in Bosnia and Herzegovina, and apply this experience in a more complex environment when they took the lead of the missions in the Balkans.

Chapter III analyzes the evolution of the UN Operation in Bosnia and Herzegovina (UNPROFOR) in order to identify if the civil-military relations in UNPROFOR and the ones created by the cooperation between the UN and NATO influenced the results of that mission and the decision to transfer the responsibility of the peace efforts from an UN-led force to NATO. It assess if the civil-military relations created by the cooperation of these two security institutions affected the effectiveness of the UN operation in Bosnia and Herzegovina and the compatibility of the mind-sets of the civilians and military in UN and NATO.

Chapter IV focuses on the NATO and, subsequently, EU, missions in Bosnia and Herzegovina. It analyzes the application of the civil-military relations of these organizations in a peacekeeping environment and the influence of their established institutionalized civil-military relations over the process of implementation and stabilization of the situation in the area. The chapter analyzes the influence of the NATO's strongly institutionalized civil-military relations on the effectiveness of the international commitment in a crisis area. It also assess if the EU military involvement in the Balkans positively influenced the situation in Bosnia and Herzegovina and if a multi-institutional environment in peacekeeping is a viable solution for the international community.

The conclusion summarizes the results of the research, highlighting the ways that could be followed in order to develop better civil-military relations inside security institutions, thereby increasing these organizations' capabilities to plan and conduct peace operations.

II. CIVIL-MILITARY RELATIONS IN EUROPEAN SECURITY INSTITUTIONS

A. INTRODUCTION

The third wave of democratization[27] started in 1974 and opened the discussions about the methods available to new democratically elected authorities for achieving appropriate civilian control of military forces. The objective control approach advocated by Samuel P. Huntington in his book *The Soldier and the State; the Theory and Politics of Civil-Military Relations*, written in 1957, dominated these discussions. This approach is premised on a professional military loyal to the state rather than to any particular ideological position. Objective control involves a *quid pro quo* relationship between military and civilian leaders in which the military abstained from intervention in politics, and the politicians abstained from intervention in military operations.

The Clausewitzian approach to the war and its actors, namely the primacy of policy and the consideration of the war as a "continuation of policy with other means"[28], prevailed in the writings of Maurice Janowitz, Charles Moskos and Samuel E. Finer[29]. All these scholars studied civil-military relations from the state/national perspective, and even when the subject of civil-military relations in NATO was touched upon, they approached it from a national perspective. An example of this approach is the book *Norstad – Cold War NATO Supreme Commander, Airman, Strategist, Diplomat*, written by Robert S. Jordan, in which the problems created by the system of "double hatting" for Norstad as NATO SACUER and USEUCOM affected his military and political career.

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[27] Samuel P. Huntington, in his book *The Third Wave: Democratization in the Late Twentieth-Century*, (Oklahoma City: University of Oklahoma Press, 1991) stated that the third wave of democratization started in 1974, with the change of regime in Portugal. First wave of democratization is considered to take place in the nineteenth century and the second after WW II, between 1943 and 1962.

[28] Carl von Clausewitz, *On War*, Michel Howard and Peter Paret eds. (Princeton: Princeton University Press, 1989), 87.

[29] Here I refer to books published or edited by these authors on military and civil-military relations matters: Morris Janowitz, *The Professional Soldier: A Social and Political Portrait* (New York: Free Press, 1971) Charles Moskos (ed) *The Postmodern Military: Armed Forces after the Cold War* (Oxford, Oxford University Press, 1999) and Samuel E. Finer, *The Man on the Horseback* (New Brunswick: Transaction Publishers, 2004).

This chapter will analyze the structure of three different security institutions: NATO, a military alliance having a well established and experienced multinational command structure; the European Union, a relatively new actor in the international security field that has started to develop a military command structure in order to be able to better conduct such operations; and the Multinational Peace Force in South Eastern Europe (MPFSEE), a regional security organization. In order to distinguish the similarities and differences of the military structures and the civil-military relations inside these organizations, this chapter will analyze the institutions (comparable with the legislative, executive, ministry of defense and military staffs as state-level institutions) created inside these organizations that determine the relations between the political decision-makers and the military personnel, trying to identify if and how they achieved a balance between democratic control of the military, military effectiveness and defense efficiency, as pillars of civil-military relations.[30]

After 1990, scholars like Robert O. Keohane addressed the role and benefits of international institutions in the post-Cold War era. In his work *International Institutions: Can Interdependence Work?,* Keohane wrote that "to analyze world politics in the 1990s is to discuss international institutions: the rules that govern elements of world politics and the organizations that help implement those rules."[31]

In post-Cold War Europe, security institutions proliferated. The North Atlantic Treaty Organization reorganized and sought for a new role in the new security environment. The European Union launched its Common Foreign and Security Policy with its European Security and Defense Policy. Trying to stabilize the Balkans and to share and shift the burden of the military operations in that area with non-NATO countries, the US State Department started to sponsor different regional security institutions. But, as Keohane also emphasized, "to be effective in the twenty-first century, modern democracy requires international institutions. And to be consistent with

[30] This approach was used also by the authors of the book *Who Guards the Guardians and How. Democratic Civil-Military Relations,* Thomas C. Bruneau and Scott D. Tollefson eds., (Austin, University of Texas Press, 2006).

[31] Robert O. Keohane, "International Institutions: Can Interdependence Work?" *Foreign Policy*, No. 110 (Spring 1998), 82.

democratic values, these institutions must be accountable to domestic civil society."[32] These security institutions became "central features of modern international relations. This is true of trade… and even national security, once the exclusive realm of pure state action."[33] They have earned more and more importance since the end of the Cold War to become the preferred tool to be employed in areas of conflict in Europe and beyond its borders. In order to accomplish the main goal for their creation, namely to be active in the new challenges for the military – the so called Operations Other that War, in Anglo-Saxon terminology, or Peace Support Operations, in accordance with the UN vocabulary – they had to have, as the state does, permanent military command structures and forces. By having military structures, the multi-national security institutions started to become the scene for the application of the concept previously used mainly at the national level, civil-military relations.

In the literature, the international security institutions are treated as vectors of democratization and globalization, their role in the creation of democratic civil-military relations in member or partner countries being emphasized. The role of NATO, Partnership for Peace and other institutions to – "seek explicitly to shape the military structures, missions and civil-military relations in the newer democracies"[34] – is emphasized in the book *Who Guards the Guardians and How; Democratic Civil-military Relations*, edited by Thomas Bruneau and Scott Tollefson in 2006.

Very few works analyze the structure of civil-military relations in international security institutions and this chapter seeks to look into the mechanisms of these civil-military relations.

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[32] Robert O. Keohane, "International Institutions: Can Interdependence Work?" *Foreign Policy*, No. 110 (Spring 1998), 94.

[33] Barbara Koremenos, Charles Lipton, Duncan Snidal, "The Rational Design of International Institutions," *International Organizations*, Vol. 55 No.5 (Autumn, 2001), 761.

[34] Thomas C. Bruneau, "Introduction," in *Who Guards the Guardians and How; Democratic Civil Military Relations*, Thomas C. Bruneau and Scott D. Tollefson ed. (Austin: University of Texas Press, 2006), 4.

B. CIVIL-MILITARY RELATIONS IN NATO: TRADITION, EXPERIENCE AND ADAPTABILITY.

As one of the many international security organizations created in response to the Cold War, NATO is the one that has been best able to respond to the new challenges. The rationale for its creation practically disappeared with the dissolution of the Soviet Union and the demise of the Warsaw Pact in the early 1990s.

NATO became more responsive to the changes of the security environment due to its higher institutionalization, its staff and its experience in handling civil-military relations at the supra-state level. The extended experience in maintaining the balance between democratic civil-military relations and the effectiveness of the military in achieving their mission during the Cold War, namely NATO's contribution to keeping the Cold War cold and to defend the Western democracies made NATO able to adapt in a relatively short time to the new security environment in a Europe no longer divided by the Cold War.

Despite the fact that the Washington Treaty, did not provide NATO with a clear vision about the way in which the organization would be structured, it created the framework for necessary institutional elements.

As Wallace Ties states, the creation of a "set of alliance-wide body that could peer into the economies and military establishments of the European members were facilitated by the permissive wording of Article 9 of the North Atlantic Treaty"[35]. In Article 9, the Washington Treaty specifies that "the parties hereby establish a Council, on which each of them [the allied nations] shall be represented, to consider matters concerning the implementation of this Treaty."[36]

By creating the Council and empowering it to implement the provisions of the treaty, the signatories gave to this body an institutional power to develop the policies that should have been then implemented in order to achieve the Treaty's purpose.

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[35] Wallace J. Ties, *Friendly Rivals – bargaining and Burden-shifting in NATO* (New York: M. E. Sharp, Inc., 2003), 80

[36] The Washington Treaty, Article 9.

Another provision of Article 9 of the Washington Treaty gave the Council more powers: to "set up such subsidiary bodies as may be necessary."[37] This general provision gave the policy-makers from the Council the freedom to create an institutional structure that they considered necessary to implement the policy created at the highest level in the organization. The only guidance given by the Treaty was to "establish immediately a defense committee which shall recommend measures for the implementation of Articles 3 and 5"[38].

Through the powers given by the Treaty, "the North Atlantic Council (NAC) has effective political authority and powers of decision and consists of permanent representatives of all member countries."[39] In the Press Communiqué, issued at its first meeting in September 1949, the North Atlantic Council stated that "the Council is the principal body in the North Atlantic Treaty Organization. In accordance with the Treaty, the Council is charged with the responsibility of considering all matters concerning the implementation of the provisions of the Treaty."[40]

Being the only body deriving its power directly from the Washington Treaty, the NAC is the highest level of organization in the Alliance and here the consultation between representatives of the member countries takes place and the most important decisions are made. At its creation, it consisted of the Foreign Ministers of member countries, but the need for a continuous process of consultation within the Alliance caused each member state to appoint a permanent representative and the meetings of this body became, over the time, a permanent routine inside NATO headquarters.

The Defense Committee, the second institution specified in the Article 9 of the Treaty, had the task of recommending military measures needed to implement the Treaty provisions. One of the most important tasks given to the Defense Committee was to propose the military structure of the organization.

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[37] The Washington Treaty, Article 9.

[38] The Washington Treaty, Article 9.

[39] NATO, NATO Handbook, (Brussels: Public Diplomacy Division, 2006), 34.

[40] NATO, Final Communiqué of the first Session of the North Atlantic Council, http://www.nato.int/docu/basictxt/b490917a.htm (accessed November 20, 2006)

The structure proposed by the Defense Committee was the result of a long negotiation among the three main powers of the Alliance, namely France, the UK and the US. The initial proposal, made by the American officials in 1949, was to create four agencies that should be subordinate to the Defense Committee: a Military Advisory Council, a Military Advisory Council Steering and Executive Group, a North Atlantic Military Staff and a North Atlantic Military Supply Board. All these bodies were supposed to be mainly led by military and were intended to be the military part of the institution created by the Washington Treaty. This institutional structure proposed by the American officials was supposed to "exploit the asymmetry in staff resources between the United States and its allies."[41] As Wallace J. Thies states in the chapter regarding the creation of the institutional structure of NATO in his book *Friendly Rivals – bargaining and Burden-shifting in NATO*, despite the lack of efficiency of a complicated structure, the American officials impose it in order to keep the Europeans' limited staff capabilities divided among multiple layers of decision and negotiation.

Finally, the structure negotiated and provided in the treaty followed the American proposal, and the Final Communiqué announced a politico-military structure of the Alliance composed of the North Atlantic Council, Defense Committee, Military Committee and five Regional Planning Groups.

The Defense Committee, composed normally from the member countries' Defense Ministers, had the tasks to recommend to the NAC the implementation of the Treaty.

The Military Committee has been considered from its creation the highest military authority in the Alliance. It was designed to function under the direct political authority of the North Atlantic Council and as an integral part of the decision-making process inside the Alliance. According to the *Final Communiqué of the first Session of the North Atlantic Council*, it was composed of the Chiefs of Defense of NATO members or their representatives. Its main responsibilities have been to "provide general policy guidance of a military nature to its Standing Group, advise the Defense Committee and other agencies

[41] Wallace J. Ties, *Friendly Rivals – bargaining and Burden-shifting in NATO* (New York: M. E. Sharp, Inc., 2003), 80.

on military matters as appropriate and to recommend to the Defense Committee military measures for the unified defense of the North Atlantic area."[42]

The Standing Committee, composed of the military representatives of France, the UK and the US, was supposed to be a key military structure that would supervise the activity of Regional Planning Groups and act as the highest permanent military authority inside NATO. Despite the fact that only the three major powers were supposed to have representatives in this committee, the decision taken at Washington permitted that "a Party not represented thereon may appoint a special representative to provide permanent liaison with the Standing Group."[43] This decision made possible the creation of the centralized military authority on the skeleton of the Standing Group, a structure that later evolved into the NATO's military staff.

By creating the five Regional Planning Groups, the North Atlantic Council had given to the Alliance a military tool to plan the defense of Western Europe against the Soviet Union and its allies.

This initial structure of NATO shows that the drafters of the Washington Treaty left a lot of leverage to the political decision-makers from the initial members to create an organization capable of planning the defense of the Western alliance. It had a layered structure, composed of political, politico-military and military institutions that had clear distinction of tasks.

The overall political decision-making ability was given by the Treaty to the North Atlantic Council, which, according to the NATO Handbook, had had authority over all NATO bodies created during its existence. Because of its composition, namely the Foreign Ministers of the member countries, it has exercised civilian authority over the entire Alliance, setting the foundation for a democratic civil control over the military structures and forces that would be given to it. The fact that it was a non-permanent body was corrected at the Lisbon Summit, in February 1952, when the "the Council also took action to adapt the Treaty Organization to the needs arising from the development of its

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[42] NATO, Final Communiqué of the first Session of the North Atlantic Council, http://www.nato.int/docu/basictxt/b490917a.htm (accessed November 20, 2006).

[43] NATO, Final Communiqué of the North Atlantic Council Ministerial Meeting, Lisbon, February 1952, http://www.nato.int/docu/comm/49-95/c520225a.htm, (accessed November 20, 2006).

activities from the planning to the operational stage."[44] On this occasion, the structure of the North Atlantic Council was completed with a permanent institutional organization, composed of the representatives of the member countries. By creating such a structure, "NATO ministers also reorganized the civilian management of NATO, making the North Atlantic Council a permanent body, with member governments represented by senior officials and supporting delegations at NATO headquarters."[45] At this Summit, the ministers took another important step towards institutionalization of the Alliance by deciding to appoint a Secretary General of the Organization and giving this important position a working apparatus to accomplish the increasing duties of the civilian elements of NATO leadership.

The Secretary General's main roles are to act as a chairman of the NAC, Defense Committee (currently called Defense Planning Committee) and other committees as the structure evolved, to represent the Alliance in public as main spokesman on behalf of the member nations and is the senior executive officer of the NATO civilian staff (International Staff).[46]

By creating the position of NATO Secretary General, and appointing a non-American diplomat, NATO achieved two important effects. First, a balanced civil-military structure was created, which had been un-balanced before by the nomination of a general to the position of Supreme Allied Commander Europe (SHAPE), in the person of General Dwight Eisenhower. Second, the structure, un-balanced from the national point of view, was balanced because this position was given to a non-American diplomat, in the person of Lord Ismay, an experienced British diplomat with a brilliant military career during both World Wars.

This decision completed the structure of NATO, transforming NATO headquarters into a highly institutionalized organization, balanced both from the national and civil-military component.

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[44] NATO, Final Communiqué of the North Atlantic Council Ministerial Meeting, Lisbon, February 1952, http://www.nato.int/docu/comm/49-95/c520225a.htm, (accessed November 20, 2006).

[45] Stanley R. Sloan, *NATO, the European Union and the Atlantic Community – the Transatlantic bargain reconsidered* (Latham: Rowan & Littlefield Publishers, Inc.: 2003), 25.

[46] NATO, NATO Handbook, (Brussels: Public Diplomacy Division, 2006), 74.

At these first Summits, the North Atlantic Council laid the foundation on which NATO developed into a military alliance that evolved during the Cold War and was able to adapt itself when the most important reason for its existence disappeared by dissolution of the Communist bloc.

NATO has also civilian agencies that provide advice to political and military structure. These agencies are covering the a wide range of domains, such as supply and logistics (NATO Maintenance and Supply Organization, The NATO Maintenance and Supply Agency), standardization (The NATO Standardization Organization, NATO Standardization Agency) civil emergency planning (Senior Civil Emergency Planning Committee, Euro-Atlantic Disaster Response Coordination Center) communication and information (NATO Consultation, Command and Control Agency, NATO Headquarters Information Systems Service). All of these agencies advise the NATO civilian and military structure in their fields of expertise and respond to the requests made by the NAC. The International Staff has in its structure organizations that oversee and advice the entire military structure, such as Public Diplomacy Division, Division of Defense Policy and Planning, Division of Defense Investment**,** Office of the Financial Controller, Office of the Chairman of the Senior Resource Board, Office of the Chairman of the Budget Committees and International Board of Auditors. According to the *NATO Handbook*, of 4200 people working at NATO Headquarters, 1200 are civilians working for the International Staff and the agencies subordinated to it. Compared to the number of people (military and civilians) working for the International Military Staff, which is around 500,[47] proves that the civilian dimension of NATO is considerable greater at this level, the level at which the major decisions are prepared and made. The International Staff areas of responsibility give civilian policy-makers the possibility of setting up a framework in which NATO as an alliance and NATO structures develop detailed military and political agendas. Ranging from providing policy guidance and political advice to all NATO committees and agencies, developing and implementing the defense policy, managing NATO's operational and crises response capabilities, providing technical and policy advice on matters such as investments and assets development, to communicating

[47] NATO, NATO Handbook, (Brussels: Public Diplomacy Division, 2006), 73.

with the public, the International Staff's missions cover the entire spectrum from professional and political advice to management.

The military organization of the Alliance is a multi-layered hierarchical structure, with the Military Committee at the top, with both strategic and operational headquarters.

The Military Committee is the highest military authority in NATO and it is under the political authority of the North Atlantic Council. Upward on the chain of authority, it provides military advice to the NATO civilian political bodies and it implements downward the decisions taken by these bodies, being responsible for the conduct of the military activities in accordance with the political guidance. The Military Committee acts as an interface between the political decision makers – the North Atlantic Council – and executive structures, namely the NATO commanders at strategic, operational and tactical levels.

This structure is currently balanced and respects one of the principles of democratic civil-military relations, having the institutions that are designed to exercise civilian control over the military, namely the North Atlantic Council, the highest institution designed to make the policies and strategies of the Alliance, along with the International Staff and the NATO Secretary General, as the civilian institutions that have executive powers to implement the politico-military decisions made by NAC, and the military organization to accomplish the mission received. The inherent democratic deficit[48] of NATO is compensated for by the decision-making process in NAC, which is based on the consensus rule. According to this rule, the decisions are taken after consultations and negotiations among the member-states representatives, each member of the organization (member states) having equal voices. As a matter of fact, according to the NAC internal procedures, the decisions are not voted, but vetoed by the member states (this has not happen in the North Atlantic Council until now). Because of its disadvantages, such as the need for a long time for consultation and its *democratic deficit*, it was criticized by many scholars. In his article *NATO Decision Making: Au Revoir Consesnsus Rule?*, Leo Michel proposes a number of options to replace this rule, but they

[48] Robert Dahl, in his work *Can International Organizations Be Democratic? A Skeptic's View* is one of the scholars who consider that no international organizations are able to support direct democratic deliberation and decision.

threaten either the democratic substance of the Alliance or the overall authority of the civilian bodies, or could make NATO to loss of its substance as an alliance of democratic states. One of his proposals, called *SACEUR Discretionary Rule*, is a danger for the democratic civil control over the military is. Under this option,

> … the NAC would grant broad discretionary authority to the Supreme Allied Commander, Europe (SACEUR), to prepare and update, as necessary, contingency operational plans for a broad range of potential NATO military missions. The SACEUR would keep the Secretary General and MC informed of such plans.[49]

This rule could give a degree of effectiveness to the implementation of the decisions made by the allies, but endangers the democratic civilian control over military forces, one of the most important strengths of the Alliance, which was extensively used to influence the creation of this type of civil-military relations in the new members or partner countries from the third wave of democratization, from Portugal and Spain to the countries that aspire to become members in the twenty-first century, such as Macedonia, Croatia or Albania.

The defense effectiveness of NATO was often measured by its role in keeping the Cold War cold, but it was questioned when the former enemy collapsed in the late 1980s and early 1990s. After a number of years that made many scholars questioning the Alliance's role in the new security environment, NATO proved its utility both as a political tool in the process of democratization in Europe and, in the late 1990s, as a viable option as a military tool to participate in peace-keeping or stability operations in Europe (Bosnia and Herzegovina, Kosovo, Albania, Macedonia) and beyond its borders (Afghanistan and Iraq).

In looking for military efficiency as the third pillar of democratic civil-military relation, NATO officials thought that it could by achieved by "promoting the development of capability packages and by establishing the Senior Resource Board that has the responsibility for overall resource management of NATO's military resources."[50] In order to accomplish these goals, NATO has developed a number of civilian

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[49] Leo G. Michel, *NATO Decision making: Au Revoir Consensus Rule*, Strategic Forum 202 (2003), 5.

[50] *NATO Handbook*, (Brussels: Public Diplomacy Division, 2006), 60.

organizations responsible for assessing the efficient use of its resources. The most important is the institution of the Financial Controller, a position occupied by civilian specialists at different levels in NATO's structure, from the International Staff to the military command structure. The Financial Controller is "charged with ensuring all aspects of execution of the budget conform to expenditure authorization"[51]. Also, an independent International Board of Auditors is appointed to assess the efficiency and effectiveness of NATO daily operations, this board being responsible for carrying out not only financial but also performance audits. Creating these internal structures, NATO created a system of "inter-institutional checks and balances, indirect democratic control via national governments."[52]

By these mechanisms, the all three pillars of democratic civilian military relations are covered: **democratic civilian control**, by the clear status as political bodies having the overall authority; **effectiveness and efficiency** of the military by having permanent structures designated to assess these parameters of the everyday operations in NATO.

C. CIVIL-MILITARY RELATIONS IN THE EUROPEAN UNION: ADAPTATION, DEVELOPMENT, INNOVATION.

Creation of a European Military Force has been an objective of European policy-makers for more then fifty years. The European Defense Community, the first of the initiatives taken during the Cold War, had its roots in early 1950s, when Belgium, France, Italy, the Netherlands and the Federal Republic of Germany signed a treaty in Paris intended to create such a military structure. This initiative ended in 1954 due to the fact that the French Parliament did not promulgate the documents regarding this treaty, the European countries leaving the task of providing defense against Soviet threat to NATO. All other such initiatives taken during the Cold War, such as the creation of the Western European Union as the security and defense arm of the European Community, remained the second priority because of the effectiveness shown by NATO in preserving the security of the European States. In the wake of the end of the Cold War, a new European

[51] *NATO Handbook*, (Brussels: Public Diplomacy Division, 2006), 63.

[52] Andrew Moravcsik, "Is there a 'Democratic Deficit' in World Politics? A Framework for Analysis," *Government and Opposition*, 39:2 (2004), 338.

initiative was born: the creation of the EUROCORPS, as the "foundations of a European army corps in which the other WEU members could participate."[53]

The year 1999 was decisive in creating the European Common Foreign Security Policy (CFSP). In May the Amsterdam Treaty was signed, giving to the Presidency of the European Union clear responsibility for the development of the European Security and Defense Policy (ESDP) and nominating the Secretary General of the European Council as the high representative for CFSP. In early June of the same year, the heads of state and governments

> confirmed the St. Malo Declaration and recognized that to pursue the CFSP, the Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crises. They commit themselves to further develop more effective European military capabilities.[54]

In January 2001, the EU Council of Ministers established new institutions that would be responsible for pursuing the common security and defense policy: the Political and Security Committee (PSC), the Military Committee and the Military Staff. With this decision, the European Union completed the structure that was responsible for developing the European military capabilities and would be leading the military actions of the Union, creating a network of relations that had to respect the principles of democratic civil-military relations: civilian control, defense effectiveness and military efficiency.

Democratic civilian control over the European military is supposed to be exercised by political institutions of the European Union. The European Council, composed of the Heads of states and governments, "lays down the principles and general guidelines for the CFSP, and adopts common strategies."[55] This provision is mentioned in the project of the European constitution, Article III-295, which states that "the European Council shall define the general guidance for the common foreign and security

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[53] EUROCORPS History, http://www.eurocorps.net/history/eurocorps_history/, accessed November 30 2006.

[54] Julian Lindley-French, Katja Flückinger, *A Chronology of European Security & Defence 1945-2005* (Geneva: Geneva Centre for Security Policy, 2005), 204.

[55] Common Foreign & Security Policy (CFSP), http://ec.europa.eu/comm/external_relations/cfsp/intro/index.htm, accessed November 30, 2007.

policy, including matters with defense implications."[56] According to the Constitution, the Council should make the necessary decisions to employ European military forces in actions, such as the objectives, the scope, the means needed to accomplish the mission, the duration and the conditions for implementation of the required action.[57] The decisions should be made by the council acting unanimously.[58]

The European Commission, as a permanent institution of the EU, has a limited role in ESDP, being mainly responsible with the implementation of the budget (including the ESDP budget) and having the possibility of requesting a meeting of the Council in case of emergency or crisis.

The Political and Security Committee "has a central role to play in the definition of and follow-up to the EU's response to a crisis. It is composed of national representatives at senior/ambassador level, located within the framework of Member States' Permanent Representations."[59] The draft European Constitution details the tasks that this civilian structure has regarding the issues of defense and security. According to Article III-309, it "monitors the international situation … and contributes to the definition of the policies by delivering opinions to the Council."[60] In the second paragraph of this article, the Political and Security Committee is entitled to exercise the political and strategic control over the missions undertaken by the European military forces.

In this context of new institutional framework, the European Union has created the position of the High Representative for Common Foreign and Security Policy. The High Representative

> shall assist the Council in matters coming within the scope of the CFSP, in particular through contributing to the formulation, preparation and implementation of policy decisions, and, when appropriate and acting on

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[56] Jens-Peter Bonde, *The EU Constitution – the Reader Friendly Edition*, Article III-295, http://www.EUABC.com.

[57] Ibid, Article III-297.

[58] Ibid, Article III-299.

[59] Common Foreign & Security Policy (CFSP), http://ec.europa.eu/comm/external_relations/cfsp/intro/index.htm, accessed November 30, 2007.

[60] Jens-Peter Bonde, *The EU Constitution – The Reader Friendly Edition*, Article III-309, paragraph 1, http://www.EUABC.com.

behalf of the Council at the request of the Presidency, through conducting political dialogue with third countries.[61]

Actually, by his/her tasks, the High Representative has a very similar task to the NATO Secretary General, and the European Community appointed a former NATO Secretary General to this position, namely Mr. Javier Solana.

In order to implement the European defense and security policy, the European Council created an active and permanent military structure, structures that are integral part of the Council itself and they cover the entire spectrum of institutions needed to deal with the defense and security issues. They are as follows:

The **European Union Military Committee** (EUMC) is composed of the Chiefs of Defense, as the non-permanent body, but it exists as a permanent structure, each EU member having sent military representatives to act on behalf of the Chiefs of Defense inside the EU Council. The EUMC has the task of providing the Political and Security Committee with military advice and recommendations and it directs all military activities within the EU framework.

The **European Union Military Staff** (EUMS) is the specialized EU military structure that has the mission to provide military expertise in planning, conducting and assessing the EU-led military operations. It has early warning capabilities and is the organization that carries out situation assessment and strategic planning for European military forces, including force needs, capabilities and planning.

Having all these decision making and planning capabilities in defense issues, the European Union continued the process of becoming an actor in the security area by creating military forces. The European Council decided in 2004, at the Military Capabilities Commitment Conference, to create military units capable of performing the tasks listed in the European Constitution, which mentions at Article I-41 that "the common security and defense policy shall… provide the Union with an operational capacity drawing on civil and military assets."[62] The tasks that these military units may

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[61] Common Foreign & Security Policy (CFSP), http://ec.europa.eu/comm/external_relations/cfsp/intro/index.htm, accessed November 3, 2007.

[62] Jens-Peter Bonde, *The EU Constitution – The Reader Friendly Edition*, Article I-41, paragraph 1, http://www.EUABC.com.

accomplish are so called Petersberg Tasks: disarmament operations, humanitarian and rescue missions, military advice and assistance, conflict prevention and peacekeeping, tasks of combat forces in crisis management and post-conflict stabilization. The Constitution states also that "these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territory."[63]

The European Battlegroups, the concept launched at the European Military Capabilities Commitment Conference in November 2004,[64] completes the military system of the European Union by giving to the civilian and politico-military decision-making bodies created inside this institution the military arm in order to accomplish its ambition to become an important actor in the security and defense area. The "dramatic change from a decade ago is the number of men and women in uniform working for the Council."[65]

All these organizations are designed to provide the political bodies of the Union, namely the Council, the Commission and the European Parliament with the capacity to impose their decisions over the newly created military command structures and to the future European military forces, the EU Battlegroups. By creating this type of structure, the European policy makers had in mind the necessity to create a system of organizations in which the final decisions regarding defense and security be made at the political level, the military structures having the task of providing advice and expertise to the political bodies and to command military forces in accordance with the guidance coming from them. By going this way in structuring their military ambitions, the European Union provided the civilian institutions with the power to decide and limited the power of the military to the level of advice and military command according to the decisions made by policy-makers.

The European Parliament (EP), as the legislative body of the European Union, was supposed to have limited oversight powers over defense and security issues. But, as

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[63] Jens-Peter Bonde, *The EU Constitution – The Reader Friendly Edition*, Article III-309, paragraph 1, http://www.EUABC.com.

[64] *Eu's Battle Groups - Policy Summary*, November 2005, Available At Http://Www.Euractiv.Com/En/Security/Eu-Battlegroups/Article-150151, Accessed December 1, 2006.

[65] EIU ViewsWire, *EU politics: Common Foreign and Security Policy hits 10-year mark*, November 2003.

Ben Crum shows, the European Parliament struggled to accomplish a task that is a normal one in a national context: oversight of the military. From the beginning of the process of creation of the security dimension within the EU, the European Parliament wanted to have a "continuous dialogue with Council by al the Committees concerned with external relations. Thus Parliament seeks to establish a clear position for itself within the CFSP policy routines by using the High Representative as a go-between."[66] According to this principle stated by the European Parliament, the High Representative Javier Solana attended on average four to five EP meeting per year, honoring this institution's claims of oversight of the European security and defense policy.

According to Ben Tonra, "CFSP is now functionally deeper, substantively broader, more institutionalized and more collective in scope (if not yet 'common') than either approach might reasonably have foreseen." [67]

Having created all these institutions, ranging from the High Representative to the military forces and giving, even informally, an oversight possibility to the European Parliament, the European Union ensured a clear democratic control over its military forces, covering the first pillar of democratic civil-military relations. The capability of the political bodies to agree and endorse the European Security Strategy (ESS) in December 2003 was considered by the European bureaucrats another success, "outlining a comprehensive strategic framework which will surely inspire the formulation of any European foreign and security policy in the years to come."[68]

The other two pillars of democratic civil-military relations, namely effectiveness and efficiency of the security and defense apparatus have also been addressed by the European Union and the policy-makers in the member countries.

In this respect, one of the major decisions made and stated in the Draft Constitution in Article I-41 is the creation of the European Defense Agency (EDA),

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[66] Ben Crum, "Parliamentarization of the CFSP through Informal Institution Making? The Fifth European Parliament and EU High Representative," *Journal of European Public Policy* 13:3 (April 2006),393.

[67] Ben Tonra, *Constructing the Common Foreign and Security Policy: The Utility of a Cognitive Approach*, (Malden: Blackwell Publishing Ltd, 2003), 735.

[68] Martin Ortega, "Beyond Petersberg: Missions of the European Military Forces, in *EU Security and Defense Policy, the First Five Years (1999-2004)*, Nicole Gnesotto ed. (Paris, EU Institute for Security Studies, 2004), 82.

which has the missions to identify military capabilities objectives for the Member States, to harmonize the defense requirements, to adopt effective procurement methods, to coordinate national programs and to manage the cooperative projects and to support the research in the defense technology field. One of the measures taken by the two member states with the most advanced defense industry, France and Germany, was the decision to merge the German *Daimler Chrysler Aerospace* and French *Aerospatiale Matra SA* into a European consortium called *European Aeronautic, Defense and Space Company (EADS)*, creating the third largest company in this field after *Boeing* and *Lockheed Martin.*[69] By this decision, the European governments intend to increase the efficiency of the security industry and to become a provider of defense equipment for the member states, among others.

The effectiveness of the European military establishment is still to be proven. The involvement of the European Union in security matters was limited mainly because of the short history of the initiative. However, the European Union is currently conducting a series of operations in accordance with the provisions of the Draft European Constitution and the decisions made by European Commission, such as: EUFOR Althea in Bosnia-Herzegovina, EU Border Assistance Mission at Rafah Crossing Point in the Palestinian Territories (EU BAM Rafah), European Union Police Mission in Bosnia and Herzegovina, EU security sector reform mission in the Democratic Republic of the Congo (EUSEC DR Congo), AMIS EU Supporting Action in Darfur, EUFOR RD Congo, Aceh Monitoring Mission (AMM) in Indonesia.[70] All these current operation are constantly assessed in order to identify their effectiveness and efficiency.

The EU Military Operation in the Former Yugoslav Republic of Macedonia (CONCORDIA), successfully concluded in December 2003, was an important step in the creation of the European military structure and democratic civil-military relation because, despite the fact that at that moment EUFOR was at its very beginning, it showed the

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[69] Julian Lindley-French, Katja Flückinger, *A Chronology of European Security & Defence 1945-2005* (Geneva: Geneva Centre for Security Policy, 2005), 204.

[70] *European Security and Defence Policy (ESDP), EU Operations*, available at http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=268&lang=EN&mode=g, accessed December 1, 2006.

capability of a European military to conduct such an operation and proved the willingness of both EU and NATO to improve cooperation in the security field.

Nicole Gnesotto considers that for these operations,

> … not only the deadlines met (the ESDP had been declared operational at Laeken in 2002) but the mission were crowned in success. In the Balkans and Africa, Europe demonstrated, through these modest in scope but clearly necessary operations, that the ESDP could make a real contribution to the stabilization of crisis or the prevention of humanitarian disasters."[71]

As Caroline R. Earle argued,

> The EU gauged Concordia to be a success, noting the relatively secure environment in Macedonia and emphasizing that the types of security issues now requiring attention, such as human trafficking and organized crime, could better be tackled by police. Others expressed doubt that Concordia had achieved its goals and argued for at least a substantial overlap with deployment of Proxima. The International Crisis Group emphasized the precariousness of the security situation, compounded by lax implementation of the Ohrid Peace Agreement and the delicate ethnic balance. Ethnic Albanians also expressed concerns, fearing potential instability caused by the departure of Concordia. This view was not shared by the EU and the Macedonian government.[72]

By creating this structure, European policy-makers wanted to

> … promote the Union as a global political player, capable of utilizing all the resources available – economic, commercial, humanitarian, diplomatic and, of course military – to act in a coherent and above all effective manner over the whole of its international environment. Therefore it was necessary to start by developing what did not yet existed: a minimum of instrument and capabilities, both civilian and military, which were essential if the Union was to have any international credibility."[73]

Despite the fact that the effectiveness and efficiency of the European military forces is yet to be proven, the conclusion regarding the capability to create a democratic system of civil-military relations within the European Security and Defense Policy as a

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[71] Nicole Gnesotto, "Introduction," in *EU Security and Defense Policy, the First Five Years (1999-2004)*, Nicole Gnesotto ed. (Paris, EU Institute for Security Studies, 2004), 14.

[72] Caroline R. Earle, "European Capacities for Peace Operations: Taking Stock," in *The Future Peace Operations Project*, The Henry L. Stimson Center, (March 2004), 10.

[73] Javier Solana, "Preface," in *EU Security and Defense Policy, the First Five Years (1999-2004)*, Nicole Gnesotto ed. (Paris, EU Institute for Security Studies, 2004), 6.

military establishment could be assessed as encouraging because the institutions established in accordance with the Draft Constitution and the treaties signed by member states crate a democratic framework for development. The democratic deficit of the European Union as a political construction is highly debated by scholars. It applies to the civil-military system too. But European scholars argue that applying this concept to the European Union is misplaced. As Andrew Moravcsik argues**,**

> The constitutional checks and balances, indirect democratic control via national governments, and the increasing powers of the European Parliament are sufficient to assure that the EU policy-making is, in nearly all cases, clean, transparent, effective, and politically responsive to the demands of European citizens."[74]

Also, Jan-Erik Lane argues that "it is true that the EU is in many ways a new form of political system. Thus it is characterized as 'multi-level governance' instead of as a 'state' or a compact political system. In the theory of multi-level governance this distance between citizens and the Union elites is explicitly recognized.[75]

As it is mentioned in an article published by EIU ViewsWire in 2003,

> CFSP thus approaches puberty after a difficult childhood with little sign that its parents have overly high ambitions for its future. … Overall, the CFSP has survived a baptism of fire and taken its first steps in a difficult environment. Its adolescent years will be decisive in determining whether it becomes a healthy adult.[76]

D. CIVIL-MILITARY RELATIONS IN REGIONAL SECURITY INSTITUTIONS: INFLUENCE AND DEMOCRATIZATION

In the aftermath of the Cold War, the Balkans became the first hot spot on the European map. The separation of Slovenia and Croatia from the Yugoslav Republic in

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[74] Andrew Moravcsik, *In Defense of the "Democratic Deficit": Reassessing Legitimacy in the European Union*, Center for European Studies Working Paper No. 92, (Cambridge: Center for European Studies, 2004), 3.

[75] Jan-Erik Lane, *Democracy in the European Union: What is the Democratic Deficit?*, (Geneva: University of Geneva, 2004), 2.

[76] EIU ViewsWire, *EU politics: Common Foreign and Security Policy hits 10-year mark*, November 2003.

early 1990s opened the Pandora's Box of Western Balkans and led to the war in Bosnia and Herzegovina and, in the late 1990s, to the Kosovo War.

In order to try to improve the security environment in the area and to avoid the spread of the conflict, at the initiative of the US State Department, different security arrangements and institutions, such as The Charter of the South-eastern Europe Cooperation Process (SEECP) on Good- Neighbourly Relations, Stability, Security and Cooperation in South-Eastern Europe and the Stability Pact for South-Eastern Europe, were created. The Stability Pact is a

> … political declaration of commitment and a framework agreement on international co-operation to develop a shared strategy for stability and growth in southeastern Europe among more than 40 countries, organizations and regional groupings. The Stability Pact is not, therefore, a new international organization nor does it have any independent financial resources and implementing structures."[77]

As Srdjan Vucetic wrote, it

> was constructed as a contractual link that guides all Balkan states into the European mainstream, particularly the EU. As such, the Stability Pact was welcomed as a historical turning point and an important step towards a fully democratic and united Europe. In the words of analysts and practitioners, the SP came as a much-awaited 'entry strategy'; an attempt to 'Europeanize' and 'de-Balkanize' the Balkans, to the point where, according to the inaugurating speech by Finnish President Ahtisaari, "war becomes unthinkable."[78]

As part of the Stability Pact, so called Multi-National Peace Force in South Eastern Europe/South East European Brigade (MPFSEE/SEEBRIG) was created in September 1998 upon the signatures of seven countries: Albania, Bulgaria, Greece, Italy, Macedonia, Romania and Turkey. In the preamble of this document, it is stated that

> Cognizant of the fact that politico-military co-operation has become a key element in strengthening the European capabilities in the fields of security and defense, believing that co-operation and dialogue among the countries

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[77] Bodo Hombach, *Stability pact for south-eastern Europe: A new perspective for the region*, available at http://www.sam.gov.tr/perceptions/Volume5/September-November2000/VolumeVN3BODOHOMBACH.pdf, accessed December 2, 2006.

[78] Srdjan Vucetic, "The Stability Pact for South Eastern Europe as a Security Community-Building Institution," *Southeast European Politics* Vol. II, No. 2 (October 2001), 109.

> of the region of South-Eastern Europe must be further developed, wishing to contribute to the enhancement of interoperability, considering their commitment to contribute to regional security and stability, and to foster good neighborly relations among the countries in South-Eastern Europe in the context of the Southeastern Europe Defense Ministerial (SEDM) process, the Euro-Atlantic Partnership Council (EAPC) and in the spirit of Partnership for Peace (PfP), have agreed as follows:…"[79],

proving that the main important purpose of this regional security institution was the fact that the signatories wanted to enhance their inter-operability, accepting the framework created by the Euro-Atlantic security institutions, namely Euro-Atlantic Partnership Council and Partnership for Peace, institutions created under the NATO "umbrella", that have one of their goal to influence the development of democratic civil-military relations in the states that were part of these arrangements.

The Agreement establishes clearly, in Article IV, the structure of the security institution and the relation between the political bodies and the military structures. The overall decision making authority is given to the ministerial meetings, which can be at the level of Defense or Foreign Affairs ministers. The Foreign Affairs Ministerial Meetings are supposed to

> focus on political subjects and political aspects of military operations such as, new membership, participation in the Force, involvement in peace initiatives and/or peace support operations, contingencies, relations with international organizations, revision and amendment of this Agreement and related documents and overall political guidance."[80]

By the provision of this article, the Agreement gives the highest authority to a non-permanent political structure, which was entitled to make the most important decision regarding the development and evolution of the institution.

Defense Ministerial meetings are organized in order to analyze the military subjects and to make decisions/recommendations regarding military matters, such as participation in operations, guidelines for the employment of the Force, and approval of planning documents produced by the members of the brigade.

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[79] *Agreement on the Multinational Peace Force South-Eastern Europe*, available at http://www.seebrig.org/, accessed December 1, 2006.

[80] *Agreement on the Multinational Peace Force Southeastern Europe*, Art. IV, paragraph 2, available at http://www.seebrig.org/, accessed December 1, 2006.

The highest permanent politico-military structure of this institution is the Politico-Military Steering Committee (PMSC) as the joint executive body for oversight and providing policy guidance for the day-by-day activities. The PMSC was designed to carry out a multitude of supporting tasks for the military structure, ranging from planning and budgeting to public information policy, and to provide to the political authorities recommendations regarding military issues, such as possible deployments, restructuring the force, revision of the Agreement and others.

Also, the Politico-Military Steering Committee has the authority to approve doctrinal and planning documents written by the military headquarters and to oversee the performance, funding, manning and support of the military element, including approval of the Force HQ Budget.

The permanent military element is composed of a multinational headquarters, a brigade level nucleus staff with a NATO standard organization (G1 personnel, G2 Intelligence, G3 Operations, G4 Logistics, G5 CIMIC and Public Information, G6 Communications and G7 Engineering). The sub-units (battalions and companies) are not under the authority of this institution, but all the elements have the right to visit and assess their training and capabilities. According to the Agreement, "MPFSEE will be a 'ON-CALL' Land Force, supported by elements from other services, as and if necessary."[81]

The structure of this regional security institution is strongly influenced by the NATO structure. It has non-permanent political bodies that have the overall authority, namely the Ministerial Meetings (Foreign Affairs or Defense Ministers), which give guidance to the subordinate structures. The Politico-Military Steering Committee (PMSC), the permanent component of the civilian structure, has both missions to direct the activity of the military components by making decisions related to the day-by-day activities and to make policy recommendations to the higher authorities for decision. By this structure, both the democratic civilian control and civilian oversight are achieved. PMSC has also tasks related to the assessment of military effectiveness, by approving the

[81] Agreement on the Multinational Peace Force Southeastern Europe, Art. VI, paragraph 1, available at http://www.seebrig.org/, accessed December 1, 2006.

military plans and other documents and by receiving and analyzing the annual report that is issued by the Brigade Commander.[82] The effectiveness and efficiency of the military element are also measured by financial reports issued by the Commander. The Agreement also provides recommendations regarding the financial audit, which is also the prerogative of the Politico-Military Steering Committee.

Despite these mechanisms to measure the efficiency of such an organization and the fact that the main goal of such an institution was to "improve regional security and stability, and to foster good neighborly relations among the countries in South-Eastern Europe"[83], there were voices that questioned the real effectiveness of MPFSEE, stating that such an institution should be an active actor in the security field by being deployed for a real stability operation. After being

> declared by the Chairman of the PMSC operationally ready for UN, OSCE, EU and NATO led PSO; the initial SEEBRIG Force offer was forwarded to SHAPE (NATO) in November 2002. In April 2003, PMSC declared SEEBRIG ready to participate in a Peace Support Operation under NATO Command."[84]

MPFSEE was evaluated and certificated by Joint Force HQ Naples (a NATO Command) as "capable of making a meaningful and valuable contribution to NATO-led Peace Support Operations albeit there are a number of limitations that would need to be taken into account at the time."[85]

After this report, MPFSEE was deployed under NATO authority in Afghanistan as KMNB IX (Kabul Multinational Brigade), under ISAF Command, from 06 February 2006 to 06 August 2006, achieving an important goal and starting to prove its capabilities. By this deployment into a theatre of operation, this regional institution again showed that this type of security arrangements could be an effective tool to improve regional security, to be a vector of democratic civil-military relations and an opportunity

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[82] Agreement on the Multinational Peace Force Southeastern Europe, Art. VII, paragraph 8, available at http://www.seebrig.org/, accessed December 1, 2006.

[83] Agreement on the Multinational Peace Force Southeastern Europe, preamble, available at http://www.seebrig.org/, accessed December 1, 2006.

[84] http://www.seebrig.org/geninfo.htm, accessed December 1, 2006.

[85] JFC NAPLES Evaluation Team Report, cited at http://www.seebrig.org/foc.htm, accessed December 1, 2006.

for new democracies to learn from countries with traditions in this domain, by bringing to the same table diplomats and military personnel from different countries from a hot spot in Europe.

E. CONCLUSION

The importance of the international security institutions in the current security environment is obvious. Only looking to the evolution of the situation in the Western Balkans from the moment when NATO, with its experienced command and control system and, implicitly, institutionalized civil-military relations, became involved clearly shows that their effectiveness in solving security problems is far greater then the United Nations, an institution that at the moment of involvement in this area, had neither permanent command and control nor a system of civil-military relations and based its actions on ad-hoc arrangements.

The question is why did these organizations become so important and more effective than other forms of international organizations? Their secret is their organization. Despite the fact that scholars consider that "major institutions are organized in radically different ways,"[86] the security institutions analyzed in this chapter present many similarities in their structures and the same characteristics of their civil-military relations. They have an overall political authority, permanent or non-permanent, which creates policies, makes the most important decisions and provides guidelines to the permanent structures of the respective institutions. They are either councils, which meet regularly, (the North Atlantic Council in NATO or European Council in EU) or Ministerial Meetings (in MPFSEE). These civilian political structures exercise the overall authority and respond to the first pillar of the democratic civil-military relations, namely civilian political control. The Clausewitzian concept saying that "if war is part of policy, policy will determine its character," applies to these organizations that showed their use fullness in the twenty-first century. Also, Huntington's varieties of civilian control over

military, written for the national level of analysis, applies to the modern multi-national security institutions, in which the "the authority of the military groups is normally limited to the military matters."[87]

All of them also present a degree of democratic deficit, what Heiner Hänggi calls "the double democratic deficit"[88]: first, the citizens of the member states do not have a direct influence on the decisions made by the policy-makers in these institutions, so the function of *public oversight* is not accomplished by any institution or organization, and second, the *parliamentary oversight* is not exercised by national parliaments.

The North Atlantic Treaty Organization, as the security institution created to defend the West against the Soviet threat in the aftermath of the Second World War, created the precedent in organizing such an institution. Conceived in the United States, the NATO structure was supposed to provide not only the Western democracies with defense and security, but to influence the creation of democratic structures and institutions in the member countries, most of whom were either conquered by Nazi Germany or were part of the Axis alliance – in both cases the member states needed models to develop democratic relations between the political and military elements of their stateness. By the creation of such a complicated political and military structure, the American officials "required to submerge the rival nationalisms within the larger cause that would channel the European energies into healthy rather than destructive outlets."[89] In order to achieve these goals, the American officials looked to the organization of the American military and their subordination to the national political institutions, applying this structure to the new multinational organization.

The European Union started the process of becoming an actor in the security domain very early, immediately after NATO, but the development of the European

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[86] Barbara Koremenos, Charles Lipton, Duncan Snidal, "The Rational Design of International Institutions," in *International Organizations*, Vol. 55 No.5 (Autumn, 2001), 762.

[87] Samuel P. Huntington, *The Soldier and the State*, (Cambridge: Harvard University Press, 1957), 88.

[88] Heiner Hänggi, "The Use of Force under International Auspices: Parliamentary Accountability and 'Democratic Deficits'," in *The "Double Democratic Deficit": Parliamentary Accountability and the Use of Force Under International Auspices*, Hans Born and Heiner Hänggi eds., (Aldershot: Ashgate, 2004), 5.

[89] Wallace J. Ties, *Friendly Rivals – Bargaining and Burden-shifting in NATO* (New York: M. E. Sharp, Inc., 2003),

military was stopped by the "French National Assemble [which] adjourns the discussion of the European Defense Community treaty delayed it sine die … and the EDC is dead."[90]

In the late 1990s, the European Union again started the process of creation of European military organization, by creating its second pillar.[91] Because of the great overlapping of membership and the fact that the only available model that proved its effectiveness was NATO, the EU CFSP structure is very similar to the NATO multi-layered politico-military organization. By nominating Mr. Javier Solana, a former NATO Secretary General, as the EU High Representative for CFSP/ESDP, the reasoning to create a similar structure had new incentives. Mr. Solana knew very well that NATO had proven its effectiveness during a history of more than fifty years both in a confrontational environment during the Cold War and in a cooperative one after 1990.

The regional security institutions created in Europe, such as MPFSEE/SEEBRIG, had the same incentives to create organizations that responded to the requirements of democratic civil-military relations. The fact that in their membership are NATO members (in the case of MPFSEE, Italy, Greece and Turkey), which brought the experience and diplomatic expertise, making the structure of these organizations copy the NATO structure, adapted to a regional level of membership. These organizations, mainly those that were created in the Balkans, had another important purpose that copied one of the NATO goals: to increase the incentives for cooperation, to focus the member states' energies on interoperability and cooperation and to increase the level of regional confidence.

By copying the NATO model of organization, which mirrored in some degree the organization of the military at the national level in the United States, it could be concluded that the security institutions analyzed in this paper are copying the model of

[90] Julian Lindley-French, Katja Flückinger, *A Chronology of European Security & Defence 1945-2005* (Geneva: Geneva Centre for Security Policy, 2005), 48.

[91] The EU pillars are: first pillar is the Community, second pillar is the Common Foreign and Security Policy and the third pillar is Justice and Home Affairs.

national democratic civil-military relations, based on the three pillar system: democratic civilian control, military effectiveness and defense efficiency. Also, as the Heiner Hänggi argues,

> with decisions on the use of force increasingly being made by international institutions, even established democracies, where the democratic control of armed forces is usually taken for granted, are struggling to adapt established national mechanisms of accountability to new situations. Since the early 1990s, the deployment and use of national military forces under the auspices of international institutions has repeatedly provoked heated debates in a number of troop-deploying states such as the US, Germany, Canada and the Netherlands – with each of these cases reflecting deficiencies, but also offering new prospects of enhancing democratic accountability for these international engagements."[92]

And identical to the national level, they achieve the "balance between democratic civilian control and military effectiveness."[93] The third pillar, namely the defense efficiency, is difficult to assess, a situation that is identical at national level.

[92] Heiner Hänggi, "The Use of Force Under International Auspices - Parliamentary Accountability and 'Democratic Deficits'," in *The "Double Democratic Deficit": Parliamentary Accountability and the Use of Force Under International Auspices*, (Aldershot: Ashgate, 2004), 4.

[93] Thomas C. Bruneau, "Introduction," in *Who Guards the Guardians and How; Democratic Civil Military Relations*, Thomas C. Bruneau and Scott D. Tollefson ed. (Austin: University of Texas Press, 2006), 1.

III. UNITED NATIONS IN BOSNIA AND HERZEGOVINA

A. INTRODUCTION

The end of any war creates conditions for institutional developments in order to maintain the peace. In the twentieth century, this was demonstrated by the international institutions devoted to maintaining the peace proliferated immediately after the end of the major confrontations. The League of Nations developed after the First World War and its purpose was to "prevent another war and insure international collaboration. … The failure of the League of Nations, culminating with the Second World War, did not diminish the enthusiasm of the world community for seeking institutional safeguards against threats to international peace and security."[94] The United Nations Organization (UN) is the institution created by the powers after World War II and, despite the fact that it shared similar characteristics with its predecessor, the League of Nations, it was also designed to accomplish a broader and more complex set of missions, which included a range of economic and social functions.

Despite the fact that the UN was often blocked by the decision making system in the Security Council, it was capable of creating a set of values that avoided at least some conflicts between the two ideological and political blocs. As William J. Durch states,

> The Cold War kept the United Nations to the margin of global security, yet, over the decades, it helped to keep the margins from unraveling. UN peace observers attended the birth of Israel in 1948, for example, and armed peacekeepers still referee the Golan Heights, positioned between Syrian and Israeli forces. Elsewhere, UN peacekeepers helped to keep East and West from direct military confrontation, serving the West's interests in political-military stability.[95]

During this period, the UN conducted operations which are now referred to by some scholars *traditional peacekeeping missions*, or *first generation peacekeeping* by

[94] Paul F. Diehl, *International Peacekeeping*, (Baltimore, The John Hopkins University Press, 1994), 1

others, which limited the international involvement to "interposition a force after a truce has been reached"[96] and is designed to "creating space for negotiation of the underlying dispute."[97]

The end of the last war in the so-called "Short Century,"[98] the Cold War, brought changes in the international arena and, subsequently in the understanding of the international community's role in maintaining peace. In the late 1980s, "a number of conflicts that [the Cold War] helped to sustain came to an end."[99] The end of the East-West confrontation, that often blocked the decisions made by the UN Security Council, created conditions for the international community to be more effective in mounting successful operations in areas that continued to be in a situation of interstate or intrastate conflict.

But the conditions created at the beginning of the 1990s had another effect: the increasing role of international institutions.

> There is considerable evidence to suggest that the end of another war – the Cold War – is ushering in a new era for international organizations. The decline of the East-West tensions led to a greater cooperation between superpowers, often in the context of international organizations. … In the large part, this was possible because tensions between the superpowers neither escalated hostilities nor paralyzed concerted action by the Security Council."[100]

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[95] William J. Durch, "Keeping the Peace: Politics and Lessons of the 1990s," in *UN Peacekeeping, American Politics, and the Uncivil wars of the 1990s*, ed. William J. Durch, (New York, St. Martins Press, 1996), 1

[96] Michael W. Doyle and Nicholas Sambanis, *United Nations Peace Operations, Making War and Building Peace*, (Princeton: Princeton University Press, 2006), 11.

[97] William J. Durch, "Keeping the Peace: Politics and Lessons of the 1990s," in *UN Peacekeeping, American Politics, and the Uncivil wars of the 1990s*, ed. William J. Durch, (New York, St. Martins Press), 3.

[98] The term "The Short Century" was used for the first time by Eric Hobsbawn, in his book *The Short Century*, written 1994, in which he claims that the Twentieth Century opens with the outbreak of the First World War and terminates at the end of the Eighties with the downfall of the Communist regimes in Eastern bloc countries.

[99] William J. Durch, "Keeping the Peace: Politics and Lessons of the 1990s," in *UN Peacekeeping, American Politics, and the Uncivil wars of the 1990s*, ed. William J. Durch, (New York, St. Martins Press), 1.

[100] Paul F. Diehl, *International Peacekeeping*, (Baltimore, The John Hopkins University Press, 1994), 1

But the United Nation stopped being the only organization strongly involved in the processes of imposing or maintaining international peace.

Chester A. Crocker, Fen Osler Hampson, and Pamela Aall, in their book *Leashing the Dogs of War*, recognize the dramatic change in understanding not only the UN role in the management of the peace, but the role of other organizations. They wrote that

> During the 1990s, great powers and international organizations such as the United Nations also began to play a much greater role in conflict management processes, including the mediation and negotiation of international disputes. The same is true of regional and subregional organizations, which also began to expand their roles in conflict management, sometimes with the support and backing of the international community. At the same time, a wide variety of small-state and nonstate actors also offered their services in conflict management and resolution processes with positive effect."[101]

B. UNPROFOR IN CROATIA

In 1991, the war in the former Yugoslavia began with the Slovenian and Croatian declarations of independence from the Yugoslav federation. The "rising tide of nationalism, socioeconomic decline and the near complete paralysis of the federal institutions swept the old Yugoslavia toward the abyss."[102] After the outbreak of the hostilities, the international community used the diplomacy in its attempts to stop the conflict and return the region to the status it had before 1990. These attempts were not successful and the UN, as the international institution dedicated to preserving peace and security, decided, in June 1991, to deploy a force in Croatia, United Nations Protection Force (UNPROFOR), that had the mission to create conditions for the withdrawal of the Yugoslav army from Croatia, to provide the security of so called *United Nations Protected Areas* and to provide appropriate support to humanitarian organizations operating in these areas. This force evolved in the next years by extending its area of

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[101] Chester A. Crocker, Fen Osler Hampson, and Pamela Aall, "Introduction" in *Leashing the Dogs of War*, Chester A. Crocker, Fen Osler Hampson, and Pamela Aall eds., (Washington, United States Institute for Peace, 2007), 6.

[102] William J. Durch and James A. Schear, "Faulttlines: UN Operations in Former Yugoslavia," in *UN Peacekeeping, American Politics, and the Uncivil wars of the 1990s*, ed. William J. Durch, (New York, St. Martins Press, 1996), 193.

responsibility to almost the entire territory of the Former Yugoslav Federation and by enlarging its mandate from a very limited one at the beginning, "to create the conditions of peace and security required for the negotiation of an overall settlement of the Yugoslav crisis,"[103] to a Chapter VII mission type mandate in Bosnia and Herzegovina in protecting the *safe areas* and the need for air support in order to accomplish this mission.

Four years after its creation, UNPROFOR became a

> massive commitment of the United Nations, … Two of every three blue-helmeted peacekeepers that the United Nation fielded globally were located there, escorting relief convoys, monitoring cease-fires, patrolling buffer zones, repairing roads and bridges, and performing a multitude of other tasks, often at very high risks, But UN operations were pulled in competing directions by difficult and, at times, inconsistent mandates. Some tasks were performed well, eve heroically, but in other areas UN's performance was even at best, its mandates a substitute for stronger armed intervention that United States and its allies were reluctant to undertake."[104]

UNPROFOR's initial set of tasks in Croatia were set by the UNSCR 743, which was based on the plan negotiated by Cyrus Vance, the personal envoy of the UN Secretary General for Yugoslavia. During the first two years of deployment, the *Vance Plan* provided the most important guidelines for the military forces involved in this operation. Generally speaking, the first phase of the UNPROFOR operations in Croatia were mainly focused on the *security pillar* of the stabilization efforts. The Vance Plan saw the resolution of the conflict in Croatia as the result of the "extraction of JNA [Yugoslav National Army] from Croatian territory and the establishment of several zones, known as United Nations Protected Areas (UNPAs)."[105] These tasks were supposed to be accomplished in a non-hostile environment, in which cooperation of the actors in the conflict was required. According to these tasks, the Rules of Engagement (ROE) were derived from the normal UN peacekeeping rules, limiting the rights of UN

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[103] Resolution 743 of the Security Council S/RES/743 (1992).

[104] William J. Durch and James A. Schear, "Faulttlines: UN Operations in Former Yugoslavia," in *UN Peacekeeping, American Politics, and the Uncivil wars of the 1990s*, ed. William J. Durch, (New York, St. Martins Press), 194.

[105] William J. Durch and James A. Schear, "Faultlines: UN Operations in Former Yugoslavia," in *UN Peacekeeping, American Politics, and the Uncivil wars of the 1990s*, ed. William J. Durch, (New York, St. Martins Press), 209.

personnel to use the force in self-defense, as the first priority, to resist attempts to prevent UNPROFOR from accomplishing its missions and to counter the military incursions into the UNPAs. These rights were more limited by the provisions related to the necessity to warn verbally and by warning shots for the proximal use of force.

In an analysis of the UNPROFOR ROE, published in 1994 in ORBIS, Bruce D. Berkowitz states that

> … the underlying problem is that the ROE, which might work in a true peacekeeping operation, are being used in a situation in which there is no peace. The U.N. forces are expected to operate in the countryside, securing safe areas, protecting civilians, and monitoring the opposing forces (see the section on "Cordon and Search Operations"). Yet, the ROE do not allow the forces the means to carry out such operations effectively or at an acceptable level of risk."[106]

The structure of UNPROFOR was also a reflection of the will of the civilian decision makers in the UN Security Council to control the operation in detail. Paul F. Diehl, analyzing the UNPROFOR operation in the former Yugoslavia in his book *International Peacekeeping*, states that

> … the special representative of the Secretary General has been given a decision making role beyond what has been accorded UN personnel in the past. Before United Nations has taken action, even simple action such as returning fire, approval from UN Representative as well as some of the major states has been required."[107]

In terms of civil-military relations, by giving this decision-making power to the civilian leadership of the mission, the UN planners sacrificed the efficiency of the mission in order to maintain maximum civilian control over the military forces involved in UNPROFOR. But, this principle, correct by itself, was undermined by the fact that the command structure of the mission was affected by the will of UN decision-makers to keep the effort of the mission divided both geographically and organizationally.

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[106] Bruce D. Berkowitz, Rules of Engagement for U.N. Peacekeeping Forces in Bosnia, *Orbis*, (Fall 1994).

[107] Paul F. Diehl, *International Peacekeeping*, (Baltimore: The John Hopkins University Press, 1994), 195.

The UNPROFOR command and control structure, presented in Figure 1, lacked unity of effort because it did not encourage the cooperation among the elements of the force and made the process of decision making difficult in fields that required coordination. The existence of five separate chains of command (military forces, administration, civil affairs, civil police and military observers), partly military and partly civilian, created an environment in which the relations between the members of the force were impeded. William Durch, analyzing the subject, states that

> … from the start, UNPROFOR's command structure did not promote unity of effort. In addition to serving as chief political adviser, the Director of Civil Affairs (DCA) directed the civil police monitors. The operation's chief administrative officer (CAO) controlled the purse strings and reported directly to New York, in a traditional UN arrangement. Finally, the chief military observer (CMO) commanded the mission's several hundred unarmed UNMO. The DCA, CAO and CMO had personnel in each of the military sectors who reported directly to them and were not organizationally responsive to the military sector commanders."[108]

The efforts of UNPROFOR in Croatia were initially directed towards the protection of the UNPAs and demilitarization/disarmament tasks, based on the Vance Plan. There were little successes in this task, because of the fact that both the Yugoslav Army and Croatian forces (JNA) did not withdraw from UNPAs and did not respect the buffer zone agreed under the international mediation process. The most difficult part, and, the most important factor in the UN plan, was the demilitarization of the militias created by the two factions. And, lacking the means to enforce this task, it was unsuccessful. As William Durch observes, "the Vance Plan, moreover, gave UNPROFOR no license to implement agreed provisions by force, and in all likelihood the parties would not have accepted a de facto intervention force whose guns might at some point be turned on them."[109]

And, because of this, but also because of the organizational/institutional problems of the mission, the presence of UNPROFOR in Croatia had an unintended effect: by

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[108] William J. Durch and James A. Schear, "Faultlines: UN Operations in Former Yugoslavia," in *UN Peacekeeping, American Politics, and the Uncivil wars of the 1990s*, ed. William J. Durch, (New York, St. Martins Press), 213.

[109] Ibid., 222

pressing on JNA to end the support of Croatian Serbs, it pushed the situation to go off balance and gave the Croatian forces an important advantage. Not supported, the *krjina* Serbs did not have any other choice than capitulate and try to gain the maximum from this unbalanced situation.

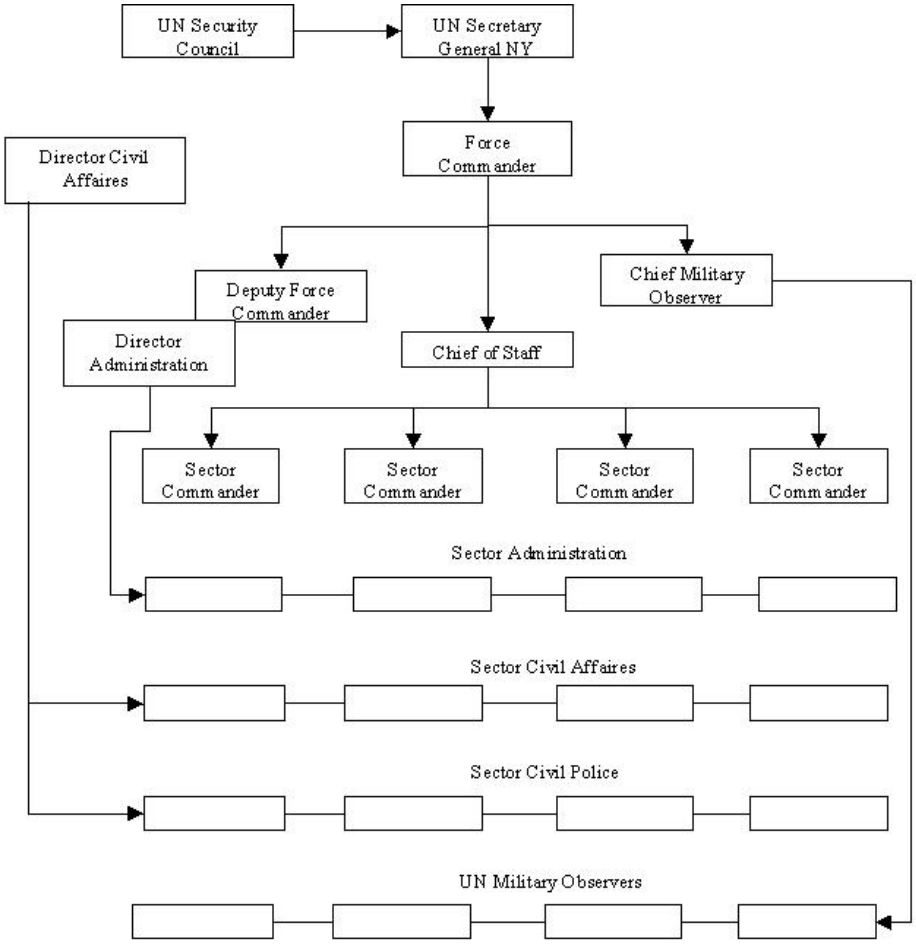

Figure 2. UNPROFOR – Croatia command relationship[110]

The UNPROFOR presence in Croatia, despite the successes in protecting minorities from violence and in humanitarian issues, by the unbalanced situation that resulted from accomplishing its mission gave to Croatian forces important advantages. As Michael Doyle and Nicolas Sambanis wrote, "while peacebuilding offers the opportunity

[110] The UNPROFOR structure is depicted in several books, having as primary source the UN Secretary General Report related to the implementation of the UNSCR 743. The current was published in William J. Durch and James A. Schear, "Faultlines: UN Operations in Former Yugoslavia," in *UN Peacekeeping, American Politics, and the Uncivil wars of the 1990s*, ed. William J. Durch, (New York, St. Martins Press), 214.

for once-warring sides to live together, it does not make them like each other."[111] UNPROFOR did exactly this, and the unintended consequences, the fact that it created an unbalanced situation in Eastern Croatia, "it was only a matter of time before Zagreb would try to settle the matter by force."[112]

C. UNPROFOR IN BOSNIA-HERZEGOVINA

Despite the fact that the initial mandate of UNPROFOR was limited to Croatia, the presence of this United Nations force in Bosnia-Herzegovina dated from the beginning of its deployment. In the initial phases of the mission, the headquarters of UNPROFOR were located in Sarajevo, and, because the situation in the region had deteriorated, in April 1992 the UN Security Council decided to deploy 100 military observers in certain parts of Bosnia. Because of the rapid development of the conflict between Bosnian Croats and Muslims on one side and Bosnian Serbs on the other, both the UNPROFOR headquarters and the observers were redeployed back in Croatia in the UNPAs, leaving in the area 100 personnel to promote local cease-fires and support humanitarian activities in Sarajevo. But the efforts of the UN personnel had no results and, through a series of Resolutions (769 to 776/1992), the UN Security Council expanded the mandate of UNPROFOR "to support the delivery of humanitarian aid to Bosnia and Herzegovina."[113]

This extension of the UNPROFOR mandate and increase in numbers was made in circumstances that were not usual for UN forces. Michael W. Doyle and Nicholas Sambanis considered that "Bosnia presented a difficult peacebuilding ecology with high levels of hostility: an ethnic war with high numbers of death and displacements."[114] Characterizing the environment in Bosnia, Marcus Cox considered that

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[111] Michael W. Doyle and Nicholas Sambanis, *United Nations Peace Operations, Making War and Building Peace*, (Princeton: Princeton University Press, 2006), 11.

[112] William J. Durch and James A. Schear, "Faultlines: UN Operations in Former Yugoslavia," in *UN Peacekeeping, American Politics, and the Uncivil wars of the 1990s*, ed. William J. Durch, (New York, St. Martins Press), 213.

[113] UNSCR 776/1992.

[114] Michael W. Doyle and Nicholas Sambanis, *United Nations Peace Operations, Making War and Building Peace*, (Princeton: Princeton University Press, 2006), 169.

> …intervention in Bosnia and Herzegovina took place in an environment of substantial State collapse. At the point when the Republic of Bosnia and Herzegovina gained widespread international recognition as an independent State, it lacked the objective features of Statehood. The central government had become essentially a Bosnia regime with some intermittent Croat involvement, and controlled barely 30 percent of the territory."[115]

The mandate given to UNPROFOR in Bosnia and Herzegovina differed dramatically from the one it had in Croatia. In UNSCR 770,

> … the Council, acting under Chapter VII of the United Nations Charter, called on States to take nationally or through regional agencies or arrangements all measures necessary to facilitate, in coordination with the United Nations, the delivery of humanitarian assistance to Sarajevo and wherever needed in other parts of Bosnia and Herzegovina."[116]

The fact that Chapter VII is mentioned in the mandate creates a new ground for UN interventions, because it was deployed in a country torn by ethnic war, with no boundaries among factions and no local authorities to provide for the local population. The invocation of Chapter VII of the UN Charter, an authorization that was denied during the Cold War, is normally given "when peacekeeping missions have experienced difficulties (notably UNPROFOR in former Yugoslavia), [and these] mandates have been revised … to emphasize the right to self-defense … It has tended to represent a rhetorical escalation in lieu of greater material or political support."[117]

The UN intervention in Bosnia and Herzegovina is seen by many authors as inappropriate either because of the mandate given, such as Durch and Schear, who consider that it was deployed "nor to monitor cease-fire (as in Croatia), nor to impose peace, but to keep the population alive while the war – and diplomatic efforts to end it –

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[115] Marcus Cox, "The right to return Home: International Intervention and Ethnic Cleansing in Bosnia and Herzegovina," *The International and Comparative Law Quarterly*, Vol. 47, No.3 (1998), 600.

[116] United Nations Protection Force: Mission Profile, available at http://www.un.org/Depts/dpko/dpko/co_mission/unprofor.htm, accessed on February 02 2007.

[117] Simon Chesterman, *You, the People: the United Nations, Transitional Administration, and State-Building*, (Oxford: Oxford University Press, 2004), 102.

continued,"[118] or because they considered that "the Security Council sent UNPROFOR, a peacekeeping force, into a war situation because not-so-united nations that made up the Council were unwilling to contemplate the drastic alternatives available,"[119] as Doyle and Sambanis write. The lack of a clear mandate and the limitation imposed on the UNPROFOR forced the commanders to make difficult decisions regarding the capabilities of the force. The force composition was clearly limited by both the UN decision and by the lack of international support for the operation. The fact that the UN Secretary General requested a force strength of 35,000 troops, and the Security Council approved only 7,500 led some commanders to make difficult decision in order to substitute the weakness in number with equipment. According to the first UNPROFOR commander, Maj. Gen Lewis MacKenzie, in order to provide more firepower for peacekeepers, he was

> … working around the UN bureaucracy and dealing with his own government: 'The UN never did authorize us to bring the missiles for the TOW [antitank weapon]. We were authorized to bring the vehicle [it was mounted on]. In the end, *we cheated* and brought the missiles anyway. Can you imagine telling soldiers to bring the weapon but not the ammunition? We were also told we could bring mortars, but not high-explosive ammunition—only illuminating rounds to help us see at night. *We ignored that order also.*' "[120]

The unclear mandate, the lack of any consent of the parties to allow the humanitarian aid to flow, and the difference between the mandate given and the capabilities of the forces made UNPROFOR, as time passed, not a solution to the problem but a part of it. There was no place for UNPROFOR to occupy, because there were no clear parties of the conflict. More over, UNPROFOR was simultaneously in Croatia at that time, and the Bosnian conflict had close links with the Croatian one. And,

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[118] William J. Durch and James A. Schear, "Faultlines: UN Operations in Former Yugoslavia," in *UN Peacekeeping, American Politics, and the Uncivil wars of the 1990s*, ed. William J. Durch, (New York, St. Martins Press), 223.

[119] Michael W. Doyle and Nicholas Sambanis, *United Nations Peace Operations, Making War and Building Peace*, (Princeton: Princeton University Press, 2006), 164.

[120] Cited in Mark A. Bucknam. *Responsibility of Command. How UN and NATO Commanders Influenced Airpower over Bosnia*, (Maxwell Air Force Base: Air University Press,2003), 9.

"it was inevitable that UNPROFOR would find itself entangled in the Bosnian war."[121] Samuel Huntington, in *The Clash of Civilizations and the Remaking of World Order*, wrote: "… in Croatia the Croatian government and Croats fought the Croatian Serbs, and in Bosnia and Herzegovina the Bosnian government fought the Bosnian Serbs and Bosnian Croats, who also fought each other."[122]

The accomplishment of the UNPROFOR missions in Bosnia and Herzegovina became more and more challenging, because of the numerous threats posed by all parties to UN convoys and observation posts, both on ground and from air. This led the UN Security Council to escalate the mission, banning all flights in Bosnian air space, except those in support of United Nations operations, including humanitarian assistance. But UNPROFOR did not have any capability to enforce this task, except the observation and inspection of airfields in Croatia, Yugoslavia and Bosnia. In order to make the UN forces capable of accomplishing this new task, UNSC approved by Resolution 786 (1992) "expansion of UNPROFOR's strength by 75 military observers to enable it to monitor airfields in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)."[123] By the same resolution, the Council asked member states to provide technical assistance in the efforts of monitoring the *no-fly-zone* over Bosnia and Herzegovina. This request recalled the lessons learned from the Gulf War in 1991, when the intensive use of air power led the coalition to a decisive victory. Despite these previous successful use of force in UN mandated missions, "the majority view amongst senior military officers in three of the most influential NATO nations—the United States, Britain, and France—was one of deep skepticism about the prospects for using airpower to quell the violence in Bosnia."[124] But this skepticism was strongly opposed by the NATO Secretary General, Dr. Manfred Worner. In 1992-1993,

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[121] Robert C. Owen, *Deliberate Force, A Case Study in Effective Air Campaigning*, (Maxwell Air Force Base: Air University Press, 2000), 18.

[122] Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order*, (New York: Touchstone, 1997), 294.

[123] United Nations Protection Force: Mission Profile, available at http://www.un.org/Depts/dpko/dpko/co_mission/unprofor.htm, accessed on February 02, 2007.

[124] Mark A. Bucknam, *Responsibility of Command: How UN and NATO Commanders Influenced Airpower over Bosnia*, (Maxwell Air Force Base: Air University Press, 2003), 57.

> Worner made clear his view that NATO should take a more active stance toward the atrocities in Bosnia. In reviewing his public addresses in 1993, it is striking how forcefully he called for the NATO action while recognizing the deep divisions in the alliance at the time. Worner wanted NATO to accept new roles in transatlantic security after the Cold War."[125]

Despite these national concerns about involving NATO in the Balkans, NATO air power started to be added to UNPROFOR, creating a unique situation: a military alliance, that was yet perceived as a result of the Cold War and it was focused on conventional war, supporting a UN operation in proximity of NATO territory. At the beginning, NATO supported UNPROFOR deploying its AWACS aircrafts and providing information to UN observers about the air situation over Bosnia and Herzegovina.

But the situation changed in March 1993, when three aircrafts dropped bombs on two villages east of Srebrenica, and both NATO and the United States decided that they should respond to the UN Security Council request for air support of UNPROFOR. After a couple of weeks of discussions in NATO, "Dr. Manfred Worner, informed him [the UN Secretary General] that the North Atlantic Council had adopted the 'necessary arrangements' to ensure compliance with the ban on military flights and that it was prepared to begin the operation at noon GMT on 12 April 1993."[126]

This decision marked a very important change in the understanding of peace operations. NATO, a military alliance with an enormous military power, involved in a peace operation conducted by the UN, and that required more than a political decision. NATO, a fifty year old military alliance, having its doctrine and equipment targeted toward warfare, had to cooperate with an organization in which the use of force was drastically limited by norms and rules. The peacekeeping itself, with also a fifty-year history, had developed in a completely different direction, of limited use of force, legitimacy and neutrality/impartiality. But the situation in Bosnia, as mentioned earlier, put the UN forces in a completely different situation: UNPROFOR became part of the problem, not a solution to it.

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[125] Ryan C. Hendrickson, "Leadership at NATO: Secretary General Manfred Worner and the Crisis in Bosnia," *The Journal of Strategic Studies*, Vol.27, No.3, (September 2004), 515.

[126] United Nations Protection Force: Mission Profile, available at http://www.un.org/Depts/dpko/dpko/co_mission/unprofor.htm, accessed on February 02, 2007.

In support of UNPROFOR, NATO planned Operations *Deny Flight* and *Deliberate Force*, operations that had unique characteristics for NATO at that time. The operations could have been characterized as an Operation Other than War (OOTW), they were *out-of-area* operations, formally prohibited under the Washington Treaty. At least officially, conditions were either not according to NATO doctrine, (in fact, at that moment NATO did not have a doctrine for OOTW) or they were politically not acceptable. But the personality of the NATO Secretary General Manfred Worner, his commitment "to garner support for NATO's relevance in Bosnia at this time"[127] and his views about the new role of NATO in the post-Cold War environment made the national leaders agree, a fact that opened a new phase in the history of NATO.

The NATO support for UNPROFOR was, for the first time, when it was mentioned in the UN Security Council Resolution covered under a general statement: "member-states, acting nationally or through regional organizations may take . . . all necessary measures, through the use of air power . . . to support the force in the performance of its mandate."[128] This statement did not directly mandate NATO, and, additionally, imposed limitations on the effective use of NATO air power through the following conditions: ''subject to close coordination with the Secretary General and the Force''[129] and ''in the performance of [UNPROFOR] mandate set out in paragraphs 5 and 9 above.''[130]

Resolutions 836 and 844, both dealing with the support of UNPROFOR by NATO, first created misunderstandings for UNPROFOR commanders. Michael C. Williams, a former director of information, writing about the UN's civil-military relations, states that UNPROFOR commanders, Generals Morillon and Wahlgren had little idea how to proceed with the implementation of the safe areas resolutions. Second, the cooperation required a system of coordination, in which both NATO commanders and

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[127] Ryan C. Hendrickson, "Leadership at NATO: Secretary General Manfred Worner and the Crisis in Bosnia," *The Journal of Strategic Studies*, Vol.27, No.3, (September 2004), 516.

[128] S/RES/836 (1993), para. 10.

[129] Ibid.

[130] Ibid.

UN commanders be able to intervene in deciding the use of NATO air power both as a means of avoiding "blue-on-blue fire" and to ensure maximum effectiveness of this procedure.

But the NATO support would face other challenges. The lack of military decision-makers in the UN would make this cooperation more difficult. The decision making powers granted to military commanders in NATO, was not given to UNPROFOR military commanders, but to civilian UN representatives, and this situation made the cooperation very difficult. The lack of military decision making in the UN institutional organizations, the reluctance of UN representatives to use lethal force and, as this thesis argues, the lack of understanding of civil-military relations in the UN brought many problems into the process of cooperation between these two organizations.

In order to solve the institutional dilemma of NATO as a supporting force, to use force and UNPROFOR, the supported force, to request the use of force and to control the delivery of the force to the position and time necessary, caused NATO and UN commanders clash over control of the operation. It was a clear difference in the understanding of civil-military relations and the delegation of authority in the two organizations. In NATO, "the procedures for air-to-ground missions stipulated that ordnance could be expended over Bosnia only with clearance from one of five senior NATO commanders, with… the CAOC director being the lowest level of approval authority."[131] In the UN, the control of the use of force was even tighter, being in the hands of the civilian leadership, not UNPROFOR commanders. Bucknam states that "on the UN side, air support was also tightly controlled, but at such a high level that it was useless to UNPROFOR commanders. Only Boutros Boutros-Ghali could approve an air attack."[132] Interviewed by Bucknam, one of the UNPROFOR commanders mentions that in the most favorable circumstances, before having the release [approval for an attack], "I needed four to six hours. And we had aircraft in the sky permanently. And I said to

[131] Mark A. Bucknam, *Responsibility of Command: How UN and NATO Commanders Influenced Airpower over Bosnia*,(Maxwell Air Force Base: Air University Press, 2003), 94.

[132] Ibid., 95

General Cot: 'But, it's impossible. We have the aircraft above our heads, and I must wait six hours to have the release to . . . engage one tank, or two tanks.' "[133]

In spite of the fact that the UN Secretary General Boutros-Ghali stated that he had delegated the authority to his High Representative in Bosnia and Herzegovina, this did not solve the problem, because enough though Mr. Yasushi Akashi had the opportunity to make faster decisions, the decision making procedures did not change significantly. As Lt. Col. Bradley S. Davis states in *Deliberate Force, Planning Considerations*,

> even with Akashi's newly delegated authority, delays still occurred. For example, in March 1994, a request to attack a 40-millimeter gun firing on UN forces in the Bihac area took over six hours for approval. Ironically, two AC-130 gunships over the area had the offending gun in their sights, but by the time they received clearance, the gun had moved back under camouflage and escaped."[134]

The conflicting relations among the UNPROFOR commanders and the political leaders created dysfunctional civil-military relations in the UN, making both sides react. The UNPROFOR commander publicly complained about these problems with the decision-making procedures in Bosnia and Herzegovina and, in response, the UN officials, including Secretary General Boutros-Ghali, requested the replacement of the commander.

This continuous struggle between the civilian leadership in UN Headquarters in New York and in the theatre of operation continued during the entire operation and this situation made the international community to see this UN operation as unsuccessful. The perception of UNPROFOR success and, in general, the UN efforts for peace, is stated clearly by Mark Duffield in his interview made by Joe Stork, in which he stated that "there is a danger of just using humanitarian aid – Bosnia is the classic case of this – as a smoke screen to hide *political failure*. (emphasis added)"[135]

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[133] Briquemont interviewed by Mark A. Bucknam, in, *Responsibility of Command: How UN and NATO Commanders Influenced Airpower over Bosnia*,(Maxwell Air Force Base: Air University Press, 2003), 95.

[134] Lt Col Bradley S. Davis, "The Planning Background," in *Deliberate Force A Case Study in Effective Air Campaigning*, Col Robert C. Owen, USAF, ed. (Maxwell Air Force Base: Air University Press, 2000), 60

[135] Mark Duffield, Joe Stork, "Bosnia is the Classic Case of Using Humanitarian Aid as a Smokescreen to Hide Political failure," *Middle East Report*, 187/188 (1994), 23.

D. CONCLUSION

UNPROFOR, by the time it was planned and conducted, was a reflection of the changing security environment after the end of the Cold War. The UN peacekeeping model used during the past fifty years was based on the consent of the parties in inter-state conflicts. The UN bureaucracy working in the peacekeeping domain had the mind-set of the observer missions carried out by the blue helmets around the world that were, mostly, based on Chapter VI of the UN Charter, in relatively non-hostile environments and with the consent of the parties.

The UNPROFOR operation had different parameters that would have needed another approach and different type of UN response. The situation in the UN Security Council in the early 1990s would have made this possible, but the fact that the great powers had different agendas and were not capable of concentrating their efforts on solving the Yugoslav crises caused the international response inappropriate, not coordinated and, it could be also said, late. The pressures that emerged in the Yugoslav Federation in the wake of the end of the Cold War "might have been dissipated by concerted international action early on."[136]

The opportunities offered by the post-Cold War situation would have given the UN, and explicitly to the Security Council, "a new freedom to launch multi-functional peacekeeping operations for largely humanitarian purposes within the boundaries of a single country."[137] But this opportunity was not taken.

In the case of Bosnia and Herzegovina, the UN proved not to be prepared to take immediate and forcible action in an environment that would have required this. The limited mandate, of a largely humanitarian nature, in an ongoing war put UNPROFOR in the situation of not being able to impose a peace process and finally it proved ineffective in accomplishing its mandate. One of the important factors that made the military part of the international efforts ineffective was the fact that the United Nations did not have a

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[136] William J. Durch and James A. Schear, "Faultlines: UN Operations in Former Yugoslavia," in *UN Peacekeeping, American Politics, and the Uncivil wars of the 1990s*, ed. William J. Durch, (New York, St. Martins Press), 199.

[137] Brian Urquart, "Limits of the Use of Force," in *Leashing the Dogs of War*, eds. Chester A. Crocker, Fen Osler Hampson and Pamela Aall, (Washington DC: United States Institute for Peace, 2007), 271.

permanent and experienced military structure to manage the situation and the management of UNPROFOR was civilian and did not give the military commander the freedom of action required in a hostile environment in the field.

The fact that it was such a big difference between the strength of UNPROFOR requested by the force commander and that given to him was the first factor that showed the incapacity of UN to handle the situation. But, this could be considered normal, because those were the forces made available by the UN member-states, and it can be considered that it was not a UN mistake, but rather due to the political unwillingness of the decision makers in the international community. That should have been compensated by a stronger mandate and additional equipment for the military forces – but it was not. Military commanders had made decisions and Gen. MacKenzie needed to cheat and ignore the orders coming from the civilian leadership not to bring the ammunition for certain types of weapons.

After the NATO involvement in the conflict, the civil-military problems became more complicated. On top of existing difficulties between the field commanders and the UN civilian leadership, NATO added a new problem: the lack of experience in institutional cooperation between a military alliance, with an experienced chain of command and clear procedures of delegation of authority from political leadership to military command, and an international institution with, at that moment, very limited military expertise and with a mindset of the first generation peacekeeping. Additionally, the fact that international organizations and agencies were "also split over such issues as the question of impartiality toward the parties … [and] the proper role of UN peacekeeping,"[138] added factors of difficulty to the management of the operation and made inter-institutional civil-military relations more complex.

[138] Elizabeth M. Cousens, "From Missed Opportunities to Overcompensation: Implementing the Dayton Agreement on Bosnia," in *Ending Civil Wars – The Implementation of Peace Agreement*, Stephen John Stedman, Donald Rothchild and Elizabeth M. Cousens eds. (Boulder: Lynne Rienner Publishers, Inc., 2002), 536

The fact that "the UN has no standing military department and relies on troop-contributing nations to provide forces to conduct its operations, very little corporate memory exists within the institution other than for quite limited missions," [139] made the cooperation very difficult.

The inability to manage the relations with military commanders shown by the UN civilian leaders in Bosnia and Herzegovina created un-institutionalized civil-military relations that could be considered inefficient. Karen Guttieri, analyzing civil-military relations in peacekeeping, considered that the two major intergovernmental organizations (IGOs) engaged, the UN and NATO, were "deeply and publicly at odds over the proper military response to the situation in Bosnia in 1994. A 'dual key' arrangement that provided for UN approval of military action by NATO … From a military perspective, the command arrangements were not only untidy, they were unsafe."[140]

The complexity of the operations in Bosnia and Herzegovina showed that there were differences in understanding the command of a military force and these differences jeopardized the effectiveness of the UN peacekeeping force. This fact was identified by many authors as one of the factors of complexity in the realm of peace operations. Paul F. Diehl writes:

> UNPROFOR had command and control problems that have seriously hindered the mission. As in most operations, troops in the operation remained under national control. Yet added to this layer of command is NATO, to which some troop-contributing states belong. Beyond this, the United States, within and outside of NATO, has been a key actor. Finally, the special representative of the Secretary General has been given a decision-making role beyond what has been accorded to UN personnel in the past. Before United Nations has taken action, even simple actions such as returning fire, approval by the UN representative as well as some of the member states or NATO has been required."[141]

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[139] Christopher M. Campbell, The Deliberate Force Air Campaign Plan**,** in *Deliberate Force: A Case Study in Effective Air Campaigning*, Robert C. Owen, USAF, ed. (Maxwell Air Force Base: Air University Press, 2000), 90

[140] Karen Guttieri, *Civil-military relations in peacebuilding*, in *Sicherheitspolitik und Friedensforschung* 2, 2004, 81.

[141] Paul F. Diehl, *International Peacekeeping*, (Baltimore: The John Hopkins University Press, 1994), 195.

Replacing the words *command and control* used by Diehl with a more appropriate concept, namely *civil-military relations*, it shows that the relations between the civilian leadership, namely the UN representative and his staff, and the commanders on the ground in UNPROFOR were an important factor that led to the relative inefficiency of the mission.

The incompatibility of the two institutions, UN and NATO, during their cooperation in Bosnia and Herzegovina was mainly caused by the difference in the mindsets of its personnel. They were completely different: the UN mindset was characterized by the tenets of Cold War peacekeeping, such as limited mandates, inter-state conflicts, impartiality; the NATO mindset was still dominated by the Cold War war-fighting, experienced civil-military relations, military hierarchy, concordance between missions and force levels and so on.

This situation concerned both organizations, and was reflected in many actions taken by both sides. The UN started to change its organization in order to better institutionalize its peacekeeping concept and to adapt it to a more complex situation, creating the UN Department for Peacekeeping Operations (DPKO), a civil-military body able to provide better advice to the civilian leadership. This institution added value to the UN efforts to remain an organization designed to maintain peace and security. It also understood that in complex and violent situation it could rely on other actors' actions, such as

> … regular national or NATO forces [which] are trained, usually have formidable equipment and supporting air and naval forces, and are ready to go when a crisis erupt, provided that the situation demands it and governments in NATO are willing. UN legitimacy, conferred by a decision of the Security Council, can certainly strengthen non-UN peace operations and help them to command the widest cooperation."[142]

[142] Brian Urquart, "Limits of the Use of Force," in *Leashing the Dogs of War*, eds. Chester A. Crocker, Fen Osler Hampson and Pamela Aall, (Washington DC: United States Institute for Peace, 2007), 275.

On the other hand, the NATO political leadership became aware that it could have a role in the new security environment and, as a result, it took-over the military pillar of the peace process in Bosnia and Herzegovina through the implementation of the peace accord signed by the Bosnian factions at Dayton.

IV. EUROPEAN SECURITY INSTITUTIONS IN BOSNIA AND HERZEGOVINA

A. NATO AS THE LEADING ORGANIZATION IN BOSNIA

By 1995, the two security institutions involved in the Bosnian crisis were working in support of each other: NATO air operations were planned in support of UNPROFOR ground operations, making them "increasingly difficult to separate,"[143] both having the same objective – namely to force the belligerent factions to come to an internationally mediated peace settlement. The efforts made by the international third party brought the parties to accept a *coercive compromise*[144] that was brokered by the international community led by the Assistant Secretary of State for European and Canadian Affairs, Richard Holbrooke. This process started in September 1995 and led to a series of agreements that, first, stopped the fighting, and then brought the factions to the negotiation table in United States, at Dayton, Ohio. Here, mediated by UN Department of State, the factions signed the General Framework Agreement for peace in Bosnia and Herzegovina along with its eleven annexes, an agreement known as GFAP or Dayton Agreement. The document had two important goals, to bring to a sustained end to the fighting in Bosnia and to start an almost unprecedented effort of the international community, the building of a viable state, with stable and self-sustaining institutions. The American approach to negotiating this agreement was a "combination of political concessions and military force – what might be called a strategy of coercive diplomacy – [that] hastened the conclusion of a settlement."[145]

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[143] William J. Durch and James A. Schear, "Faultlines: UN Operations in Former Yugoslavia," in *UN Peacekeeping, American Politics, and the Uncivil wars of the 1990s*, ed. William J. Durch, (New York, St. Martins Press, 1996), 247.

[144] Elizabeth M. Cousens, "From Missed Opportunities to Overcompensation: Implementing the Dayton Agreement on Bosnia," in *Ending Civil Wars – The Implementation of Peace Agreement*, Stephen John Stedman, Donald Rothchild and Elizabeth M. Cousens eds. (Boulder: Lynne Rienner Publishers, Inc., 2002), 539.

[145] Steven L. Burg and Paul S. Shoup, *The War in Bosnia-Herzegovina – Ethnic Conflict and International Intervention*, (Armonk, M. E. Sharpe, Inc.: 1999), 318.

The Dayton Agreement covered a wide range of provisions, giving the members of the international community a decentralized set of roles in the implementaon plan. The document, by its annexes, gave specific roles to different international institutions, creating an environment in which, not only the UN, but many organizations were involved in implementing the peace process in Bosnia and Herzegovina.

The United Nations received the roles of supervising the humanitarian aspect of the implementation, the United Nations High Commisioner for Refugees being responsible for supporting the return of refugees and displaced persons, and the role to deploy a International Police Task Force (Annexes 7, 8 and 11 of the Dayton Agreement).

OSCE was also involved, by supervising the next rounds of elections in Bosnia and Herzegovina and monitoring the human rights issues (Annexes 1B, 3 and 6 of the Dayton Agreement).

Compliance with the military aspects of the GFAP (Annexes 1A and 1B) were given to a multinational, UN-authorized military force (IFOR). The Accord clearly states that

> NATO may establish such a force, which will operate under the authority and subject to the direction and political control of the North Atlantic Council ("NAC") through the NATO chain of command. They undertake to facilitate its operations. The Parties, therefore, hereby agree and freely undertake to fully comply with all obligations set forth in this Annex."[146]

By these provisions, the environment in Bosnia and Herzegovina became multi-institutional, giving the opportunity to many actors to work for the settlement of peace in the Europe's backyard. But, also, by giving decentralized tasks and goals to different organizations, it created a relatively new approach to peace operations by taking the *military pillar* from the UN and giving this responsibility to a different institution, in this case NATO. The political control of IFOR was given to the NATO civilian authorities, taking the UN out of the civil-military chain of command.

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[146] The General Framework Agreement for Peace in Bosnia and Herzegovina, Annex 1A - Agreement on the Military Aspects of the Peace Settlement. Available at http://www.oscebih.org/overview/gfap/eng/annex1a.asp, last accessed February 19, 2007.

This was not the only fundamental change in the politico-military decision making system for the implementation of the Dayton Accord provisions in Bosnia and Herzegovina. The newly created position of High Representative, who "is not a UN Special Representative with UN authority and his political guidance comes from a Steering Board of the Peace Implementation Council, which is not a standing internationally recognized political organization,"[147] created new challenges to both political and military structures in accomplishing their tasks. This ad-hoc arrangement created three parallel structures having the overall responsibility of implementing the provisions of the same agreement, without any coordinating authority above them: the military pillar was assigned to NATO, the civilian pillars were coordinated by the High Representative and UN as the mandating authority, which did not want to take the lead role after the unsuccessful UNPROFOR experience. Because of this loose framework of cooperation, the NATO military commander had to create a system of cooperation in which to exercise the civil-military relations both vertically, on its chain of command, and crossover, with the other institutions, in order to be able to "synchronize the civil-military implementation of the Peace Agreement."[148]

[147] Richard L. Layton, Command and Control Structure, in *Lessons from Bosnia: The IFOR Experience*, Larry Wentz ed., (Washington D.C.: Institute for National Strategic Studies, 1997), 37.

[148] Richard L. Layton, Command and Control Structure, in *Lessons from Bosnia: The IFOR Experience*, Larry Wentz ed., (Washington D.C.: Institute for National Strategic Studies, 1997), 39.

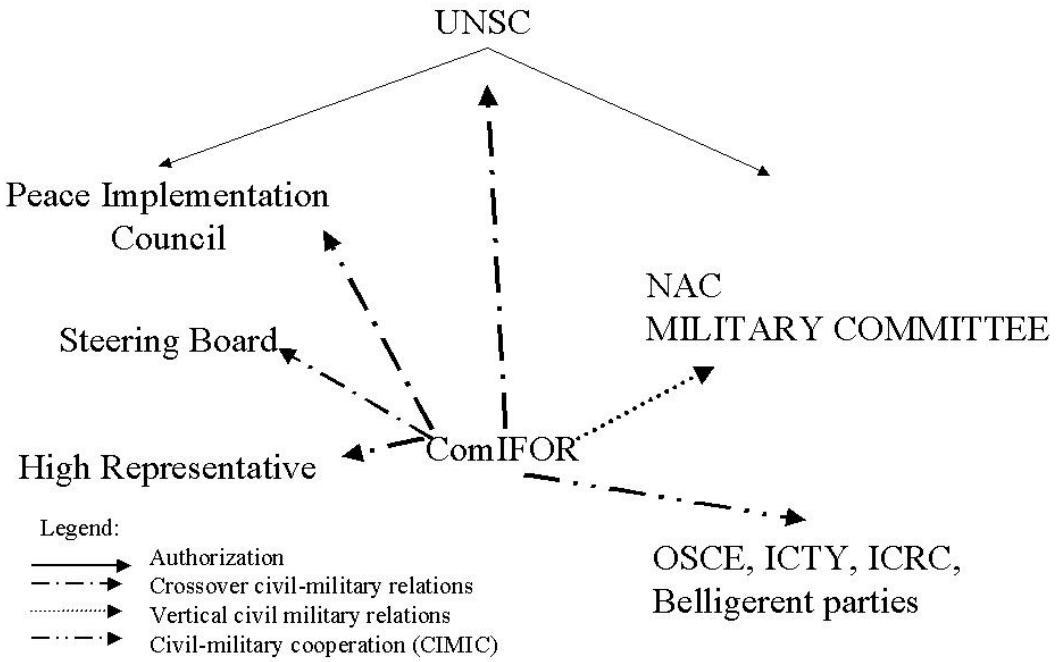

Figure 3. Civil-military Relation in IFOR

In order to solve this complicated system of relations, the IFOR Commander created an institutionalized framework that made the management of the implementation easier, the Joint Military Commission (JMC). According to the Dayton Agreement, the participants in the Joint Military Commission meeting were: COMIFOR, who was the chairman of the Commission; the High Representative, the parties' military commanders and other organizations as invited by the IFOR Commander. The JMC gave more authoritative powers to COMIFOR, because, as chairman, he was empowered to call the meeting, to set the agenda and to invite additional parties to every meeting. Moreover, according to the Agreement, IFOR Commander made the final decisions on military matters.[149]

This arrangement was even extended to the entire theater of operations. Using the Dayton Accord provisions, the IFOR Commander approved the creation of military commissions down to the subordinated military formations. Despite the fact that these

[149] The General Framework Agreement for Peace in Bosnia and Herzegovina, Annex 1A - Agreement on the Military Aspects of the Peace Settlement. Available at http://www.oscebih.org/overview/gfap/eng/annex1a.asp, last accessed February 19, 2007

were called *subordinate military commissions*, in reality they were not "sub-commissions run by the JMC, as the peace agreement suggests."[150] They were local arrangements needed because the High Representative did not have a strong presence in the territory, but the presence of many international and non-governmental organizations made the creation of these commissions a necessity, giving the possibility to the subordinate commanders to establish a similar system of civil-military relations at local level.

By implementing this comprehensive system, the GFAP brought a new approach to the civil-military relations in a UN-mandated peace force: the IFOR Commander (COMIFOR) "is the final authority in theatre regarding interpretation of this agreement on the military aspects of the peace settlement, of which the Appendices constitute an integral part."[151] By this provision, the COMIFOR was given a "textually coequal role"[152] with the Office of the High Representative in Bosnia and Herzegovina, taking out the military commander from a loose institutionalized authority and giving him more freedom of action in the relatively hostile environment at the beginning of the implementation phase. But the COMIFOR was still under the political control of the NATO institutionalized civil-military relations, the North Atlantic Council, and under the supervision of the military structure that existed in NATO. In fact, this was a continuation of the NATO policy regarding its participation in the international efforts in Bosnia and Herzegovina in the previous arrangement, namely supporting UNPROFOR, and it continued the traditional civil-military relations in which the civilian leadership "allowed the SACEUR great discretion in doing what General Joulwan felt necessary to succeed militarily. In this respect, Werner [NATO Secretary General] did not try to micro-manage NATO's military arm and granted the SACEUR operational leeway."[153]

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[150] George Stewart, Frederick D. Thomson, *IFOR's Experience in Bosnia: Three Case Studies*, (Alexandria: Center for Naval Analysis, 1998), 48.

[151] The General Framework Agreement for Peace in Bosnia and Herzegovina, Annex 1A - Agreement on the Military Aspects of the Peace Settlement. Available at http://www.oscebih.org/overview/gfap/eng/annex1a.asp, last accessed February 19, 2007.

[152] Elizabeth M. Cousens, "From Missed Opportunities to Overcompensation: Implementing the Dayton Agreement on Bosnia," in *Ending Civil Wars – The Implementation of Peace Agreement*, Stephen John Stedman, Donald Rothchild and Elizabeth M. Cousens eds. (Boulder: Lynne Rienner Publishers, Inc., 2002), 541.

[153] Ryan C. Hendrickson, "Leadership at NATO: Secretary General Manfred Worner and the Crisis in Bosnia," *The Journal of Strategic Studies*, Vol.27, No.3, (September 2004), 521.

IFOR operations were authorized by the United Nations under Chapter VII of the UN Charter. The NATO-led IFOR's tasks were both classical peacekeeping roles, such as to separate the belligerent armed forces, stabilize the cease-fire, and other types of tasks, different from the traditional peacekeeping tasks, namely to support the implementation of other roles performed by different elements of the international commitment in Bosnia and Herzegovina, such as return of refugees, law enforcement, cooperation with the international criminal proceedings for the International Criminal Tribunal for Former Yugoslavia (ICTY). This was a seen as a critical task, mainly by the international community. One IFOR "has stopped the open conflict, the most important contribution the international community can make towards promoting an enduring peace is to ensure the arrest and surrender to the Tribunal of individuals indicted for war crimes and crimes against humanity,"[154] as states an International Crisis Group report in November 1996. But NATO forces "essentially abdicated its authorized responsibility to apprehend indictees"[155], some of them being part of the IFOR cooperation arrangements, such as Military Commissions at all levels, and apprehending them could jeopardize the process. Moreover, IFOR assiduously avoided supporting the International Police Task Force (IPTF), the entity that had this task as a first priority.[156]

The cooperation between NATO forces and the International Criminal Tribunal for Former Yugoslavia was seen as difficult by various observers of the IFOR mission. *The American Journal of International Law* states that "neither NATO nor any other entity acts as an agent or enforcement arm of the ICTY, … [and] actions of NATO are not dictated or controlled by the Tribunal,"[157] showing that at least that this field of

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[154] International Crisis Group, *ICG Bosnia Report No. 1: Aid and Accountability: Dayton Implementation*, November 1996, available at http://www.crisisgroup.org/library/documents/report_archive/A400146_22111996.pdf, accessed February 2 2007.

[155] Elizabeth M. Cousens, "From Missed Opportunities to Overcompensation: Implementing the Dayton Agreement on Bosnia," in *Ending Civil Wars – The Implementation of Peace Agreement*, Stephen John Stedman, Donald Rothchild and Elizabeth M. Cousens eds. (Boulder: Lynne Rienner Publishers, Inc., 2002), 557.

[156] Manfred Nowack, "Shortcomings of Effective Enforcement of Human Rights in Bosnia and Herzegovina," in Michel O'Flaherty and Gregory Gisvold, eds., *Post War protection of Human Rights in Bosnia and Herzegovina*, (Boston: Martinus Nijhoff, 1998).

[157] ICTY Order for Disclosure of Information by NATO, *The American Journal of International Law*, Vol. 95, No. 2. (April 2001), 404.

cooperation and this supporting task was left behind by NATO forces, in order to be able to successfully implement the other provisions of the Dayton Agreement using the maximum cooperation of the belligerent parties.

The success of the NATO-led IFOR was measured mainly by assessing the security tasks, the Peace Implementation Council concluding, at the London conference in December 1996, that "welcomes the substantial progress made in the past year. In particular: peace has taken root: in 1996, no Bosnian has died in military conflict; elections have been held, with the participation of 2.4 million citizens; barriers to freedom of movement have begun to be dismantled; the establishment of the new multi-ethnic common institutions, most recently the setting up of the Council of Ministers, has begun; reconstruction is underway."[158]

But NATO and the High Representative had their own initiatives for the assessment of success. The operational analysts from IFOR headquarters continually studied the progress of NATO operation and the fulfillment of the Dayton Accord tasks in order to provide comprehensive advice to both the military commanders and civilian leadership. A complete study was published in 2002 by Operations Research and Functional Services Division, NATO Consultation Command & Control Agency, that reflects the progress made by IFOR in implementing the General Framework Agreement for Peace in Bosnia and Herzegovina. The group used a series of indicators, grouped as *The Basic Needs of the Individual*, *The Needs of the Community* and *The Needs of the Nation* to measure the success of IFOR. The results

> … illustrated in an objective manner some initial statistically significant improvements throughout Bosnia and Herzegovina… The greatly improved security situation underpinned by the IFOR military presence will undoubtedly have been one of the most significant factors contributing to the improvements detected by the survey."[159]

158 Peace Implementation Conference, Official Summary of Conclusions: Bosnia and Herzegovina 1997: Making Peace Work, available at http://www.nato.int/ifor/general/D961205A.HTM, accessed February 3, 2007.

159 Nicholas J. Lambert, "Measuring the success of the NATO operation in Bosnia and Herzegovina 1995–2000," *European Journal of Operational Research*, Volume 140, Issue 2, (July 2002), 468.

The IFOR commander used the study both externally, to show the strategic and regional improvements to the civilian members and political leadership of the mission, and internally, as a management tool, to indicate the differences in the recovery or regression in different areas of concern in order to manage the use of IFOR resources according to the needs on the ground. Also, this study was used as a tool to improve civil-military relations with the international community interested in the evolution of the situation in Bosnia and Herzegovina, making it available to the non-governmental and international organizations which "expressed an interest in future collaboration in data gathering and in the sharing of existing data."[160]

The NATO-led IFOR operation opened a new road in planning and conducting peace operations by its characteristics, such as involvement of a military alliance, NATO, designed for total war, into an operation other than war as the leading organization, the fact that the United Nations did not lead the international community commitment and the wide participation of both civilian organizations and national armed forces. This fact created great challenges for the leadership of the mission in Bosnia and Herzegovina in the fist year of commitment, 1996; challenges that were encountered with success by the international community.

An analysis made by the Ad Hoc Group on Cooperation in Peacekeeping mentions that IFOR experience

> … helped to avoid problems encountered by UNPROFOR (mainly because this was not based on a peace agreement) and to ensure a clear definition of military tasks under a unified chain of command… a unified command and control has been a major success, building on experience from the PfP programme and based on innovative command and control arrangements at all levels. Moreover, most nations believe that IFOR's military success derived to a large extent from preformed, proven command structures and logistic systems and from long-term contingency planning carried out at NATO. "[161]

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[160] Nicholas J. Lambert, "Measuring the success of the NATO operation in Bosnia and Herzegovina 1995–2000," *European Journal of Operational Research*, Volume 140, Issue 2, (July 2002), 469.

[161] The Ad-Hoc Group on Cooperation in Peacekeeping, *Lessons Learned in Peacekeeping operations*, (Brussels: Euro-Atlantic Partnership Council, 1997), 9.

Also, Peter Barschdorff, in his article *Can NATO Deliver?* considers that

> NATO is now prepared to act more flexibly, with forces better experienced in peacekeeping, and suitable command and control lines well established. The breakup of Yugoslavia was seen as the herald of violent ethnic and nationalistic strife all over Eastern and South-Eastern Europe, a view that proved to be exaggerated (or, perhaps, a scenario that was successfully prevented)."[162]

In mid-1996, after the assessment that important objectives of Dayton Accord were achieved, among them the fact the dramatic improvement in security and the successfully conduct of the September elections, NATO politico-military leadership concluded that the Alliance needed to re-assess the continuation of the support provided to the international community for the establishment of a secure environment in Bosnia and Herzegovina. According to the NATO Military Authority study carried out in 1996, the Alliance "should organize a Stabilization Force (SFOR). … The role of IFOR was to implement the peace. The role of SFOR is to stabilize the peace. The difference between the tasks of IFOR and SFOR is reflected in their names."[163]

By UN Security Council Resolution 1088, issued on 12 December 1996, SFOR was authorized by the Unite Nations as the legal successor of IFOR, operating under Chapter VII of the UN Charter and using the same robust rules of engagement as the previous force. Its mission was to

> … deter hostilities and stabilize the peace, contribute to a secure environment by providing a continued military presence in the Area Of Responsibility (AOR), target and coordinate SFOR support to key areas including primary civil implementation organizations, and progress towards a lasting consolidation of peace, without further need for NATO-led forces in Bosnia and Herzegovina."[164]

Because the environment was much less hostile, the NATO political authorities decided to reduce the strength of SFOR to 32,000 troops and to re-analyze the force structure every six month in accordance with the accomplishment of the mission and

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[162] Peter Barschdorff, Can NATO deliver?, *SAIS Review*, 18.2 (1998), 194.

[163] History of the NATO-led Stabilization Force (SFOR) in Bosnia and Herzegovina, available at http://www.nato.int/sfor/docu/d981116a.htm, accessed February 3, 2007.

[164] SFOR Mission, available at http://www.nato.int/sfor/organisation/mission.htm, accessed February 2, 2007.

resources available. As a result of these restructuring steps, SFOR strength was decreased by 12,000 in 2003 and continued to be downsized until the end of the mission. The command structure of SFOR remained unchanged, under the full authority of the NATO politico-military leadership and continuing to exercise the same type of civil-military relations.

Despite the fact that "external actors have not created a coherent administrative power"[165] in Bosnia and Herzegovina, SFOR continued to work closely with the Office of High Representative, the UN High Commissioner for Refugees and UN International Police Task Force and its follow-on, European Union Police Mission (EUPM) and OSCE in implementing the provisions of the Dayton Peace Accord.

The most important change in the multi-institutional environment in Bosnia and Herzegovina that was made during the SFOR mission was the fact that the European Union (EU) extended its involvement in the Balkans, by deploying a "police training and advisory mission in Bosnia in the ESDP framework — the EU Police Mission in Bosnia [which] currently comprises just over 150 international police personnel, and its mandate runs through the end of 2007."[166] Also, the EU decided that it should take over the responsibility of the Office of High Representative, a position with limited political legitimacy, which was the result of the political compromise at the end of UNPROFOR mission and which made possible the take-over of the peace process in Bosnia and Herzegovina by NATO in 1996. The transition would have been a gradual one, from the *double hatting* of the High Representative both to the Peace Implementation Committee and to EU, to total evolution of this position into a EU-only office in 2007.[167]

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[165] Stephen D. Grasner, "Sharing Sovereignty – New Institutions for Collapsed and Failing States," in *Leashing the dogs of war – Conflict Management in a Divided World*, (Washington D.C., United States Institute for Peace, 2007), 662.

[166] Julie Kim, "Bosnia And The European Union Military Force (EUFOR): Post-NATO Peacekeeping," in *CRS Report RS21774*, (December 5, 2006), 2.

[167] Julie Kim, "Bosnia And The European Union Military Force (EUFOR): Post-NATO Peacekeeping," in *CRS Report RS21774*, (December 5, 2006), 2.

The relations between SFOR and the other actors involved in the peace effort in Bosnia and Herzegovina evolved on the same parameters initiated during IFOR existence, with NATO as the leading organization and supporting the other actors in performing their tasks.

According to the International Crisis Group Report, in October 1996

> … there have been some successes under the Dayton Peace Agreement: the Central Bank, a common currency, common license plates, state symbols, and the CAFAO-led Customs reforms. So too, SFOR has managed to keep the peace for three and a half years. But the one common factor among these successes is that all were forcibly imposed by the international community. Outside of the DPA framework, the efforts of the World Bank, UNHCR, USAID, the EU, and individual donor nations succeeded in reconstructing much of Bosnia's war-damaged public infrastructure. Today, Bosnia and Herzegovina has new roads, schools, hospitals, bridges, houses, and power lines, and in Sarajevo much of the wartime damage has been repaired."[168]

Elizabeth M. Cousens considers that, by mid-2000, the first criterion of effectiveness of the implementation of the Dayton Agreement, namely consolidation of the cease-fire signed in 1995, had been achieved.[169]

Also, the impact of IFOR/SFOR was also recognized by Michael W. Doyle and Nicholas Sambanis when they analyzed the incident in Brcko, writing "as with IFOR/SFOR, the significant number was the usually heavy international investment in the supervision of the local police"[170] brought the incident to an end.

Despite these recognized successes, the NATO-led force's relation with the ICTY continued to be tense and the IFOR/SFOR mission to apprehend the indictees was considered an area of concern. Officially, the cooperation between SFOR, the Office of the High Representative and the Unites States led to an increase of the number of

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[168] International Crisis Group, *Report N°80: Is Dayton Failing?: Bosnia Four Years after the Peace Agreement*, (Sarajevo, 1999), 8.

[169] Elizabeth M. Cousens, "From Missed Opportunities to Overcompensation: Implementing the Dayton Agreement on Bosnia," in *Ending Civil Wars – The Implementation of Peace Agreement*, Stephen John Stedman, Donald Rothchild and Elizabeth M. Cousens eds. (Boulder: Lynne Rienner Publishers, Inc., 2002), 559.

[170] Michael W. Doyle and Nicholas Sambanis, *United Nations Peace Operations, Making War and Building Peace*, (Princeton: Princeton University Press, 2006), 241.

indictees transferred to The Hague for Trial. According to the *Report on Progress Made Toward Achieving Benchmarks for a Sustainable Peace Process in Bosnia and Herzegovina* presented to the US House of Representatives in June 2003,

> 88 Persons Indicted for War Crimes (PIFWCs) have been transferred to The Hague for Trial. Nineteen indicatees remain at large out of a total of 138 public indictments to date. Acting within its mandate, SFOR has intensified its search efforts, assisted in the transfer of indicatees to The Hague, and supported ICTY field investigations in Bosnia and Herzegovina."[171]

The international community pressed on this fact and the public opinion was aware of the fact that the institutions that had this mission did not solve this important issue of reconciliation. In a Report written in November 2000, *War Criminals In Bosnia's Republika Srpska*, the International Crisis Group depicted the problems that both SFOR, the local police and the EU Police Task Force face in accomplishing this provision of the Dayton Accord. About the SFOR attitude towards this task, the report states:

> The ICTY regularly forwards both its public and sealed indictments to SFOR. Yet war crimes arrests remain relatively few in number, which has led to the criticism that SFOR is not living up to its obligations under Dayton. When asked to justify the slow pace of arrests, many SFOR officers have repeated the mantra "its not part of our mandate." SFOR officials typically state that the local police are responsible for arresting war crimes suspects, and that it is not SFOR's job, ignoring that in the case of RS [Republika Srpska], the Serbs—in contrast to the Croats and Bosnians—have yet to arrest suspected war criminals. As a result of RS refusal to cooperate with the ICTY, to date the majority of SFOR actions against war crimes suspects have occurred in RS.[172]

Despite the criticism coming from the NGOs, the ICTY continued to consider that

> … day-to-day relationships with international organizations throughout the territory of the former Yugoslavia remain essential to the success of the Prosecutor's mandate. SFOR continues to provide valuable support to the Office of the Prosecutor in connection with investigation and assists in

[171] A Report on Progress Made Toward Achieving Benchmarks for a Sustainable Peace Process in Bosnia And Herzegovina, July 7, 2003, 20.

[172] International Crisis Group, *Report N°80: Is Dayton Failing?: Bosnia Four Years after the Peace Agreement*, (Sarajevo, 1999), 70.

> the execution of search warrants. SFOR maintains the capacity to apprehend indictees, *though the last operation to arrest a fugitive was conducted in July 2002*."[173]

The mandate of SFOR ended in December 2004. At the official ceremony dedicated to mark the end of the transition from SFOR to EUFOR, NATO Secretary General Jaap De Hoop Scheffer characterized the NATO operation as a success, saying that "today is truly a day for celebration – for Bosnia and Herzegovina, and also for the wider international community. People no longer live in fear, state institutions had been established and there was respect of human rights."[174]

B. EUFOR – EUROPEAN EFFORTS TO MAINTAIN PEACE IN BOSNIA

The transition from SFOR to EUFOR was started long before with the decisions made by the European Union to become an actor in the security environment on the international scene. The deployment of the EU Police Task Force in 2003 "laid the groundwork for future missions, acting as a test bed for policies and procedures."[175]

The European Union also conducted several smaller peace operations in different areas in order to test its capabilities to accomplish these types of missions, such as Operation Concordia, in the Former Yugoslav Republic of Macedonia, and Operation Artemis, in town of Bunia in the Northeastern Democratic Republic of the Congo.

These operations were considered successes and the EU started to plan its operations in the Balkans. In 2004, the NATO and EU planners developed the details regarding the distinct EU mission in Bosnia and Herzegovina. The discussions between the experts in NATO and the EU showed initial controversies regarding the type and mandate of a residual NATO presence in the theatre of operations. Initially, NATO

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[173] Eleventh annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, available at http://www.un.org/icty/rappannu-e/2004/AR04.pdf, accessed February 3, 2007, 70. Italics added by the author.

[174] Jaap de Hoop Scheffer, Multilateralism with Teeth, in *Hampton Roads International Security Quarterly*. (April, 2004), 7.

[175] Caroline R. Earle, *European Capacities for Peace Operations: Taking Stock*, (Washington D.C., The Henry L. Stimson Center, 2004), 9.

planners envisaged a more robust presence of NATO forces, with tasks beyond the advisory and support missions that EU decision makers would have accepted. The EU officials requested "to maintain full operational control of, and autonomous decision-making authority over, the military mission."[176] Finally, the NATO and EU officials decided that the institutions should cooperate in this mission by giving EUFOR a "primary military stabilization role, while the NATO headquarters presence was to focus primarily on defense reform. However, both share some operational tasks."[177]

Analyzing the missions that each of the organizations have given to their missions in Bosnia and Herzegovina, presented in Table 1, it can be observed that they overlap and even compete in some areas of responsibility. One of these tasks is *defense reform*. The European Union Office of High Representative (EUOHR) core task in this field is to

> … establish a functioning single defense establishment with initial operational capability across the full spectrum of State-level responsibilities and commitments in defense matters, as well as a basic understanding and skills for interoperable information and planning mechanisms according to NATO/PfP standards.[178]

The NATO HQ in Sarajevo Defense and Security Sector Reform Cell's (DSSR) mission is to "direct defense reform policy, co-ordination and implementation"[179]. These two tasks are complementary, NATO having a supporting role for EUOHR's mission. In addition to this, OSCE, the third major institution present in this area, is also involved in this field, Major General John Drewienkiewicz, Director of the OSCE Department for Security Cooperation (DSC) being also Military Adviser to the High Representative and the point of contact for this task.

The other tasks show the complementarity of the work among the security institutions in Bosnia and Herzegovina. The primary task of EUFOR is to provide

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[176] Judy Dempsey, "US and EU in Dispute on Control of Bosnia Force," *Financial Times*, March 9, 2004.

[177] Julie Kim, Bosnia and the European Union Military Force (EUFOR): Post-NATO Peacekeeping, in *CRS Report RS21774*, (December 5, 2006), 3 Details about this issue are also in Kristin Archick and Paul Gallis, CRS Report RL32342, *NATO and the European Union*.

[178] *EU OHR Mission Implementation Plan 2005, Core Task 4 – Defence Reform, available at* http://www.ohr.int/ohr-info/ohr-mip, accessed February 4, 2007

[179] DSSR Cell - Scope of Work, http://www.afsouth.nato.int/NHQSA/DSSR/Factsheets/DSSR_ScopeWork.htm, accessed February 4, 2007.

deterrence and a safe environment for the other organizations, OSCE, NATO and EU OHR cooperating in the transition to a stable secure environment (with the last two heavily focused on institution building at the central level and the first one concentrating its efforts at the local level). Both NATO and EUFOR are supporting ICTY detention of PIFWCs, NATO's task of "intelligence sharing" supporting the other's primary missions.

	NATO	EUROPEAN UNION	
		EUFOR	EU OHR
Primary mission	- defense reform	- deterrence - compliance with GFAP - safe and secure environment	- the rule of law - reforming the economy - institution building - defense reforms
Supporting tasks	-counter-terrorism; - support ICTY detention of PIFWCs;	- support ICTY detention of PIFWCs; - provide the security environment for police ops.	Not mentioned in the mandate

Table 1. Comparative mission and tasks of NATO and EU in Bosnia and Herzegovina

This complex environment, with complementary tasks and competition among the institutions involved in a peace operation, created difficulties both for the military commanders and the civilian leadership. The multi-institutional environment has been reflected into the civil-military relations, creating a more complex situation because of the fact that both EU and NATO had military headquarters, military commanders and civilian staff that had to coordinate in accomplishing the provisions of the Dayton Accord.

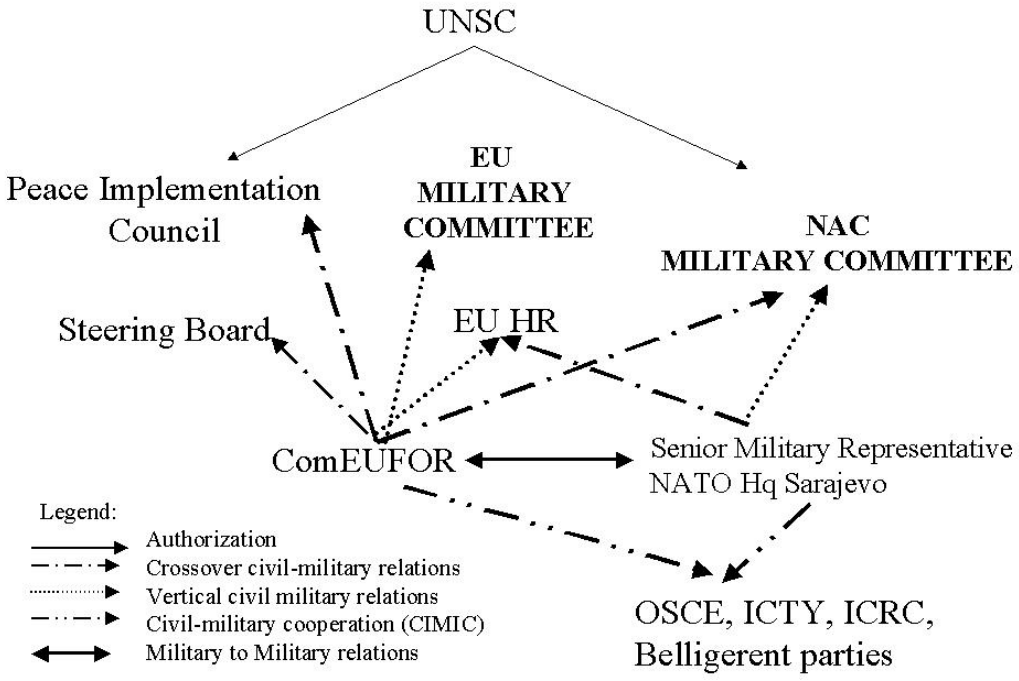

Figure 4. Civil-military Relation in the multi-institutional environment in Bosnia and Herzegovina

The international mission in Bosnia and Herzegovina continued to work towards the implementation of the Dayton Accords despite complicated relations that were set up among the participant actors. The capability of the European security institutions to work together was questioned because of the complexity of the environment, the demanding objectives and the legacy of the conflict itself. In his article *The OSCE, NATO and EU within the "Network of Interlocking Security Institutions: Hierarchization, Flexibility, Marginalization*, written in 2003, Ingo Peters asked if "the problem of inter-institutional cooperation between the European security organizations [has] been solved."[180] He concludes that "the preeminence of NATO and EU … in the 'network of interlocking European security institutions' amount in practice to – at best – a solution to the problem of inter-institutional cooperation."[181]

[180] Ingo Perters, *The OSCE, NATO and EU within the "Network of Interlocking Security Institutions: Hierachization, Flexibility, Marginalization*, OSCE Yearbook 2003, Baden-Baden, p. 381.

[181] Ibid. 401.

The fact that the European Union was capable of cooperating with NATO in a peace operation was questioned because the European Union did not have a military structure to effectively plan and conduct military operations. The use of the Berlin Plus[182] arrangement gave EU a degree of experience using NATO's planning capabilities and "has increased the EU's operational experience considerably."[183] But the fact that the EU started its cooperation with NATO much earlier gave to the European Union the opportunity to learn that a permanent military structure and democratic civil-military relations are necessary conditions to succeed.

The current assessments of the ongoing EUFOR mission in Bosnia and Herzegovina are mostly of them related to the complicated system of relations created in the last years. One solution was proposed by the International Crisis Group in the report *Ensuring Bosnia's Future: a New International Engagement Strategy*. The Group proposes "the closure of the OHR by the end of 2007 and the transfer of all its responsibilities for the Dayton Peace Accords to the European Union, to be exercised through its Special Representative"[184] and to,

> … provide political advice to the EU Force (EUFOR) Commander and the head of mission of the EU Police Mission (EUPM) and ensure coordination between EUPM and all other actors and monitor and report on implementation of the Dayton Accords to all relevant bodies including the PIC, the UN Security Council and the EU."[185]

The Group also considers that

> … progress is slow, but it is progress, primarily because NATO will remain in Bosnia through the Partnership for Peace Program, NATO membership is a credible objective and heretofore the OHR has aggressively supported reforms. On the ground the European Union Force in Bosnia and Herzegovina (EUFOR) may also do more to help Bosnia

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[182] According to Berlin Plus Agreement, the EU can use NATO assets for planning and conducting crisis response operations.

[183] Paul Cornish, *EU and NATO: Cooperation Or Competition?*, (Brussels: European Parliament, 2006), available at http://www.chathamhouse.org.uk/pdf/research/niis/NATO_EU.pdf, accessed February 2007, 4.

[184] International Crisis Group, *Report N°180: Ensuring Bosnia's Future: a New International Engagement Strategy*, (Brussels, 2007), ii.

[185] Ibid., iii.

> and Herzegovina make further progress in military reform and towards European integration in close cooperation with the EUSR [EU Special Representative]"[186],

concluding that the presence of all organizations in Bosnia and Herzegovina is still needed, but it should be structured in order to provide more effectiveness of the different institutions and of their cooperation.

C. CONCLUSION

By analyzing the presence of the European security institutions in the peace operations in Balkans, one can assess that the effectiveness of the international community in this area increased dramatically compared with the stage when the UN was the leading institution in the effort of limiting the armed conflict and bringing the conflict to a peaceful resolution.

NATO, as a military alliance, with experienced strategic and operational planning capabilities, with strongly institutionalized civil-military relations, was able to learn from the failure of the non-institutionalized cooperation and difficult civil-military relations with UN in UNPROFOR. It was able to take-over the entire operation in Bosnia and Herzegovina and, with relative effectiveness, implement the provisions of the Dayton Agreement. Later on, the NATO leadership was capable of stabilizing the area and implementing a system of cooperation with the other institutions and organizations that were involved in the area.

NATO also learned a lot from the IFOR/SFOR experience. Gregory Schulte, the head of NATO's Bosnia Task Force wrote that "operations in former Yugoslavia ... gave the immediate impetus for NATO's increased emphasis on peacekeeping and 'out-of area' operations, as well as for many other aspects of its transformation."[187] The measures taken by NATO's political and military leadership during and after IFOR/SFOR operations ranged from the implementation of the Rapid Reaction Forces concept, in

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[186] International Crisis Group, *Report N°180: Ensuring Bosnia's Future: a New International Engagement Strategy*, (Brussels, 2007), 17.

[187] Gregory L. Schulte, "Former Yugoslavia and the New NATO," in *Survival* 39: 1 (Spring 1997), 27

order to increase the responsiveness of the military forces in case of crisis, to changes in the doctrines, tactics and procedures used in peace operations.

In June 2004, an International Crisis Group recognized that

> … the NATO-led mission has been the most successful aspect of the international presence in Bosnia and Herzegovina and has been widely seen as the strongest guarantor that war will not break out again. Its departure and replacement by EUFOR reflect the belief prevalent both in Brussels and Washington that, on the one hand, the security situation has improved profoundly and no longer requires a strong NATO presence, and, on the other, that EU military capabilities have grown strong enough to take the lead in fixing problems in Europe's backyard."[188]

The EUFOR is the test area for EU capabilities to operate as a credible security institution in the international arena. EUFOR operation proved to be effective until now, in spite of the complicated relations (both civil-military, military to military and among the civilian actors) it inherited from its predecessors. From 2004 until now, EU has lacked the backbone to insist that its standards be met, as a former diplomat with long Balkan experience told International Crisis Group in an interview in 2007. From now, European Union must simplify the complex relations created in the international efforts in Bosnia and Herzegovina and it should become the central and leading organization in order to impose its standards and to change the current situation, in which Bosnia and Herzegovina is a virtual trusteeship of the international community.[189]

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[188] International Crisis Group, *EUFOR-IA: Changing Bosnia's Security Arrangement*, (Brussels, 2004), 1.

[189] Stephen D. Grasner, "Sharing Sovereignty – New Institutions for Collapsed and Failing States," in *Leashing the dogs of war – Conflict Management in a Divided World*, (Washington D.C., United States Institute for Peace, 2007), 663.

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V. SUMMARY AND CONCLUSIONS

The thesis has firstly analyzed the civil-military relations in European security institutions both in a static way, by looking to their structure and whether there are institutional mechanisms to exercise democratic civilian control over the permanent military elements of their structure. Secondly, it focused on the peace operations planned and conducted by these organizations, in order to identify whether civil-military relations had an influence over the performances of these institutions in their commitment to preserve the peace and security in their area of interest.

After analyzing the existing literature on civil-military relations, peace operations and concepts such as *mutually reinforcing institutions* and *interlocking institutions* in the Introduction, Chapter II looked to three European security institutions that have a strong military presence in their structure. It asked if these organizations have in their structure institutions that determine civil-military relations, institutions identified by the authors of the book *Who Guards the Guardians and How; Democratic Civil-Military Relations* at the state level, namely "ministries of defense, legislatures, control of military budgets…."[190]

The North Atlantic Treaty Organization (NATO), a fifty year-old military alliance that has a well established and experienced multinational command structure, well established civilian components that have the task to make political decisions regarding the commitment of its military in operations and provide political guidance which must be taken into consideration by the military commanders and staffs during the day-to-day activity and during the planning of their operations.

The European Union is an institution that, for more then fifty years, had little involvement in security and military matters. But in the late eighties and early nineties, the European powers started to be more and more interested in these issues, with some attempts to become an actor in the security field, such as the military structure of WEU and the creation of the first common European military structure, EUROCORPS. These

[190] Thomas C. Bruneau, "Introduction," in *Who Guards the Guardians and How; Democratic Civil Military Relations*, ed. Thomas C. Bruneau and Scott D. Tollefson (Austin: University of Texas Press, 2006), 6.

initiatives were unsuccessful, but because of the strong institutionalization of the European political structure (the creation of the European Commission, European Parliament) in the late nineties and the successive crisis in the EU's area of interest, need appeared to add to this structure an institution to deal with the European foreign and security policy. The EU created military command structures and institutionalized the civil-military relations created by the interference of the political and military bodies in its structure.

The Multinational Peace Force in South Eastern Europe is a regional security institution especially designed to participate in peace operations. Its structure is analyzed in order to complete the spectrum of security institutions in this thesis with an organization that was purposely created to be an actor in the European security environment and it is another example of institutionalized civil-military relations in multinational organizations.

The findings of Chapter II show that all three organizations present clear institutional mechanisms of democratic civil-military relations. They have political structures to exercise democratic civilian control over the military establishments created inside them and they have mechanisms that assess their military effectiveness. But these mechanisms lack the oversight functions of the civilian decision-making bodies, such as the national parliaments at state level. As Heiner Hänggi states,

> … except for the EU, all relevant international institutions are of a purely intergovernmental character. … Even the role of the European Parliament, which has few powers, but considerable resources and a strong political will to exercise parliamentary accountability, is at best marginal when it comes to foreign and security affairs."[191]

The next chapters focus on how the international community involved in a crisis area, namely Bosnia and Herzegovina, in two different case-studies: firstly, the UN as a leading organization requesting support from NATO forces, in a loose cooperation environment, and secondly, when European security institutions (NATO and subsequently, EU) took the lead and applied their strategies, doctrines and civil-military

[191] Heiner Hänggi, "The Use of Force under International Auspices: Parliamentary Accountability and 'Democratic Deficits'," in *The "Double Democratic Deficit": Parliamentary Accountability and the Use of Force Under International Auspices*, Hans Born and Heiner Hänggi eds., ((Aldershot: Ashgate, 2004), 16.

relations. The initial involvement of the UN forces led to escalation of the conflict rather then limiting it because the UN mission was unable to manage the complex environment created by the NATO involvement in supporting the UN Operation in Bosnia and Herzegovina (UNPROFOR). Neither UN nor NATO was prepared at that time to effectively cooperate in such a complex situation. When NATO and, latter, the European Union took over the mission, they used the experience gained during the UN involvement and were able to improve the security situation in Bosnia and Herzegovina. The European security institutions therefore proved they were able to learn both from the experience they had in a loose cooperation with the UN in Bosnia and Herzegovina, and apply this experience in a more complex environment when they took the lead of the missions in the Balkans.

Chapter III is focused on the international security institutions and their cooperation during the beginning of the Bosnian crisis, by analyzing the United Nations mission deployed in Bosnia and Herzegovina, UNPROFOR, and the cooperation between the UN force and the NATO operation designed to support it. There is extensive literature that considers this UN mission a failure. And many scholars consider that one of the most important reasons for this is the fact that the UN and its political structures were not able, at the moment they drafted the UNPROFOR mission, to understand that contemporary "conflict is not only political but also multinational, multiorganizational, multidimensional, and multicultural."[192] The mandate given to UNPROFOR, the rules of engagement imposed on it, did not conform to the situation on the ground, the environment in which this force was deployed being more hostile than the civilian decision-makers in New York assessed. The UN civilian policy-makers should have adjusted their "mind-set [to] allow leaders to be comfortable with political ambiguity and at ease as part of a synergistic process"[193] of a multi-institutional operation.

And this factor was aggravated when the UN requested NATO support for its actions, because the organizations were not ready to cooperate, each having different mind-sets: the UN concept was based on traditional inter-state peacekeeping extensively

[192] Max G. Manwaring, "Peace and Stability Lessons from Bosnia," in *Parameters*, Winter 1998, 29.

[193] Ibid.

used during the Cold War and NATO doctrine of the *total war* remained predominant. Additionally, in UN forces, the strategic level military planning was missing and the decision-making was pushed up the chain of command, without any way to delegate the authority to use force down to military commanders, so the civilian leadership micro-managed the use of force on the ground, a concept considered by many scholars inefficient from the civil-military relations point of view. This situation dramatically differed from the NATO understanding of use of force, NATO having clear provisions in its doctrines related to the delegation of authority to the ground commanders.

Chapter IV focuses on the NATO and, subsequently, EU, missions in Bosnia and Herzegovina. It analyzes the application of the civil-military relations of these organizations in a peacekeeping environment and the influence of their established institutionalized civil-military relations over the process of implementation and stabilization of the situation in the area.

The NATO missions, IFOR and SFOR, were characterized by the creation of a complicated, but effective structure of civil-military relations, by taking out the military commander from the loose institutional framework of the UN and keeping him accountable to the well established NATO politico-military structure. The UN function in the mission remained limited to the role of *mandating authority*, with no involvement in the conduct of military operations and with limited involvement in the civilian implementation of the Dayton Accord provisions, by its different agencies, such as UNHCR and Food and Agriculture Organization. More than that, the civilian implementer, the Office of High Representative, another traditional role of the UN, was given to an ad-hoc group, the Peace Implementation Committee, which had no authority over the military commanders, but with which the NATO military forces interfered by what were called in this thesis *crossover military relations*.

The involvement of the European Union in the international effort in Bosnia and Herzegovina, by taking over the civilian police mission from the UN, brought more complexity to the environment of *interlocking institutions* at work in the Balkans.

The effectiveness of IFOR and SFOR was analyzed both by the academic environment and the international community. The civilian authority “responsible for

overseeing implementation of civilian aspects of the accord ending the war in Bosnia and Herzegovina"[194] considered, after only one year of NATO direct involvement, that progress had been made in the implementation of security measures, the spectrum of missions that NATO was given. Among others, Elizabeth M. Cousens, in *Ending Civil Wars – The Implementation of Peace Agreement* and Stephen D. Krasner in Chapter 36, *Sharing Sovereignty: New Institutions for Collapsed and Failing* states in *Unleashing the Dogs of War*, recognize that despite the fact that civilian implementation was slower, the security in Bosnia and Herzegovina improved with the deployment of NATO forces. Many scholars argue that the NATO forces had clear mandates, strict and strong rules of engagement, issued by the experienced institutions. The reasons why the NATO civilian decision-making bodies were able to issue such guidance and missions are twofold: first, the NATO bureaucracy had the experience of producing such documents in which the clarity and brevity of military documents were important characteristics and, second, the civilian leadership had the military advisory apparatus in order to accept and use the military advice given by experienced military headquarters. Exactly the characteristics that the UN did not have when they started the UNPROFOR mission.

The European Union, the organization that took over the mission from NATO in Bosnia and Herzegovina in 2004, had created a structure of institutions, similar to the NATO structure, to deal with the challenges posed by the involvement of military forces in a peace operation, the complex environment in peacekeeping and a "situation [that] requires the greatest civil-military and military-military diplomacy, cooperation, and coordination."[195]

The effectiveness of the regional security institution commitment in the Balkans is currently measured by the dramatic decrease of violence. This development is shown by the fact that the number of troops needed to provide security decreased from 60,000 in 1996, when IFOR was deployed, to the planned 2,500 at the end of 2007, according to the EUFOR website.

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[194] Office of High Representative General Information, available at http://www.ohr.int/ohr-info/gen-info/default.asp?content_id=38519 , accessed February 2007.

[195] Max G. Manwaring, "Peace and Stability Lessons from Bosnia," in *Parameters*, Winter 1998, 30.

As this thesis argues, one of the factors that influenced this improvement after NATO took over the mission is that IFOR/SFOR/EUFOR received clear missions and comprehensive political guidance from their political decision-making bodies and the civilian structures did not interfere with the micro-management of the conduct of operations.

Despite the fact that the security was improved, the international community is still circumspect related to the future of a stable and peaceful Bosnia and Herzegovina. Security is only one pillar of the international efforts to stabilize areas of conflict, and scholars still question if the other actions to improve the situation in other areas, such as the state and governance, the economic and social well being and the justice and reconciliation, will have the same success.[196] As Stephen D. Krasner writes, the danger for these kinds of international commitments is the fact that they can become, in time, virtual trusteeships of the international organizations.[197]

[196] The concept of pillars of stabilization and reconstruction is used in *Post-Conflict Reconstruction - A joint project of the Center for Strategic and International Studies (CSIS) and the Association of the United States Army (AUSA).*

[197] Stephen D. Krasner, "Sharing Sovereignty – New Institutions for Collapsed and Failing States," in *Unleashing the Dogs of War – Conflict Management in a Divided World,* (Washington D.C.: United States Institute for Peace Press, 2007), 663.

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