DOING SOMETHING: MANDATES FOR THE USE OF FORCE BY THE UNITED NATIONS IN PEACE OPERATIONS SINCE THE END OF THE COLD WAR

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ABSTRACT

DOING SOMETHING: MANDATES FOR THE USE OF FORCE BY THE UNITED NATIONS IN PEACE OPERATIONS SINCE THE END OF THE COLD WAR, by MAJ. Enrique Silvela Diaz-Criado, 119 pages.

The end of the Cold War brought a period of prosperity with expectations for peace, broken by a new kind of small and protracted conflicts. Western powers, freed from the former threat, were eager to commit military units in peace operations. The United Nations (UN) developed a new concept for the use of force. This concept extended the role of peacekeeping to include humanitarian assistance, conflict solving and nation building. Two case studies especially reflect this new concept: Somalia and the former Yugoslavia. Both cases ended in failure for the UN because the mandates exceeded forces' capabilities and authorization to use the force. Political direction was lousy, just do something. Both cases have been broadly studied; this thesis provides a detailed look at the mandates for the use of force from a military perspective and how military commanders implemented it. Those mandates reflected the instinctive positions of civilian and military decision makers in a new world order. Their impulses are likely to appear again in the future; the lessons learned from those conflicts should help to shed light on a better use of force in peace operations.

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ACRONYMS

CENTCOM	Central Command
EC	European Community
EU	European Union
EUFOR	European Force
GFAP	General Framework Agreement for Peace
HA	Humanitarian Assistance
HQ	Headquarters
IDP	Internally Displaced Person
IFOR	Implementation Force
IPTF	International Police Task Force
JNA	Jugoslovenska Narodna Armija (Yugoslav National Army)
MEF	Marine Expeditionary Force
NATO	North Atlantic Treaty Organization
PKO	Peacekeeping Operation
PO	Peace Operation
ROE	Rules of Engagement
SFOR	Stabilization Force
UN	United Nations
UNAMA	United Nations Mission in Afghanistan
UNHCR	United Nations High Commissioner for Refugees.
UNITAF	Unified Task Force
UNMBIH	United Nations Mission in Bosnia i Herzegovina
UNOSOM	United Nations Operation in Somalia

UNPA	United Nations Protected Area
UNPROFOR	United Nations Protection Force
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
UNSG	United Nations Secretary General
UNSRSG	United Nations Special Representative to the Secretary General
USC/SNA	United Somali Congress / Somali National Alliance
USMC	United States Marine Command

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CHAPTER ONE

INTRODUCTION

> UNPROFOR by contrast served as the poster child for international vacillation and the failure to match means and methods to political objectives. (2004b, 37).
>
> Baumann, *Armed Peacekeepers in Bosnia*

General, Please, do Something

In the early nineties Yugoslavia broke apart in an outbreak of violence and Somalia suffered an appalling famine. Each effect fostered the other, violence engendered starvation and famine fueled violence. Both events entered the homes of Western citizens through TV. In both places, the United Nations (UN) was quick to provide an initial response, however timid and limited. These two cases portray Western attitude towards a new use of military force. Free from the restraints of the Cold War, Western countries were eager to provide forces for the UN peace effort, within severe restrictions in its use and only for certain crisis.

Those restrictions were not clear, nor the forces in the ground received clear guidance. The United Nations Protection Force (UNPROFOR) for the former Yugoslavia was established in 1992 to protect the distribution of humanitarian support to the victims of the conflict. In July 1993, Belgian Lieutenant General (LTG) Francis de Briquemont was designed commander of UNPROFOR in Bosnia and Herzegovina. He reported to the UN Special Representative of the Secretary General (UNSRSG) in the negotiations of Geneva, Thorvald Stoltenberg.[1] Confronting the different events that occurred in Bosnia, when LTG Briquemont asked for guidance Mr. Stoltenberg told him a plain: “General, please, do something. I fully support you” (Briquemont 1998, 137). LTG Briquemont

received this same “order” repeatedly during his tenure in command (Briquemont 1998, 58).

How is it that the guidance received by a Lieutenant General commanding UN forces is just “General, please do something”? Do politicians not know what to do with military forces, how to use force in a peace operation? Should they know what to ask from a military force in the ground? Even more, should they know what to expect from, and how to use force, before committing it? Worst of all, does any of it really matters.

Military commanders in the field, like General Briquemont, tried to do their best in the midst of a situation of hatred violence without the necessary means and direction to deal with it. Without guidance, they acted on common sense and human feelings for the people they saw was suffering. They were supposed to follow a formal mandate and rules of engagement that hindered a proper use of force. General Briquemont recalls too that he threw all United Nations Security Council Resolutions (UNSCR) that contained the mandates and directives he received to the bottom of a drawer because he considered them useless (Briquemont 1998, 56). Like Briquemont, commanders very often reached the limit of their authorized use of force to accomplish the results they deemed appropriate (Briquemont 1998, 143). Sometimes they walked around this limit,[2] while in other moments they stuck restrictively to it.[3]

There has been much debate in recent years about the use of force in international relations short of war. This debate has centered in “when” the international community should employ military force for a legitimate cause. However, this debate has generally avoided the subject of “how” to use military force once a political body has decided to commit it to an operation. This thesis will explore how the UN has used the force in

peace operations after the Cold War. Its conclusions aim to inform military commanders about how to advice political decision makers on the use of military force in a peace operation, to minimize the effects of the "do something" like orders.

The New Concept for the Use of Force

The New World Order that emerged at the end of the Cold War claimed the dividends of peace it deserved. Political decision makers throughout the world thought it was "the end of history" (Fukuyama 2006). Victory in the first Gulf War proved that allied armies led by the United States were almost invincible. Even if violence may be expected, it should be marginal and manageable. Peace was so appealing a word and idea that politicians made it a central concept of their political campaigns. The immediate aftermath of the Cold War posed the question of whether armies were needed in this new environment, in which major war was not considered possible. What was the rationale for military alliances like the North Atlantic Treaty Organization (NATO)? Decision makers, even not knowing the answer, were smart enough to admit that this New World Order was not yet consolidated and that the future would bring uncertainty. Western armies should be maintained, but at a lower cost and for purposes that were as yet neither clear nor defined; their use would be restricted by a political mandate in the service for legitimate causes.

This state of affairs suggested a new concept for the use of force in international relations, immediately embraced by the UN.[4] Powerful western armies would not be used for war but for peace. Starting with the humanitarian relief operation for the Kurds that followed the First Gulf War of 1991,[5] western armies found themselves engaged in different peacekeeping operations, usually under UN mandate. While the use of force

during the Cold War was clearly aimed at combat against a powerful enemy, new opportunities for other uses of military force presented themselves. Those options, however, were not clear and were difficult to define. Even more, military commanders did not agree on the utility of military force in peacekeeping,[6] considering that it could distract the soldiers from their main mission: "fighting and winning the nation's wars."

This new use of force—mainly in UN-led peace operations—required, then, a more elaborate and complex approach than traditional combat operations. The key to understand it are the limits imposed on any coercive strategy. The limited use of force consists of a political decision to employ military means in a particular case or conflict, with a limited purpose, under a directive or mandate that states the concrete mission of the military component and its limited means to achieve it. As every strategy is composed of ends, ways and means, the new strategy for the use of force would consist of limited ends, through limited ways, employing limited means. The problem is that it may yield limited results too.

Research Framework

The use of force is a general idea that can be used to refer war as well as police rights to fire a personal weapon. In this paper it will refer to the employment of military force by nation states for a political purpose. Within this broad concept, this work will focus on the use of force by the UN after the Cold War. The UN is an intergovernmental organization, but it is not supranational; that is, the will of the UN is the product of a political decision-making process, that involves the nations that belong to the organization. Furthermore, it is not an equalitarian organization. Those who are

permanent members of the Security Council hold the most important decision-making power when it comes to the use of force.

This research will explore the new concept for the use of force by the UN by analyzing its actual results in two case studies, the conflicts in Somalia and the former Yugoslavia. In these cases, among others, the UN decided to employ military force to attain political objectives. How the UN used force in each case produced observable consequences in the field. The main research question, then, is: what is the impact of the new concept for the use of force on the results of post Cold War, UN-led, peace operations?

To answer this question, this paper will analyze, in first place, the new concept for the use of force. Obviously, it will be related to the purposes that the UN wanted to achieve with these operations in the new international framework. The main instruments that define the intended use of military force have been the mandates expressed in UNSCR for each operation. Those mandates, however, reflected consensus solutions that represented the point of agreement of the different nation's purposes as a function of their interests and their pre-eminence in the international system, especially in the UNSC.

Second, in order to accept the results as a consequence of the mandated use of force, the research will examine the actual conduct of the forces under their military commanders, to appreciate to what extent the forces followed the mandates given. For the same reason it will also consider the effectiveness of the forces in the ground. This analysis will provide information too about how the military commanders understood the sometimes ambiguous mandates they received by setting objectives at their level.

Finally, the research will address the results of the operation in each case, first, by comparing the results with the military objectives; second, by confronting the results with the political purposes; and third, by analyzing the different interpretations of the results by the political and military actors. However, the definition of success and failure is difficult and subjective. There is no complete success on the recent history of intervention, but there has been much progress in some scenarios (Talentino 2005, 55).

This research, then, will follow a pattern of purpose, execution and result of the employment of military force in UN Peace Operations after the Cold War. Its main hypothesis asserts that the political decision makers were reluctant to include a coercive use of force in the mandate, but asked the force to conduct coercive operations when deployed; as a result, the mandates given to the force were not adequate to achieve the results intended.

The research for this work was limited by the availability of information about the actual intention of the political decision makers that shaped UN mandates. Another significant limitation is the possible discrepancies in the various analyses of the results of the same operations. It is a subjective issue that entails consequences for all those who provide their judgment. The several approaches to the results, however, will be considered under the personal analysis of the author.

Political Decision About the Use of Force and the Military Role

The decision to use force is a tough one. The results of the use of force may include violence and destruction; in any case, it will coerce others actions, restricting freedom. Every society has used force in the interactions within social groups. Civilization, up in the twenty-first Century, has produced many regulations about the use

of force, revealing “a great deal about the nature of authority in the group and the ends that its members value” (Finnemore 2003, 1). Establishing the ends of a society lies in the realm of politics; thus, the political decision to use force will always remain a political one, no matter who takes it.[7] Politicians should be aware of the nature and consequences of this decision, because there is no use of force on the cheap, in terms of violence. In order to realize political ends, the strategic decision will select or develop appropriate means and design ways to accomplish the ends.

Within the definitions and purpose of this essay, the armed forces will execute the political decision about the use of force, acting as the specialized resource of modern nation states to apply organized violence in international relations. More precisely, this means International armed forces mandated by the UN on behalf of its constituent countries. This specialization means that military officers are the experts in the use of force and its consequences. Politicians should seek the advice of military commanders about the consequences of a decision to use force, the selection of means and the design of the ways; even though, the responsibility of the decision will stay in the political level.

Recent history, as will be explored in this work, presents flawed advice by military commanders (Clarke 1997, 9) as well as decisions taken against their advice (Briquemont 1998, 60). These facts do not speak against military advice or political independence, but about the need for a proper coordination of a military operation’s purpose and its mandate, and the impact in its results. This is, then, the purpose of this work: to illustrate the use of force cases for a better understanding of the procedures and consequences, so that future military commanders can provide sound advice to political decision makers founded in the lessons learned from recent conflicts.[8]

There is no shortage of literature about the new use of force. However, it is directed in depth to the study of the phenomenon itself and its political consequences. The analysis about how to use force is less abundant. The following chapter will provide a review of the literature on this subject.

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[1] Former Minister of Foreign Affairs of Norway and former High Commissioner of the United Nations for Refugees.

[2] The French forces in Sarajevo.

[3] The Spanish forces in Mostar, with strong political restrictions to their action.

[4] Martha Finnemore presents the thesis that the concept for the use of force varies across time. One of the most important variations took place after the Cold War (Finnemore 2003, 3)

[5] For a good reference for Operation Provide Comfort cf. Brown (1995)

[6] On this subject see “The Utility of Force”, by British General Sir Rupert Smith (2007)

[7] Even if a military officer takes power, his decisions about ends of his nation state remain political.

[8] Or, assuming the way decisions are taken, adopt measures to minimize impact in the operation.

CHAPTER 2

LITERATURE REVIEW

> International actors came to view intervention as part of a broad strategy of conflict resolution, a first step in the process of changing cultures of violence (2005, 50).
>
> Talentino, *Military Intervention after the Cold War*.

The cases of military intervention in Somalia and the former Yugoslavia have been the subject a great deal of research, from different points of view. This thesis explores the new concept of the use of military force in these scenarios, through the examination of the mandates given to military forces by the UN. Thus, it will first be necessary to review the background of these case studies, and then to examine the new emerging concepts for the use of force. The research will then address the mandates for the use of force and how those mandates were implemented by the military units in the field. Finally, it will present the results of these uses of force in its original context as well as from the present perspective.

There is a very abundant literature about both case studies, Somalia with UNOSOM and UNITAF and the former Yugoslavia with UNPROFOR, while this thesis focuses mainly on the mandates for the military mission, but it also provides the necessary background information which allows the reader to understand the overall strategic situation. For Somalia, our purposes follows primarily the UN's own account of the operation, *The United Nations and Somalia, 1992-1996*, edited by the UN Publications in 1996. The work of Robert F. Baumann and Lawrence A. Yates with Versaille F. Washington (Baumann, Yates and Washington 2004) is an excellent account of what happened and why, from a military point of view, mainly from the perspective of

the US Armed Forces. Mark Bowden's *Black Hawk Down* also provides some insights for the UNOSOM II period. The insights of the American diplomat in the region (Hirsch and Oakley, 1995) constitute an essential reference on civil military relations. Finally, the UN web site provides important data about every operation.

In the case of the former Yugoslavia, the work of Dr. Baumann with George W. Gawrych and Walter E. Kretchick is a good general reference (Baumann, Gawrych and Kretchick 2004). The chapter about UNPROFOR gives a condensed military perspective even if the book is mainly devoted to IFOR. Noel Malcom's history of Bosnia (1996) and Laura Silber and Alan Little's (1995) chronicle of the death of Yugoslavia are both good general references. Again, the UN web site provides most of the basic data on the missions.

The term "use of force" is singled out from the broader concept of war to distinguish it from other coercive uses of the force short of war. Ancient literature has always considered war as a fact of human nature. It has addressed mainly the conduct of war, not the reasons to use force in a given case or the phenomenon of war in itself. Carl von Clausewitz (1780-1831) was the first to write about the phenomenon of war from a philosophical perspective as a consequence of human behavior. His dictum of war as a "continuation of politics" has pervaded the use of force, especially in the 20th Century (Clausewitz 1989, 69). In this view, the decision to use military force remains a political one (Nielsen 2001). The separation between political and military levels of decision-making in the conduct of war was developed through the 19th Century and was generally accepted in the 20th. The political leadership has reserved to itself the decision of when and where to use the force, leaving to the military the decision on how to employ it.

Initially, Clausewitz considered war an absolute phenomenon which involved a society in its entirety, but he modified his thought toward the end of his life in his famous note of 1827 (Clausewitz 1989, 69), wherein he accepted the possibility of limited war. The problem of the use of force is almost irrelevant in a total war because in these conditions there are almost no limitations on the use of force. On the contrary, in limited contingencies, there is room for a wide variety of options. The use of force in limited war may become a serious political and military problem. The political decision to use force will be even more complex in the case of limited war, because of the wide variety of options and the need to attain the political objectives through limited means. Limited wars have been the predominant form of armed conflict since the end of World War II. Recent literature has addressed the multiple purposes for the use of force aside from total war as well as the challenges of political decision making when engaging in this kind of conflict.

One of the seminal works in this field (Art and Waltz 2004) categorized the use of force as: deterrence, defense, compellence, and swaggering. These classical uses of force can be considered from the tactical to the strategic level in any combination. The purpose of defense is to fend off attacks or reduce the damage of an attack. The purpose of deterrence is to prevent an adversary from initiating an action. Compellence is used to get an adversary to stop doing something or start doing something. Finally, swaggering is done to enhance one's own prestige (Art 2004, 11).

After the end of the Cold War, the scenario for limited wars changed significantly. As a consequence, there has been an evolution in the literature addressing a possible "new use of force". H. W. Brands considers a new paradigm for the use of force

(Brands 2000, 4), focusing on some important features: the moral justification for this use of force (Hehir 2000); the right of intervention (Smith 2000); the implementation of force by diplomats (George 2000); or the interrelationship of force and diplomacy in Bosnia (Woodward 2000). Alexander L. George in particular explored the deterrent and coercive uses of force as a tool for diplomacy. He studied two typical approaches: the Weinberger-Powell[1] doctrine promoted a restrictive use of power, using military force only in cases where vital national interests are at stake and doing so with overwhelming force; the Shultz[2] doctrine advocated limited interventions with limited commitment. The Clinton administration, which oversaw the operations described in this text, followed the ideas of George Shultz. Secretary of State Madeleine Albright once asked General Colin Powell: "What's the point of having this superb military that you are always talking about if we can't use it?" (Powell and Persico 1995, 576).

James D. Meernik (2004), in his study about the political use of force, explores four theories which represent four schools of thought as a response to "different security and power goals, economic interests, liberal idealist aims, and domestic political interests" (Meernik 2004, 7). The first school of thought, the realist, is based the premise that "security and sovereignty interests as the paramount goals of foreign policy in general and the use of force in particular" should determine a nation's use of military force (Meernik 2004, 8). Huntington (1993) and Morgenthau (1972) are important realist theorists. A second school is characterized by the primacy of economic interests, either from a Marxist or from a free-market oriented point of view. Galtung (1971), Keohane and Nye (1977) can be described as supporters of this tendency.

More recently—following Meernik (2004, 7-11), some authors have suggested a new motivation for the use of force following liberal idealist principles, like the defense of human rights and democracy. The decisions taken in the case studies of this thesis exhibit a strong influence from this school. It can be characterized as a Wilsonian approach (Cole 1999). Finally, several analysts give important attention to the domestic influence on foreign and security policies. Josef Joffe (2001) illustrates the different motivations that drove President Bill Clinton's security decisions.

These schools have shaped the decisions about the use of military force by both individual nations and the UN. First, the various theories on the use of force shape national decisions to be presented to the Security Council and to possible participants in selected operations; second, they shape the conceptual background for decision making that the UN staff—mainly the Secretary General—uses. These processes are treated as theoretical works, and are described by some of the protagonists in their memoirs (Albright and Woodward 2003; Holbrooke 1998; Kirkpatrick 2007).

The new concept of the use of force is the subject of a thesis presented by Majors Brian P. Lacey, Theresa L. Barton, Robert F. Hoehl, George H. Ferguson, III and Mamadou Sissoko to the Air Command and Staff College (Lacey et al. 1996). They present a point of view counter to this thesis': there is nothing new; the use of force in Peace Operations is, as always, a question of compellence and deterrence, as proposed by Art (2004). They conclude that the UN has not used enough compellence in its mandates for the use of force in Peace Operations.

The characterization of what constitutes a limited war can be very broad. Scholars tend to refer to them as military interventions. The UN uses the term complex

emergencies and U.S. military doctrine for a time included the term Military Operations Other than War (MOOTW). In most cases—maybe with the exception of disaster response operations—the use of force has consisted of the use of military power to achieve political ends not through its logistic capabilities but through its coercive power. Thus, compellence capabilities would be the essence of the use of military force in these situations.

The legal community has approached this question with the term intervention, under which a great number of academic works are found (Badescu 2007; Bull 1984; Finnemore 2003; Greener-Barcham 2004; Ikenberry 2004; Spruyt 2005). The case studies used in this text will be considered under the definition of military interventions. In this respect, the present thesis follows the interpretation of Andrea Kathryn Talentino (2005) who studies Military Intervention after the Cold War. She considers that the concept of intervention—thus the concept of the use of force—has changed since the Cold War (Talentino 2005, 19), first because interventions are more common; second because they are more multilateral (Talentino 2005, 26-27). They are more common because of a renewed will to intervene on the part of the UN and the international community, which she attributes to three trends sparked by globalization: conflict resolution, the proliferation and increasing activism of NGOs and the rising concern for human rights throughout the world (Talentino 2005, 40). Conflict resolution addresses non-coercive means to solve conflicts, NGO are able to influence the political agenda, and human rights are the centerpiece of the debate that calls for limits to national sovereignty when human rights are not being respected. Intervention, then, is understood

as a means of political and social transformation, going much beyond the traditionally proclaimed purposes of peacekeeping or humanitarian assistance.

The U.S. military community developed the concept of MOOTW.[3] Military thought has been devoted to the doctrine on how to conduct those kinds of operations. Military doctrine has addressed the limited use of force in many different ways. There are two main schools on the use of military force. The first considers that force should be used almost exclusively for war making. This line of thought regards participation in peacekeeping operations as a distraction that may endanger the readiness of the force to respond to a major national emergency. The other school of thought considers that military force should be used in the full spectrum of operations using all its capabilities. The evolution of conflict in the 21st Century has tilted the balance in favor of full spectrum operations. The commanders in the conflicts selected for this thesis used their best judgment to employ their forces within the mandate and constraints of their mission. Some of them have recorded their thoughts in personal memoirs (Briquemont 1998, Dallaire and Beardsley 2005, Smith 2007). These accounts provide valuable insights into how commanders view these operations and how they have adapted to their unique demands.

From a strictly military point of view, the concept for the use of force encompasses the general purpose for which a military force is employed. This is different from the political purpose of the operation, and the way it is conducted in the field but provides a goal and a context for the use of military power. Traditionally, political science and the international relations disciplines have understood the use of force as the right to wage war. That is, war is seen as the continuation of politics as Clausewitz

suggested (Clausewitz 1989, 69). This concept asserts that once war is unleashed, it is absolute and has no limits but the compliance with international law. According to this model, there is no room for argument about the best use of force, the question is only about when and how to use it with effectiveness and legitimacy. This legitimacy is the object of the International Law on Armed Conflict in its two components: the *Ius ad bellum*, or the law on when to wage war; and the *Ius in bello*, or the law governing the conduct of war. In this work, the use of force will be understood in a more restrictive meaning as the mission—in broad terms—that political decision makers issue to the military force and the way the force conducts this mission following precise directives, constraints and limitations.

The post-Cold War era has added its share of complexity to this concept. Since the creation of the UN in 1945, military operations limited in purpose, conducted within limited directives, became more frequent. After the Cold War, these operations gained momentum and drew the attention of world public opinion. The complexity of these operations stimulated debate on alternative theories about how to use military force. Aside from those who state that peace should be attained exclusively by peaceful means (Galtung 1996), idealists would like the use of force to be severely limited, placing more confidence in the diplomatic and economic instruments of power. Realists, on the other hand, tend to distrust the effectiveness of soft measures and prefer a more forceful and compelling way to achieve political goals. In this latter view, the purpose for the use of force may be characterized as protection of activities like Humanitarian Assistance (HA), or the provision of this same HA, or monitoring compliance with previous agreements or control of other military forces. All these activities may be conducted within rules of

engagement that range from authority to fire only on self defense, to authority to fire in order to accomplish a specific task.

The military concept for the use of force in limited operations in this thesis will be referred to as Peace Operations (PO). In this respect, this work will follow United States armed forces doctrine. Joint Publication (JP) 3-07.3 defines "Peace Operations" as:

> Crisis response and limited contingency operations involving all instruments of national power and also include international efforts and military missions to contain conflict, redress the peace, and shape the environment to support reconciliation and rebuilding and to facilitate the transition to legitimate governance.

Peace Operations include peacekeeping operations (PKO), military peace enforcement operations, peace building, peacemaking, and conflict prevention. PO may be conducted by the UN or with its backing, by another intergovernmental organization, within a coalition of willing nations, or even unilaterally.

JP 3-07.3 "Peace Operations" defines Peace Keeping Operations and Peace Enforcement Operations as follows:

> PKO consist of military operations undertaken with the consent of all major parties to a dispute, and are designed to monitor and facilitate implementation of an agreement (cease fire, truce, or other such agreement) to support diplomatic efforts to reach a long-term political settlement.[4]

PEO may include the enforcement of sanctions and exclusion zones, protection of personnel conducting foreign humanitarian assistance missions, restoration of order, and forcible separation of belligerent parties or parties to a dispute.

In UN terms, Peace Operations are no more than one of the tools to respond to an emergency. This is, one of the multi-sector responses will be provided by armed forces offered by the member nations, implying that the military is only one of the sectors of

UN involvement in international crises. To describe a crisis in its broader context the UN coined the term complex emergency defined as:

> A multifaceted humanitarian crisis in a country, region or society where there is a total or considerable breakdown of authority resulting from internal or external conflict. Complex emergencies require multi-sectoral, international responses that go beyond the mandate or capacity of any single agency and/or the ongoing United Nations country programme.[5]

The UN characterizes the most important uses of force in these emergencies as peacekeeping and peace enforcing. The Secretary-General's 1992 report *An Agenda for Peace* defined Peacekeeping as actions undertaken to "preserve peace, however fragile, where fighting has been halted and to assist in implementing agreements achieved by the peacemakers" (Boutros-Ghali 1992). In the Secretary-General's 1994 report *Improving the Capacity of the UN for Peacekeeping*, "Peace Enforcement" was described as:

> Action undertaken under Chapter VII of the United Nations Charter (specifically, article 42), to maintain or restore international peace and security in situations where the Security Council has determined the existence of a threat to the peace, breach of the peace or act of aggression.

The purpose of any peace operation will be drawn from the UNSCR pertinent to the complex emergency they address and any other references that describe or analyze the intentions of the political decision makers at the moment. The purpose will include the concept of the End State, the objective or the intention in a broad view. In other words, UN guidance will consider the desired outcome of the use of force in a complex emergency. The political decision-making process culminates with a decision for the limited use of force within expressed constraints. In the case of the UN, this decision is rendered a UNSCR. One of the main parts of the UNSCR is the expressed mandate given to the military force. The final draft of the mandate is a product of previous political debate in the UN among member states. One of the factors that should be considered in

this debate is how best to use military force in accordance with military doctrine, including the possible advice by military officers. In some cases this has been the case, but in others this has not always been considered.

The limits to the purpose and in the conduct of operations are expressed in the mandate given to the force. The mandate is a sentence or group of sentences in an official document, like a UNSCR, that state the purpose for which a force is constituted and will be used in a peace operation. The mandate will be further developed by other documents, like an operations plan or directive, which will include the Rules of Engagement (ROE), "the directives that delineate the circumstances and limitations under which US forces initiate or continue engagement with other elements" (JP 3-07.3 2006). The plan and the ROE should be coherent and follow the direction provided in the mandate.

For the United Nations, a mandate is:

> The legal framework that defines the limits and responsibilities of an organisation or individual entrusted to carry out a task. United Nations (UN) Agencies, peacekeeping operations and other international organisations such as the International Committee for the Red Cross have specific mandates.[6]

A peacekeeping mandate is:

> The authority and limit under which a United Nations Peacemaker is able to act as a Third Party in a situation to promote the peaceful settlement of a dispute.[7]

Sometimes the mandate is not found in the UNSCR, but in UN official documents referred to by the resolution, usually in the format of Reports of the Secretary General. This thesis will use these reports and resolutions as primary references. In the case of Somalia, the content of these resolutions and reports has been put together in a single book, with a preface by then UN Secretary General Boutros Boutros-Ghali. In the case of the former Yugoslavia, the source for the resolutions and reports cited in this work is the

UN web site. In both cases, in order to provide a complete citation of the references, this thesis will use the United Nations numbering system.

The implementation of the mandate by the military forces can be determined from the background literature and from the personal memoirs of the commanders. The best account of the political military relations in Somalia comes from the memoirs of Ambassador Oakley (Hirsch and Oakley 1995). For Yugoslavia, almost every UNPROFOR commander has written his memoirs. The experience of the French Lieutenant General Philippe Morillon is described by a journalist (Gautier 1993) as a "mission impossible." The Belgian Lieutenant General François de Briquemont wrote a bitter account of his six months in command, detailing his good relations with his subordinates but a very bad feeling with his political chain of command (Briquemont 1998). The British Lieutenant General Michael Rose (1998) tried to counter the poor civil-military relationship of his predecessor with a more political approach, but his evident sense of arrogance diminished the validity of his claims. The British Lieutenant General Sir Rupert Smith (2007) elaborated one of the best approaches to the military use of force drawing on his personal experience in Bosnia as the last UNPROFOR commander. His reflections about the utility of force and war amongst the people are a valuable tool for this analysis.

Finally, the results of these operations will be reviewed in order to assess the effectiveness of the mandates. In the case of Somalia, references cited above provide the official UN view of the results of the operations as the United Nations abandoned the country in 1995. In the case of Yugoslavia, successor military operations to UNPROFOR remain in place. Thus, it is difficult to assess the results of the initial period of operations

under the UN. Nonetheless, the references cited thoroughly analyze the transition from UNPROFOR to IFOR. For more recent situation there is a very good thesis by Janos Szonyegi, *The pace of peace on the viability of Bosnia and Herzegovina twelve years after Dayton*, from the Naval Post Graduate School (Szonyegi 2007). He argues that Bosnia is not yet a viable and stable nation without further international assistance. Some authors share this negative vision of UN Peace Operations, like Berdal (2003) or mainly Fleitz (2002) who terms the results as fiascoes.

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[1] Named after Defense Secretary Caspar Weinberger and then-Chairman of the Joint Chiefs of Staff General Colin Powell. Cf. Enriquez (2003).

[2] Named after Secretary of State George Shultz.

[3] But this concept in now not part of US military Doctrine.

[4] (*Joint pub 3-07.3 2006 : Peace operations.* 2006)

[5] United Nations, Glossary of the UN Peacemaker. http://peacemaker.unlb.org/glossary.php?f=C&d=365#d365 (accessed October 15th, 2007).

[6] United Nations, Glossary of the UN Peacemaker. http://peacemaker.unlb.org/glossary.php?f=M&d=183#d183 (accessed October 15th, 2007).

[7] Id

CHAPTER 3

RESEARCH METHODOLOGY

This thesis will use two case studies[1], Somalia and the former Yugoslavia, to explore the new concept for the use of force by the United Nations since the end of the Cold War. These case studies will be used to test the importance of an antecedent condition (van Evera 1997, 55) for the new concept for the use of force. This antecedent will be the impact on the results of UN peace operations of the reluctance to include a compelling use of force in the mandates. The thesis' hypothesis is that this reluctance hinders the expected results of the operations, both at the operational and tactical levels. To verify this hypothesis this work will use a controlled comparison method of difference (van Evera 1997, 56-58) and a congruence procedure for multiple within case comparisons (van Evera 1997, 61-63). This chapter will present the case selection criteria, the framework model for the research and the variables to be analyzed.

The list of UN peace operations after the end of the Cold War is long. The UN web page mentions 43,[2] (Figure 1); with the addition of the United Nations Assistance Mission in Afghanistan (UNAMA), that is a political and peace building mission[3], there will be 44. Not all will qualify for this study. From the 44 cited, at least 14 are not complex operations; they are just observation or other kinds of missions that involve little or no use of force at all. From the rest, almost half are different operations in the same conflict or same scenario. For this work, the case studies encompass not the named operation itself, but particular scenarios. This will enrich the amount of data from each case. Fifteen possible case studies emerge from this selection process.

Table 1. LIST OF UN PEACE MISSIONS AFTER THE COLD WAR			
ACRONYM	***MISSION***	***START***	***END***
UNIKOM	*United Nations Iraq - Kuwait Observation Mission*	April 1991	October 2003
MINURSO	*United Nations Mission for the Referendum in Western Sahara*	April 1991	**present**
UNAVEM II	*United Nations Angola Verification Mission II*	June 1991	February 1995
ONUSAL	*United Nations Observer Mission in El Salvador*	July 1991	April 1995
UNAMIC	*United Nations Advance Mission in Cambodia*	October 1991	March 1992
UNPROFOR	*United Nations Protection Force*	February 1992	December 1995
UNTAC	*United Nations Transitional Authority in Cambodia*	March 1992	September 1993
UNOSOM I	*United Nations Operation in Somalia I*	April 1992	March 1993
ONUMOZ	*United Nations Operation in Mozambique*	December 1992	December 1994
UNOSOM II	*United Nations Operation in Somalia II*	March 1993	March 1995
UNOMUR	*United Nations Observer Mission Uganda-Rwanda*	June 1993	September 1994
UNOMIG	*United Nations Observer Mission in Georgia*	August 1993	**present**
UNOMIL	*United Nations Observer Mission in Liberia*	September 1993	September 1997
UNMIH	*United Nations Mission in Haiti*	September 1993	June 1996
UNAMIR	*United Nations Assistance Mission for Rwanda*	October 1993	March 1996
UNASOG	*United Nations Aouzou Strip Observer Group*	May 1994	June 1994
UNMOT	*United Nations Mission of Observers in Tajikistan*	December 1994	May 2000
UNAVEM III	*United Nations Angola Verification Mission III*	February 1995	June 1997
UNCRO	*United Nations Confidence Restoration Operation in Croatia*	May 1995	January 1996
UNPREDEP	*United Nations Preventive Deployment Force*	March 1995	February 1999
UNMIBH	*United Nations Mission in Bosnia and Herzegovina*	December 1995	December 2002
UNTAES	*United Nations transitional Administration for Eastern Slavonia, Baranja and Western Sirmium*	January 1996	January 1998
UNMOP	*United Nations Mission of Observers in Prevlaka*	January 1996	December 2002
UNSMIH	*United Nations Support Mission in Haiti*	July 1996	July 1997
MINUGUA	*United Nations Verification Mission in Guatemala*	January 1997	May 1997
MONUA	*United Nations Observer Mission in Angola*	June 1997	February 1999
UNTMIH	*United Nations Transition Mission in Haiti*	August 1997	November 1997
MINOPUH	*UN Civilian Police Mission in Haiti*	December 1997	March 2000
UNCIVPOL	*UN Civ. Police Support Group*	January 1998	October 1998
MINURCA	*United Nations Mission in the Central African Republic*	April 1998	February 2000
UNOMSIL	*United Nations Observer Mission in Sierra Leone*	July 1998	October 1999
UNMIK	*UN Interim Administration Mission in Kosovo*	June 1999	**present**
UNAMSIL	*United Nations Mission in Sierra Leone*	October 1999	December 2005
UNTAET	*United Nations Transitional Administration in East Timor*	October 1999	May 2002
MONUC	*UN Mission in the Democratic Republic of the Congo*	November 1999	**present**
UNMEE	*United Nations Mission in Ethiopia and Eritrea*	July 2000	**present**
UNMISET	*United Nations Mission of Support in East Timor*	May 2002	May 2005
UNMIL	*United Nations Mission in Liberia*	September 2003	**present**
UNOCI	*United Nations Operation in Côte d'Ivoire*	April 2004	**present**
MINUSTAH	*United Nations Stabilization Mission in Haiti*	June 2004	**present**
ONUB	*United Nations Operation in Burundi*	June 2004	December 2006
UNMIS	*United Nations Mission in the Sudan*	March 2005	**present**
UNMIT	*United Nations Integrated Mission in Timor-Leste*	August 2006	**present**
UNAMID	*African Union/United Nations Hybrid operation in Darfur*	July 2007	**present**
MINURCAT	*United Nations Mission in the Central African Republic and Chad*	September 2007	**present**

Figure 1. LIST OF UN PEACE MISSIONS AFTER THE COLD WAR
Source: http://www.un.org/Depts/dpko/list/list.pdf

Four criteria, chosen from those proposed by van Evera (van Evera 1997, 77-88) guided the selection of case studies: data richness; extreme values; within case variances; and current policy problems. These criteria match van Evera's consideration about

antecedent conditions testing. Several of van Evera's criteria are omitted, because there are no competing theories about this subject and the theory has not undergone any previous test. Other particular criteria are added: it will address complex operations, because in observation or monitoring the use of force is minimal; to provide a broad geographic perspective, they should be in different continents; the operations should have a significant component of Western Armed Forces, with at least either Spain or the United States of America, for the nationality of the author and the country where this thesis is published.

The selection result favors the study of Somalia and the former Yugoslavia. Somalia is one of the first important post-Cold War operations with a variety of purposes and options for the use of force. It is a case rich in data, for it involved three different operations, with different names, structure, purpose, mandates and results. It is a mission that started with one purpose and ended with another, providing extreme values of the variables added to the in-case variance; although it is not currently in the international agenda as one of the main problems, it is still an unstable country. In the Balkans, the single operation that will be analyzed is UNPROFOR. It was deployed in three different territories of the former Yugoslavia.[4] The mandate changed incrementally, without extreme variances but full of data richness. Military forces are still present, making it a current policy problem.

Other cases that may have been considered took place in Haiti, Cambodia, Sierra Leone, the Democratic Republic of Congo, Lebanon, Afghanistan and East Timor. In Cambodia, Sierra Leone and the Democratic Republic of Congo. Western presence has been less important than in the cases selected. East Timor is a good case study, but its

size implies a reduced expectation for data richness. Afghanistan is another major case study, but the role of the United Nations is less relevant than in the selected cases; besides that, the mandates have been fairly consistent, implying few within-case variances. The mission in Lebanon has just undergone a new configuration; it may have few within case variances too.

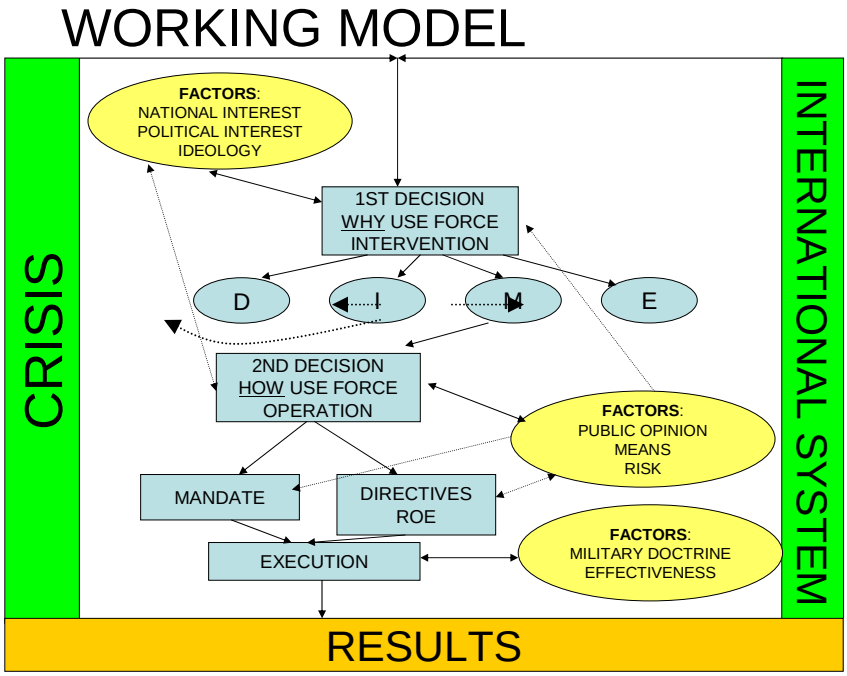

Figure 2. Working Model

The framework model to study each case will follow the scheme presented in Figure 2. In case of any crisis that requires a complex operation, the framework will be constituted by the crisis itself, within the current international system—that may be assimilated to the Contemporary Operational Environment for the military forces. It is evident that a crisis cannot be considered by itself, without taking into account its

implications for the whole international system. The international powers having the capabilities and will to intervene in any crisis will take an initial decision whether to intervene or not. The reason for intervention or not will answer the question of why use military force, which is not the object of this study. However, this decision will make a significant impact on how force is used. The decision will be affected by several factors, like the “national interest”, the “political or personal interests” of the decision makers and their ideology, values or preconception about the use of force.

Intervention in a crisis will not require an exclusively military solution. The actors in the intervention will use the four DIME tools (Diplomatic, Military, Economic and Informational) at their disposal. In the case of this analysis, the actors under consideration are the nations that decide to intervene through the UN. The final decisions are the ones adopted by the UN Security Council, rendered through corresponding UNSCR.

The military tool, then, will require another decision, that constitutes the centerpiece of this research: how will UN use force? This question is answered by the mandate given to the force. The Rules of Engagement (ROE) and the execution orders or directives will complement the mandates. Throughout the operation, the mandates, ROE and orders may vary. The factors that will affect the decision for the use of force are public opinion, the means required and, most important, the risk incurred.

The final step of this model is the implementation of the military use of force, within the execution of the complex operation. This execution is directed by military authorities within the framework of the previous decision. Military decision makers are affected in their decisions by different factors, too, like current doctrine or multinational considerations.

The execution of the operation causes effects both in the crisis or complex emergency and in the international system as a whole. For the crisis, the consequences are more immediate; for the international system, they may be deferred in time. These consequences are part of the broader results of the operation. The results are dynamic, change in time, and result from different factors, not only the consequences of the military operation. Military action, nonetheless, will be a significant part of the success or failure of the mission. One of the antecedent conditions for military action is the preferred use of military force by political decision makers among different possibilities. The purpose of this study is to analyze the impact of the reluctance on the part of political decision makers to apply a compelling use of force.

In order to operationalize this model, the analysis will be conducted in two levels, operational and tactical. The operational level provides a comprehensive framework for the operation that can be analyzed with a reduced number of variables. The tactical level presents a broader range of choices that cannot be reduced to a controllable number of variables, but provides illustrations and examples that ease the understanding of the operational model.

At the operational level, the variables to be studied are grouped in three areas: first, the purpose of the operation; second, the military mission; and third, results. The first two, purpose and mission, are analyzed as a continuum from a less coercive approach to a more coercive one; significant milestones could be: humanitarian assistance (HA), stabilization, conflict termination, reconciliation, and nation building.[5] The military missions, thus, can be addressed as: provide HA, protect the distribution of HA, observation, monitoring, separation of forces, stabilization, conflict termination,

reconstruction, nation building, protection of reconstruction and nation building, combat. The results can be considered, in relation to the purposes, as humanitarian relief, truce, ethnic cleansing, protracted conflict, conflict freezing, conflict resolution, reconstruction without end of conflict, nation building without end of conflict, termination of conflict.[6]

The complexity of the conflicts to be studied requires the variables to be adapted to each case, being subdivided into further categories if necessary. Beyond the main variables, the thesis considers too, the most important context variables: these address the political context of the decision making process, the possible lessons learned from previous operations, the role of the UN command structure, etc.

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[1] The concept of case study and the methodology will follow the directions provided by Stephen van Evera in his work "Guide to Methods for Students of Political Science" (van Evera 1997, 49 – 88)

[2] United Nations, Department of Peacekeeping Operations, http://www.un.org/Depts/dpko/dpko/ (accessed December 3, 2007).

[3] It means it is not considered a peacekeeping mission, but the Department of Peacekeeping Operations directs and supports it. United Nations, Department of Peacekeeping Operations http://www.un.org/Depts/dpko/dpko/# (accessed December 1, 2007).

[4] Croatia, Bosnia Herzegovina and Macedonia.

[5] Andrea Talentino elaborated a table with the goals of multilateral intervention, ranging from peacemaking in Liberia (1990), humanitarian aid in Somalia (1992), to nation building in Afghanistan (2002) (Talentino 2005, 53).

[6] The purpose of this list is not to be exhaustive, but illustrative.

CHAPTER 4

THE UN IN SOMALIA

> The story of the UN Operation in Somalia is largely that of a mission that began with one purpose and ended with another (2004, 99)
>
> Robert F. Baumann, *My Clan Against the World*

The UN mission in Somalia is a good example of a mission motivated by a new purpose for the use of force: humanitarian assistance. A country ravaged by war and famine showed up in daily TV newscasts around the world. The Cold War had just been "won" as was the First Gulf War. But injustice persisted; the victors of both wars decided to "do something" about it. The UN and its member states began a series of discussions about what that "something" might be. When Somalia descended into chaos, the UN wanted to provide humanitarian assistance and end the conflict by restoring a legitimate government. But member nations were not eager to provide the needed resources, manpower and funding. The result of this bargaining was a mission that changed its stated purposes too often and did not match the available resources to these purposes.

The common denominator agreed upon by participating member states was to provide humanitarian assistance. This was what the UN and member states agreed to, resourced and funded. However, the success of the humanitarian assistance mission encouraged the UN to be more ambitious and participating nations became too confident. In the end, the task was too much for the resolve and commitment of both the UN and the participating nations. The warring factions resumed fighting and their increasingly violent attacks against UN forces eventually caused their withdrawal. The defeat of the International Community represented by the UN was a bad precedent for subsequent

conflicts. In addition, it may be argued that both the UN and many of the participating nations drew the wrong lessons from the experience.

Background of the Conflict

Somalia emerged from the process of decolonization in 1960 as a unified state with a homogeneous ethnic population. But social stability was hindered by the division of the population into clans and sub-clans. Membership in a particular sub-clan and family ties were the major factors that influenced social and political loyalty. After its independence, Somalia formed a democratic government that lasted for nine years. Corruption and tribalism fostered competition for power, leading to a bloodless coup in 1969 by Siad Barre. He desired to put an end to the reliance on clans as the primary allegiance of Somali citizens, promoting scientific socialism as the main ideology of the new state. Nonetheless, he relied primarily on the support of his closest kin, and they were given important positions in his government, causing discontent in the other clans.

Ethnic Somalis lived not only in their homeland but in neighboring Ethiopia, Kenya and Djibouti. When Mengistu Haile Mariam took power in Ethiopia, Barre took advantage of the resulting instability and invaded the country in an attempt to acquire more territory. He was defeated. This defeat weakened him internally. In order to assert his power he undertook actions against two powerful subclans. This initiated a civil war that lasted until 1991, when Barre finally went into exile. The two clans that led the revolt were under the command of General Mohammed Farah Aidid and Ali Mahdi Mohammed. Ali Mahdi proclaimed himself Interim President.

The situation in Somalia remained in turmoil. The victors against Barre competed amongst themselves for power, entering into a “spiral of rape, murder, torture, destruction

of crops and water supplies, and wholesale slaughter" (Washington 2004, 17). The Somali population, caught in the midst of this fight, began to starve or seek refuge in great numbers. Human suffering took on a magnitude of huge proportions. It caught international attention as humanitarian organizations pushed the images of suffering and turmoil through the media and brought the conflict to the fore of the international agenda. The flow of aid, however, clashed against the interests of the warring clans, which tried to deny food supplies to their rivals. In this climate of violence, aid agencies found themselves unable to fulfill their humanitarian mandates.

In light of the previous discussion, the crisis in Somalia was due to the following factors: (1) extreme poverty, (2) civil war, and (3) widespread hunger resulting from this war. The country was amongst the poorest ten nations in the world (United Nations 1996, 13), and relied almost entirely on agriculture and livestock ranching for its survival. After the fall of the previous dictator, civil war erupted as two of the major subclans struggled for power. This led to widespread factionalism throughout the country. As in Biafra in 1964,[1] both main contenders used hunger as a tool of war to undermine the other clan's human resources. International and non-governmental organizations tried to alleviate human suffering but failed to do so because of the attitude of the warring factions. The resulting humanitarian crisis presented a situation which required a fully resourced and manned force. The UN force was capable of providing assistance but it was not able to reach the intended target population because of the existing violence. The solution to this problem is to work around the obstacle, temporarily contain it, or completely remove it. Clearly, the main obstacle to a successful humanitarian assistance mission was the chaos and violence that prevented the force from operating safely and effectively.

The international community, influenced by the end of the Cold War and the idea of a more peaceful "new world order," found in Somalia the perfect opportunity for its new approach to international security. The UN believed it was the best place to demonstrate its capabilities and possibilities; it felt the obligation to intervene, as it had in other crises, but in this case, in a new combination with a powerful appeal: humanitarian assistance. At first, the UNSC decided to send a small force to protect the delivery of aid, initially in Mogadishu, but later to other areas in the country. This mission was known as the United Nations Operation in Somalia (UNOSOM). Once it realized that the level of violence would not allow the mission to proceed, the UN authorized the deployment of a force led by a member nation which possessed the needed capabilities: the Unified task Force (UNITAF). Finally, following UNITAF initial success, the UN returned to its initial ambition—to provide a UN led force that would restore peace in the country: UNOSOM II.[2] As we shall see in what follows, this proved to be a dismal failure.

Humanitarian Relief: UNOSOM

The UNSG, Boutros Boutros-Ghali, wrote in 1996 that Somalia was "one of the rare cases in which an international military force was deployed in large measure to deal with a humanitarian crisis" (United Nations 1996, 3).[3] It was the humanitarian crisis that attracted international attention, so the UNSG may have thought that by addressing specifically the humanitarian issue the UN would enhance its legitimacy in the eyes of world public opinion. Boutros-Ghali complained that, at its beginning, the crisis did not attract much public attention. The political conflict of the Balkans received priority from the powers most capable of forming a humanitarian relief force. But the famine in Somalia, finally, made its way into the television screens of the world (United Nations

1996, 22). Both cases, the Balkans for Europe and Somalia for the United States, forced the issue of humanitarian assistance into the political agenda to the point that it continues to be an important consideration for any military operation ever since.

The UNSC addressed the situation in Somalia for the first time in January 1992.[4] UNSCR 733 of 23 January 1992 (S/RES/733, 1992) took note of the "rapid deterioration of the situation in Somalia," considering it "a threat to international peace and security." It resolved to request the UNSG to "undertake the necessary actions to increase humanitarian assistance by the United Nations." It also recommended diplomatic measures adding, under Chapter VII of the UN Charter, the implementation of a military embargo. The UNSG named a coordinator for the humanitarian assistance effort in Somalia and dispatched a technical team. In March, UNSCR 746 of 17 March 1992 (S/RES/746, 1992) insisted on the necessity of diplomatic actions; it requested the technical team to develop a plan "to ensure the unimpeded delivery of humanitarian assistance." These words, "unimpeded delivery of humanitarian assistance," would become the motto of all UN efforts in the following years: in Somalia, in the Balkans and almost everywhere.

Following a peace agreement on 3 March 1992, the report of the technical team and further agreements between the parties in 27-28 March, the UNSCR issued its resolution 751 of 24 April 1992 (S/RES/751, 1992) establishing the United Nations Operation in Somalia, requesting the deployment of fifty UN observers to monitor the cease fire and to establish a UN security force. The ambitious purposes of this resolution were, as drafted in paragraph 7, to "facilitate an immediate and effective cessation of hostilities and the maintenance of a cease-fire throughout the country in order to promote

the process of reconciliation and political settlement in Somalia and to provide urgent humanitarian assistance." All objectives seemed reasonable, what every honest man would have desired for Somalia: reconciliation, political settlement, and humanitarian assistance. The Secretary General made clear that the United Nations could support the process, but he added that the conflict could only be resolved by the people of Somalia themselves.[5]

At the same time, the UNSG developed a "*100-Day Action Programme for Accelerated Humanitarian Assistance" (*United Nations 1996, 194*)*. The plan had eight main objectives: (1) massive infusion of food aid, (2) aggressive expansion of supplementary feeding, (3) provision of basic health services and mass measles immunization, (4) urgent provision of clean water, sanitation, and hygiene, (5) provision of shelter materials, blankets and clothes, (6) simultaneous delivery of seeds, tools, and animal vaccines with food rations, (7) prevention of further refugee outflows and the promotion of returnee programmes, and (8) institution-building and rehabilitation of civil society. This program received $67.3 million.

Up to this moment, those measures enumerated the strong points of general UN purposes within the New World Order. First, it considered that the situation in Somalia was a threat to international peace and security, in addition to the humanitarian issue that brought it to public attention. It could also be argued that the situation presented a security threat to the international community, but this would be more difficult. In reality, it was a humanitarian disaster, with two factions fighting for power without any intention of extending their fight to the world arena. Their intention may have been just the opposite, to go as unnoticed as possible in order to avoid foreign intervention. Declaring

it a threat opened the way for the UN to intervene under the provisions of the Charter. The fact is that the UN did not intervene in order to solve the threat to international peace; it intervened to provide humanitarian assistance. Negotiating the complexities of international law is a tricky issue even when dealing with failed states.

Second, the main purpose of the UN, as stated, was the unimpeded provision of humanitarian assistance. For decades, following its principles, the UN had been trying to implement peace agreements, broker cease-fires and mediate in every conflict. But it lacked funds, materiel and personnel support to attain ambitious objectives. The great powers were not committed to what the UN thought it should. Suddenly, the famine in Somalia attracted the international media, NGOs, funding and troops. The UN, believing itself unable to settle the political dispute in Somalia, at least decided to attempt to put an end to human suffering caused by the violence. Positive action would attract attention to the UN, strengthening it as an international institution. Thus, the UN expected a change in the mood of public opinion that would force political leaders to favor its actions in the future. But the UN could not organize a humanitarian operation in Somalia without the consent of the parties involved in the conflict. The parties did not want the humanitarian situation solved without political recognition from the international community, led by the UN; but the humanitarian principles included neutrality and impartiality, excluding the possibility of recognizing one of the factions against the other.

Third, the UN quickly discovered that the factions used every bit of the resources they were able to get to their own profit, even UN food supplies. Trying to alleviate human suffering in light of the political confrontation proved futile. The natural solution to this problem was to provide military protection for those supplies. The UN tried to

operate with whatever forces the participating nations were able to make available, until it was clear that the number and capabilities of the committed troops was not enough. The great powers would not put their forces under a UN commander. And fourth, even assuming that the "realistic" option was just to provide humanitarian assistance, the UN never abandoned its larger agenda of nation building. The different resolutions, decisions and reports made clear that the UN had many purposes in mind ranging from humanitarian assistance to nation building.

UNOSOM was to be composed of fifty unarmed military observers and a Pakistani battalion of 500 soldiers. Its function was to monitor the cease fire in Mogadishu, provide protection to the UN and to escort deliveries of humanitarian supplies.[6] From the beginning it was clear that such a small force would not be enough for the task (United Nations 1996, 26); first, because its mandate was constrained to Mogadishu; and second, because the force was powerless. UNSCR 767 of 24 July 1992 (S/RES/767, 1992) enlarged UNOSOM's area of responsibility to four areas outside of Mogadishu. On 28 August 1992, UNSCR 775 (S/RES/775, 1992) strengthened UNOSOM up to 3,500 soldiers—adding 750 soldiers for each of the four operational zones—and enlarged its mandate to protect humanitarian convoys and distribution centers throughout Somalia.[7] On 8 September, the UNSC authorized a further deployment of 719 logistics personnel in a letter addressed to the Secretary General (S/24534).

Actual deployment started with the arrival of the observers, from several countries. They were led by Pakistani Brigadier Imtiaz Shaheen, who subsequently was designed force commander. On 14 September, the 500 strong Pakistani battalion[8] arrived

at the port of Mogadishu and immediately started its escort operations. The Pakistani Contingent was also instructed to recover unauthorized arms, provide medical aid and assist in the reconstruction of infrastructure.[9] The factions were not deterred by such a small deployment. In spite of its neutral posture, and its good relations with the Somali people,[10] the factions kept plundering food aid supplies. The poorly armed peacekeepers were no match for the Somali fighters. Furthermore, Aidid declared on 28th October that the Pakistani battalion would not be tolerated in Mogadishu. The humanitarian workers were subject to increasing threats. The projected numbers of UNOSOM were never met. It overlapped with the UNITAF forces that followed it until both were relieved by the stronger UNOSOM II. At the peak of its deployment, by 28 February 1993, UNOSOM forces numbered 54 observers and 893 troops.[11] It was composed of soldiers from Australia, Austria, Bangladesh, Belgium, Canada, Czechoslovakia, Egypt, Fiji, Finland, Indonesia, Jordan, Morocco, New Zealand, Norway, Pakistan, and Zimbabwe.

Its deployment might be seen as a gesture from the United Nations to show its commitment to ameliorate the situation in Somalia, but the planners did not fully appreciate the extent of the requirements needed to fulfill this mission. It was more important just to “do something”, to establish a presence in the country with whatever the nations offered and the UN was able to pay for. The initial deployment in Mogadishu was envisaged as a traditional Chapter VI operation, without enforcement powers, that was to rely on the consent from the different factions to the conflict. The agreements of March 1992 supposedly granted UN forces this consent. But the factions would soon thereafter test UN resolve and capabilities; they found that UNOSOM lacked both. To make matters

worse, the UN's ambition was constantly growing, trying to extend the mission from Mogadishu to other critical areas.

As a result, UNOSOM was not deployed until September, ten months after the decision had been taken. The Pakistani battalion did its best to secure the port and airport in Mogadishu, protect the distribution of humanitarian aid and contain the factions. As soon as the warring factions realized UNOSOM lacked the resolve to intervene, they blocked its action and it was not able to function effectively until UNITAF deployed.

Humanitarian Success: UNITAF

As the victor of the Cold War and the Gulf War, it was natural that the United States took a leading role in the "New World Order." Again, Somalia provided the best scenario to demonstrate that the US was a benevolent power that was capable of using its military for a humanitarian cause with no economic interest behind it. In common with most Western Powers, The United States was concerned about the situation in Somalia. The lack of success of previous UN actions moved the US Government to consider its involvement in this crisis. Several factors exerted pressure on the US government to take action. Public outcry was widespread because of the appalling images of the famine, so there was extensive pressure for the US to "do something." The end of the Cold War and the Gulf War freed US military assets. President Bush had proclaimed the US military readiness to engage in the "new world order." The US was reluctant to become involved in the Balkans, and even though some governments were asking for its intervention, the US considered the crisis in this region a European problem. US participation in Somalia would provide a plausible excuse not to do so in the complexities of the former Yugoslavia. For a president near the end of his term, solving a humanitarian crisis would

have provided a nice closure of his presidency. Moreover, the US military perceived itself as the only power able to put an end to the human suffering in Somalia. The decision was made to offer to lead a multinational force to end the famine in Somalia under a UN mandate (Yates 2004, 22-25).

The UN was initially not satisfied with the US offer, because of the dominant US role and its demand for a Chapter VII resolution. The UN Secretary General favored the American solution and was able to convince the Security Council of authorizing the mission. From the beginning of the discussion, it was clear again that the operation would have a humanitarian objective. Boutros-Ghali tried to introduce further objectives that could assure a lasting peace, like the disarmament of the factions, but the US Government did not approve it (United Nations 1996, 31). The resulting operation was assigned to the Unified Task Force (UNITAF), and the operation was named Operation Restore Hope.

The Security Council issued its resolution 794 of 3 December 1992 (S/RES/794, 1992), to sanction the agreements with the United States. This UNSCR, first of all, recognized that the unique character of the situation in Somalia required an exceptional response, determined once again that this human tragedy constituted a threat to international peace and security, assumed that UNOSOM had failed and recognized the necessity to review its basic principles for the new mission. It then, although reluctantly, endorsed the need for a Chapter VII mandate and authorized “the use of all necessary means to establish as soon as possible a secure environment for humanitarian relief operations in Somalia.” In order to implement this “use of all necessary means” it circumloquially “welcomed” the offer by “a Member State”—in order not to mention the United States—for the establishment of an operation to create such a secure environment.

The expression “all necessary means” was the politically correct writing of the authorization to use deadly force to accomplish the mission, beyond the right of self-defense. The key of this mandate was the establishment of a secure environment. It was the stated purpose of the operation, much to the regret of the Secretary General, who would have preferred a stronger mandate expressing more commitment, at least the disarming of the warring factions. But the U.S. Government did not want to get bogged down into the factional conflict, thus limiting its intervention to the provision of humanitarian assistance and securing the environment for it. The “secure the environment” phrase has made its way throughout the rest of the conflicts until now. It was a preferred expression for the military role in a humanitarian crisis, both for the military establishment and for the humanitarian community. Under this concept, the military would not be expected to provide the humanitarian aid by themselves, and neither would they be involved in nation building, a concept strongly rejected by US policy on the employment of military force at the time. This left the field to humanitarian activists without competition with the military, who were not neutral or impartial and had much better logistical capabilities. Later, the military would discover the advantages they had in the ability to provide humanitarian support and this would bring them into conflict with the humanitarian agencies.

As a US-led mission under UN mandate, the UNITAF mission was fully planned by the US Central Command (CENTCOM) under General Joseph Hoar, US Marine Corps (USMC). The military operation was officially named Restore Hope. Its Headquarters was based on the I Marine Expeditionary Force (MEF) commanded by Lieutenant General Robert B. Johnston (veteran of Vietnam, Lebanon and the Gulf War).

It was a multinational force counting on more than xxx Countries. At its peak it deployed 39.000 soldiers. The main units employed were the 1st Marine Division and 10th Mountain Army Division.)

UNITAF was characterized by overall good preparation before deployment (Yates 2004). Its planning followed the proper crisis-action procedures, even using an off the shelf plan from a command post exercise. Its chain of command was clear. UNSCR 794 (S/RES/794, 1992) authorized "the Secretary General and the Member States concerned to make the necessary arrangements for the unified command and control of the forces involved", requesting the provision of "mechanisms for coordination between the United Nations and their military forces." CENTCOM planners could rely on previous experience in the support of the Kurdish population under operation Provide Comfort[12] and the recent Provide Relief, transporting humanitarian aid from Kenya to Somalia. It had clear and robust ROE, which were also distributed to coalition soldiers.

Despite all these preparations, several potential problems could be identified:

1. The intelligence was based on capabilities and did not take into account intentions or political relationships.

2. The planning was done in isolation from already deployed units, personnel, experts, NGOs, etc. (Yates 2004, 35), so there was no assessment of civilian capabilities and attitudes.

3. Finally, there was no plan for the transition to a follow on UN force or a clear definition of the mission's end state.

These facts reflected one of the characteristics of the operation that would remain for years as a trademark of the United States military. The tendency to create an aseptic

environment around the military operation, without contamination from other actors—even in uniform and from the United States Armed Services—that could potentially endanger the purity of the military planning crafted by at headquarters. This characteristic not only affected the military's conduct of the operation, it also affected the interpretation of the purpose and the mandate of the mission and their further interpretation. For these reasons, the preferred attitude of US commanders has traditionally been to avoid interference in politics or diplomacy in order to stick to the military mandate. And this military mandate has been usually interpreted as the establishment of a secure environment. In Johnston's own words: "So what we were looking for was some short-term fixes, as opposed to trying to solve all the problems of Somalia." (Yates 2004, 36)

This then, was the initial intention from the UNITAF commander's perspective when he met US Ambassador Robert. B. Oakley, and participated in a meeting with the parties to the conflict. Even though he would be breaking the usual rules governing participation of military officers in diplomacy, Oakley considered it essential that General Johnston participated in political dialogue with the warring parties. Johnston's initial reluctance was easily overcome by his good relations with the Ambassador and his own appreciation for the situation and common sense. By participating in these talks he became clearly involved in political and diplomatic activities. As a result, UNITAF's presence in the ground was well coordinated with political and diplomatic initiatives and the use of force was not isolated from diplomacy (Yates 2004, 48-49).

This political influence of the force commander, and by extension all of UNITAF, was used for the rebuilding of traditional institutions. This proved essential when the use of force became necessary: to set up city councils, to expel lieutenants placed by Aidid,

and to empower tribal elders. UNITAF contributed to the local and provincial stability by coordinating its efforts with UN agencies' humanitarian relief operations, while the UN headquarters aims were mostly directed at the national level. UNITAF's focused its efforts from the bottom up, and those of the UN were driven from the top down. The good relationship between the political and military leadership of the operation was behind the actual interpretation of the mission on the ground. Again, the initial guidance to the force was to constrain itself to the pure military aspects, creating a "secure environment." Any task that may have gone beyond that was immediately discarded. But some of them managed to "creep in" and were finally accepted.[13]

But not everything was that smooth. The first rift between UNITAF and the UN leadership occurred over the question of disarmament. The UN had made it clear from the very beginning that disarming the factions was an essential step to solving the conflict. But the force understood clearly that it would endanger its neutrality in the eyes of the factions and would require assuming unacceptable risks. "Disarmament was excluded from the mission because it was neither realistically achievable nor a prerequisite for the core mission of providing a secure environment for relief operations." (Yates 2004, 36)

As the force gained experience and its commander became involved in politics, he understood clearly the need to at least control the heavy armament in the hands of the factions. Initially this was perceived as a need for Force Protection,[14] and not a goal in itself. Slowly, units in the provinces began to conduct disarmament under terms such as "weapons control," "weapons collection" or "selective disarmament." Total disarmament was still considered impossible because of the number of weapons in the country. It

would also be dangerous for the reaction it might cause among the warring factions; and it would, at best, be a partial solution, as it would allow the northern factions the upper hand over the southern ones. But attempts at partial disarmament were done at the local level. Perhaps the main concern in conducting this kind of disarmament was the fact that it went beyond the strict interpretation of the mandate, thus opening the possibility for further changes. In practical terms, the force could not stick to its initial interpretation of the mission without adapting to the environment.

Restoring the Somali police proved to be another controversial issue. The UN asked support from the force to develop and restore the Somali police. Initially, the force commander was again reluctant, considering that task beyond his mandate. But the need of a local security force became evident, along with the lack of international resources to fulfill this mission apart from UNITAF. American soldiers did not know the language and traditions of the Somali people, so they were not able to provide close security when it was needed. Johnston eagerly changed his mind. He agreed to train the Somali police, concealing this activity as part of an economy of force operation to put coalition soldiers out of harm's way. Washington was more difficult to convince, but the death of a Marine patrolling the streets of Mogadishu pushed the decision.

Another contentious task was the direct provision of humanitarian assistance. This was considered a secondary mission to be done on a small scale in case of extreme need, leaving the bulk of it to the humanitarian organizations. The force focused on infrastructure repair, because it could be considered a "dual use" mission in that it would help the force itself as well as the population.

At the end, UNITAF developed an important variety of tasks: “Helping to set up a Somali police force, executing civil action programs, working for local political reform, assisting in the resettlement of Somali refugees, negotiating with clan elders and religious leaders, and performing tasks that could be interpreted as falling into the category of nation building” (Yates 2004, 91). Could it be considered mission creep? It is evident that some of those tasks went beyond the mission assigned, but, as Yates stated, “no matter how adamantly military headquarters and units demand clear and precise end states before committing to an operation, the complex, dynamic, and ambiguous world in which politico-military endeavors take place rarely proves so accommodating” (Yates 2004, 35).

Despite these difficulties, UNITAF fulfilled its mission with clear success (United Nations 1996, 34-37). The famine was solved and Somalia started slowly to recover. A side effect was that key people re-emerged and began to provide the services they had done before the war, either economical or administrative. “One lesson seemed clear: with the right combination of good intentions, professional leadership, sound judgment, and overwhelming power, it was possible for the United States to intervene militarily in dangerous situations in such a way to be effective while keeping its troops largely out of harm’s way” (Yates 2004, 89).

It was also quite clear that the factions had merely retreated to areas outside of UNITAF’s reach to wait for their presumed departure. The goals set at the beginning involving disarmament and nation building were still necessary to avoid a return to the precarious status quo ante. The distribution of humanitarian assistance was enough to end the famine, but not to warrant a lasting peace. UNITAF was conceived as a temporary

step, to be succeeded by a peace-keeping mission. UNSCR 794 (S/RES/794, 1992) stated that UNITAF would "enable the Council to make the necessary decision for a prompt transition to continued peace-keeping operations." But an analysis of the situation and the terrain suggested that the follow up mission should be granted the same authority for the use of force.

Failure: UNOSOM II

Boutros-Ghali argued (United Nations 1996, 41) that two more goals were indispensable for a lasting peace: disarming the factions and extending the mission to the whole territory of Somalia.[15] Then, instead of just reinforcing the still deployed UNOSOM, the UN proposed a whole new operation that would be executed by an entirely new force: UNOSOM II. This force would operate under a new mandate and would accomplish all the remaining tasks necessary to achieve lasting stability.

The UN Secretary General proposed to the Security Council the following military tasks: (a) to monitor the cessation of hostilities; (b) to prevent the resumption of violence; (c) to control heavy weapons; (d) to seize small arms; (e) to maintain the security of the lines of communications for humanitarian assistance; (f) to protect the international presence; (g) to clear mines; and (h) to assist refugees and Internal Displaced Persons (IDP) to return home (United Nations 1996, 42-43). To accomplish these missions he suggested a force of 28,000 troops.

Partially following this recommendation, the UNSC adopted its resolution 814, on 26 March 1993 (S/RES/814, 1993). This UNSCR committed the UN "to provide humanitarian and other assistance to the people of Somalia in rehabilitating their political institutions and economy and promoting political settlement and national reconciliation."

It detailed, in particular, the following tasks: (a) Assistance in the provision of relief and in the economic rehabilitation of Somalia:(b) Assistance in the repatriation of the refugees and IDP; (c) Assistance to the people of Somalia to promote national reconciliation; (d) Assistance in the re-establishment of Somali police; (e)Assistance to the people of Somalia in mine clearing; (f) Develop public information activities in support of the UN effort; and (g) Creation of the conditions that would enable Somali civil society to have a role in the rehabilitation and reconstruction programmes.

Finally, the UNSC, acting under Chapter VII, expanded the size of the previous UNOSOM force and also expanded its mandate. It was renamed UNOSOM II and emphasized the importance of disarmament. It placed, as usual, the responsibility on the Somali factions, demanding their fully compliance with their agreements.[16] This was a giant leap from its previous attempt to provide a "secure the environment." It encompassed a whole new project of nation building. This major change resulted in a wealth of ideas on what needed to be done, but without the much needed expertise.[17] The basis of this undertaking was sheer humanitarian compassion and the humanitarian principles of impartiality, humanity, independence and neutrality. As we shall see, it was not enough.

The constant use of the word "assistance" means that UNOSOM II would not assume the tasks by itself, but assist other organizations already doing them, either organizations within the UN System or external to it, including the Somali people and its civil society.[18] The extent of this "assistance" was to be determined, but the previous experience with UNITAF indicated the need for a strong force commitment almost in every aspect of the mission.

This important increase in responsibilities was not accompanied with an increase in the size or effectiveness of the force. At its maximum, UNITAF comprised 38,000 soldiers, while UNOSOM II was to have only 28,000. The withdrawal of the US chain of command deprived the force of a trained, organized, and experienced command and control (C2) structure. UNOSOM II was composed of forces from different countries without the proper C2 structure. The largest contingent was the Pakistani one with slightly over 4,000 soldiers. The transition from UNITAF to UNOSOM II was not easy, although the US appointed both the deputy commander and the UN Special Representative to the Secretary General.

Following the severe incidents of 5 June 1993, where 24 Pakistani soldiers were killed, UNSC adopted resolution 837 of 6 June 1993 (S/RES/837, 1993) to send "a warning to all those who threaten or harass the peace-keeping forces of the United Nations in any part of the world" (United Nations 1996, 51). Resolution 837 authorized "all necessary measures against those responsible for the 5 June 1993 attack on Pakistani troops serving in UNOSOM II." It requested that the Secretary General inquire into the incident. The result of this investigation, led by Professor Tom Farer of American University in Washington D.C., made it clear that General Aidid bore responsibility for the killings. Following this incident, resolution 837 and the anticipated results of the investigation, UNOSOM II was required to put military pressure on Aidid's faction, the USC/SNA. The purpose of this action was not to retaliate, but to destroy or confiscate Aidid's weapons' stocks and neutralize his broadcasting facilities (United Nations 1996, 51).

The military mission, which had evolved from humanitarian assistance to nation building, now was converted into a man hunt. The rationale behind it came from several concepts deeply ingrained in the UN System and the humanitarian community, which were shared by military doctrine. The military should not be doing humanitarian assistance, not to mention nation building. Its mission was simply to create a "secure environment" for the civilian task, one could say a "sterile environment" that would enable development. In Somalia the famine was over, it was the time for nation building. The main obstacle for nation building was that one of the factions was opposing UN actions. Therefore, the UN immediately assigned to the military component of the operation the task of removing this obstacle by directly confronting Aidid. This might seem reasonable if the main premise of strict separation of military and political tasks was accepted.

However, one of the lessons that may have been drawn from UNITAF's partial success was the necessity for integrated civil-military action at every level and in every field. UNOSOM lacked this integration. There were several reasons for this situation. First of all, because of the UN decision made not to continue dialogue with Aidid and Mahdi[19] so that there was no continuity in local diplomacy; and second, because most US units remained outside the UN chain of command. Both issues may be considered consequences of the attempt to create a sterile environment in which nation building could be conducted. The UN forces would keep Aidid out of the reconstruction game, creating a space free of violence that would permit nation building.

This strategy did not work. Aidid did not trust the political and the military components of UNOSOM because he did not have the means to communicate effectively

with them. He felt that any negotiation was bound to be one-sided, so he decided to test UN resolve. Subsequent reactions by the UN confirmed his appreciation, so he intensified his opposition to UNOSOM II, learning in the process how to counter its strengths and play into its weaknesses. The final result is well known as was described by Mark Bowden (1999).

There are several factors in the Somali and international attitudes that deserve further consideration. First was the massive violent reaction of the Somali citizens in support of Aidid against the forces that had theoretically brought them peace and relieved them from hunger. Gaining the support of the population is difficult, but it is a necessary prerequisite for the conduct of this kind of operation. Second was the inability of UNOSOM II to deter Aidid. The reasons for this inability had two faces, one political and the other military. On the one face, Aidid perceived he was being politically sidelined; then he felt the need to assert his powers as a way to seek a better position for further negotiations. On the other face, the factions perceived the new UNOSOM II was less effective than UNITAF. A third factor comes from Western public opinion, which was not ready to accept the risk inherent to military action when there are no clear national interests behind the mission.

Several corollaries arise from those factors: interventions that are not perceived to come from the need to defend a matter of clear national interest will need to limit the size and freedom of action of any force. Military forces which operate under these conditions as part of an international force will have to carry out their mission with minimum resources. Other factor that limit the size and scope of these missions is the need to maintain popular support, or at least consent, from the civilian population and even the

factions involved in the conflict; another will be the ability to influence the decisions of the factions before being able to defeat them, which may involve having the ability to pressure, dialogue and bargain with all parties involved. UNOSOM learned these lessons the hard way.

The final result of the incidents of October was the withdrawal of all American forces from Somalia.[20] UNOSOM II reacted immediately to this decision and changed its mandate again, to reflect the diminution in its capabilities, and acknowledged the excessive ambition of its initial intent. On 18 November 1993, the UNSC approved resolution 866 (S/RES/866, 1993), which renewed UNOSOM II mandate, but decided to undertake a “fundamental review” of this mandate by 1 February 1994. This revision developed into UNSCR 897, on 4 February 1994 (S/RES/897, 1994), which changed the mandate, specifying the following tasks: (a) Encouraging and assisting the Somali parties in implementing the "Addis Ababa Agreements," in particular to undertake cooperative efforts to achieve disarmament and to respect the cease-fire; (b) Protecting major ports and airports and essential other infrastructure as well as safeguarding the lines of communications vital to the provision of humanitarian relief and reconstruction assistance; (c) Continuing its efforts to provide humanitarian relief to all those in need throughout the country; (d) Assisting in the reorganization of the Somali police and judicial system; (e) Helping with the repatriation and resettlement of refugees and displaced persons; (f) Assisting in the ongoing political process in Somalia, which should culminate in the installation of a democratically elected government; and (g) Providing protection for the personnel, installations and equipment of the UN and its agencies, as

well as of non-governmental organizations providing humanitarian relief and reconstruction assistance.

These tasks relinquished the cherished mandate for disarmament and peace-enforcement sought by the Secretary General. The Council continued to act under Chapter VII, but in practice it reverted to the original peace-keeping mission of UNOSOM, with the main purpose of protecting the provision of humanitarian assistance. However, it added the tasks that UNITAF had carried out successfully, like reorganizing the Somali police or providing assistance to the judicial system and even the ongoing political process.

But the political and security environment was clearly different. Two years before, the factions did not know to what extent the UN would enforce its mission. Now they did. Then, the factions learned not to attract negative international public opinion while at the same time retaining their freedom of action despite UNOSOM's presence. Violence continued among the factions and against UN and other international personnel. The humanitarian situation deteriorated with the surge in violence, but it did not go back to the catastrophic proportions of 1992.

At this time some opportunities for a political settlement arose because the factions were tired of the prolonged stalemate. The SC seized those opportunities in an implied acknowledgement that humanitarian relief was no substitute for a lasting peace. UNSCR 954, of 4 November 1994 (S/RES/954, 1994), affirmed that the primary purpose of UNOSOM until its termination by 31 March 1994 would be to facilitate political reconciliation in Somalia. The factions took some steps in this direction reaching new

agreements. This allowed humanitarian agencies to fulfil their mission with no major interferences, easing the humanitarian situation short of full scale reconstruction.

The Relation between Purpose, Mandate and Results

The portrait of UN operations in Somalia, as Dr. Baumann clearly stated, is a mission that started with one purpose and ended with another, having changed several times in between. The initial purpose was to provide "humanitarian assistance." It was born from good intentions as well as from the realization that world public opinion would support this. After logically assessing the situation, it was assumed that humanitarian relief would not be enough, so the initial mission expanded to seek political reconciliation and disarmament. Once it was clear that these good intentions needed a stronger force, the UN accepted a US offer to lead such a force. However, the national interest behind the humanitarian crisis in Somalia was not enough for a strong commitment of the Member States, so the mission was strictly reduced to its initial humanitarian relief purpose, stripping it of any other responsibility that may have contaminated the initial vision of policymakers as well as their military advisors: a clean and sterile military operation that would enable humanitarian assistance by the UN agencies and NGOs. But the force commander and the political representative of the US had enough latitude to expand their tasks to improve security through political involvement and other indirect means.

UNITAF achieved its purpose only to prove that humanitarian relief was not sufficient to create a stable peace or end the conflict. Following UNITAF, the new UNOSOM II mission had the most ambitious of the mandates, aiming to finish once and for all this conflict, taking advantage of the momentum created by UNITAF. This overly

ambitious mandate did not match the capabilities of the forces available, their organization and resources, nor the new guidance that excluded political integration. Furthermore, the mission changed to man hunting as if Aidid was the only obstacle between the good intentions of the international community and the desired results. The failure of UNOSOM II was a failure of the ability to obtain the consent of the Somali people and a failure of the UN member states to influence the factions. The reason behind both of these failures was the lack of coordination on the part of decision makers, in the humanitarian as well as in the political and military fields. Coordination was understood as a distribution of responsibilities: humanitarians to just do their humanitarian work, while politicians and diplomats worked to find a political solution and the military provided security for both without the three groups working within a unified plan of action. This ideal division of responsibility by western standards and functions may have existed on the minds and papers of some officials, but had nothing to do with the reality which existed in Somalia. Finally, the mission changed again when the international community discovered that the only thing that could bring peace to this shattered land was political agreement and officials realized that this was only possible through political reconciliation.

In conclusion, the main purpose of the UN mission in Somalia was presented as humanitarian assistance when it should have meant nation building. It was described as nation building only after the participating member states were willing to use military force to protect humanitarian assistance efforts. Then it was renamed nation building when forceful action was blessed by success. Finally, the mission was transformed to only security, through man hunting focusing on the capture of Aidid. After it suffered a

few drawbacks it became an effort at political reconciliation with the responsibility for its success or failure in the hands to the factions to the conflict. In short, the UN mission suffered from a lack of focus and too many changes which did not offer the participating nations a clear roadmap to success.

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[1] On Biafra cf. Schwab (1971).

[2] The initial mission was known by the acronym UNOSOM, without cardinal additions. When the second UN mission was launched, due to the failure of the first one, it was decided to rename it adding the cardinal in roman figures II, thus UNOSOM II. In this text these operations will be referred as UNOSOM and UNOSOM II.

[3] Along with UNPROFOR in the former Yugoslavia, subject of the following chapter.

[4] The United Nations was already involved in Somalia from the late seventies; its presence was increased in 1988; but it is not until 1992 that the UNSC took responsibility in this issue (United Nations, 1996, 15).

[5] United Nations, Department of Peacekeeping Operations, http://www.un.org/Depts/DPKO/Missions/unosomi.htm (accessed January 7, 2008)

[6] Id.

[7] The force was later enlarged to include 791 logistics personnel.

[8] Drawn from the 7 Frontier Force Regiment

[9] Pakistan Armed Forces, Inter Services Public Relations http://www.ispr.gov.pk/Multimedia/UN%20Peace%20Keeping/UNSOM.htm (accessed January 16, 2008).

[10] Following own Pakistani opinion about the mission, they were called “brothers” by the Somalis. Id.

[11] United Nations, Department of Peacekeeping Operations, http://www.un.org/Depts/dpko/dpko/co_mission/unosom1facts.html (accessed January 16 2008).

[12] Then Brigadier General Anthony Zinni was named J3 for RESTORE HOPE. Zinni had participated in PROVIDE COMFORT (Yates 2004, 29).

[13] UNITAF considered three types of tasks: military, humanitarian and political, thus acknowledging the assumption of other tasks than the purely military.

[14] There was an extraordinary preoccupation for securing the troops, but it did not interfere with UNITAF mission (Yates 2004, 50)

[15] He actually pushed UNITAF to conduct disarmament as part of securing the environment, but UNITAF resisted this mission.

[16] But without providing enough coercion to force them to this compliance.

[17] The Secretary General acknowledged this lack of expertise: “There was no precedent for the Organization to follow as it embarked on this course, no example but the one it was about to set, and there were many unanswered questions about the undertaking […].” (United Nations 1996)

[18] It is a cherished concept for the humanitarian community, who considers that every political governmental organization, as the UN through its Security Council, should support the effort done by humanitarian organizations, governmental or not, but not lead it.

[19] This fact is highly contested, considered by some (Hirsh and Oakley 1995) as the key mistake, while those who made the decision defended it. Even if a clear correlation cannot be immediately drawn, the fact is that there was good civil-military integration with UNITAF and it was at least difficult with UNOSOM II.

[20] There are strong critics to this withdrawal. The result of the incidents in the other side was politically a blast for Aidid, who was severely challenged within his own party. With further pressure this faction may have been forced to change its leader and its policy. But the American withdrawal made just the opposite, strengthening Aidid leadership as he proved victor.

CHAPTER 5

THE UN IN THE FORMER YUGOSLAVIA

> [T]he UN Protection Force (UNPROFOR) episode was at once both a noble endeavor and a monument to the futility of United Nations peacekeeping in the early 1990s. (1999, 37)
>
> Robert F. Baumann, *Armed Peacekeepers in Bosnia.*

In Somalia, a humanitarian crisis attracted public attention and fostered international intervention. This intervention was initially led and conducted by the UN, in a second phase by the United States, then back to the UN in a third phase. The mandates were initially quite ambitious, under UNITAF the mandate reverted to a clear humanitarian purpose, for UNOSOM II it was even more ambitious than in the previous UNOSOM case. In the former Yugoslavia, the political and military conflict appeared early in the newspapers, so the Europeans decided to intervene. Once the intervention was under way, the mandate slowly evolved to include more responsibilities, until it was clear that a stronger force was needed.

The conflict in the Balkans came as a shock to the international community; first, because it was in Europe, in a middle income country, unlike contemporary Somalia; and second, because European governments proved unable to reach a consensus on what needed to be done. The European Community undertook the task of peacemaking through dialogue, organizing contacts and drafting plans to bring the parties together for peace talks while the UN embarked on a peace-keeping mission. The United States stood away from what was considered a European problem, but intervened in the political dialogue to avoid the partition of Bosnia and Herzegovina.[1] When the political crisis led to a humanitarian problem, Europe, at last, discovered what it had to do: protect the

innocents from the effects of the conflict; but it did so by addressing the symptoms instead of the causes. This approach appeared to satisfy public opinion without political compromise. For this reason, Europe decided to join the UN mission, providing most of the forces and the leadership. This involvement opened a new chapter in the history of UN peace operations.

The lack of success—not to say the failure—of UNPROFOR finally forced the UN to mandate a NATO intervention under US leadership after the Dayton Agreements in December 1995. The Implementation Force (IFOR) established peace in Bosnia at the price of freezing the conflict, without addressing its structural causes. A year later, the Stabilization Force (SFOR) relieved IFOR with a reduced strength but a similar mission, stabilize the precarious agreement. Again, the task was to prolong the freezing of the conflict in the hope that time and prosperity would change human feelings and behavior. In December 2004, the European Union took over from NATO the mission in Bosnia, with the European Force (EUFOR) and named its mission "Operation Althea." Today, the country has been pacified, but Bosnia is not yet a viable state nor have the communities agreed on a common life. Although the situation is today stable, the conflict is still internally frozen.

Background of the Conflict

Yugoslavia started its disintegration after the death of Tito in 1979. The end of the Cold War exacerbated the consequences of this disintegration. Suddenly, Europe and the United States lost the interest they had in supporting Yugoslavia as a tool against the Soviet Union. As George W. Gawrych noted: "The lack of firm will by the US and

Europe to maintain Yugoslavia's territorial unity and integrity contributed to the country's disintegration" (Gawrych 2004, 22).

The global economic crisis of 1979 struck Yugoslavia especially hard. But the decentralized Yugoslav economic system worked to the benefit of the wealthier constituencies, like Slovenia and Croatia, who refused to share the cost of the necessary reforms with their sister republics. The discrediting of the socialist system opened a desire for democracy, espoused not only by the people but even more by its leaders. However, economic selfishness and a cultural superiority complex combined with democratic aspirations generated a militant nationalism, which some politicians seized to gain power. In 1987—and much to his surprise—Slobodan Milosevic rallied the Serbian minority in Kosovo against the Albanian majority by improvising a strongly nationalist discourse. From that moment, he was the champion of Serbian nationalism and used it as a tool to rise to power. Once in power in Serbia, he thought he could take over the whole of Yugoslavia, but his own nationalism gave impetus to the other republics' secessionist moves.

Croatia and Slovenia declared independence in June 1991. In Slovenia, a short and almost bloodless ten-day war followed. The still intact Yugoslav Army abandoned ethnically homogeneous Slovenia without a major fight. Croatia, however, had a sizable Serbian minority, who had established their own autonomy in the Krajina regions where they were a relative majority. Milosevic was eager to accept Croatian independence but at the cost of the land inhabited by Serbs. The war that ensued was not just for Croatian independence but also for the separation of the part populated by Croatian Serbs and incorporation of it to Yugoslavia. This war witnessed episodes of extreme cruelty, such

as the siege of Vukovar, which almost destroyed the city. The war lasted for six months. It concluded with a cease fire brokered by the UN Secretary General's Personal Envoy, Cyrus Vance.

Bosnia, not having a clear ethnic majority, took a slower approach to independence. Bosnia held free elections in November 1990, dividing the Parliament along clear ethnic lines. Parties agreed to share power so that the President of the Socialist Republic of Bosnia-Herzegovina was a Bosniak,[2] the president of the Parliament was a Bosnian Serb and the prime minister a Bosnian Croat. Following Slovenia and Croatia, the issue of independence reached Bosnia, and was brought before Parliament. The Bosnian Serb representatives decided to abandon the Parliament, in order to establish their own "Republika Srpska" as part of the Yugoslav Federation, putting an end to the interethnic Coalition. The Bosnian Croats organized their own entity called the "Croat Community of Herzeg Bosna," still part of the Republic. The Bosniaks, along with a minority of Bosnian Croats and Bosnian Serbs, tried to continue business as usual. The Parliament called for a referendum on independence, held on February 29 and March 1, 1992, which the Bosnian Serbs boycotted. With a turnout of 67%, independence was supported by more than 99% of votes (Gawrych 2004, 24).[3] The European Community, at the insistence of Germany, recognized the independence of Bosnia in April 1992, expecting to deter Yugoslav support for the Bosnian Serbs. This decision did not account for the internal dynamics of Bosnia, where the conflict had already been unleashed.

The regular Yugoslav Army (JNA), following the experiences in Slovenia and Croatia, decided not to fight this war, quitting Bosnia after the declaration of independence. However, Bosnian Serb soldiers were to constitute the basis of a new

Bosnian Serb Army, taking over most of the JNA equipment. Fighting erupted in April 1992.[4] Initially, the strong ex-JNA Army occupied more than 70% of the territory, besieging Sarajevo. Cruelty redoubled in this war, since the fighting was not waged by regular armies; ethnic cleansing became a norm.

It was a conflict that went far beyond ethnic lines. Most citizens in Sarajevo, regardless of their origin, supported a unified Bosnia, while inhabitants of the rural communities, the ones who had most suffered the economic crisis, blamed the other community for their misfortune and asked for partition. Most of the educated population was not prepared for the war. On the contrary, criminals and thieves jumped on the opportunity of disorder to enhance their illegal activities. In a spiral of hatred and violence, most people were forced to take sides much to their regret and much to the surprise of the international community (Silber and Little 1996).

The cruelty of this war attracted international public attention, followed by some political resolve to intervene. But the main international actors never expected the results of the war to be so extreme, so they intervened half-heartedly. Moreover, although the UN kept strict neutrality, the EC—initially—and the United States favored the new independent countries against the interests of the former Yugoslavia, influenced by public sentiment over Serb atrocities. On the other side, the Bosniaks played the card of international intervention by adopting the role of the oppressed party. The Croats played both sides to their advantage, either on their own, allied with the Serbs or with the Bosniaks.

The factor of ethnicity has been much contested in this conflict. Years of communist rule coupled with centuries of coexistence had diluted ethnic differences

mainly in cities and towns full of mixed marriages. However, the economic difficulties that followed Tito's death helped to split benefits along ethnic lines. In rural areas, ethnic identity became the major factor for job selection in a time of growing unemployment. The country started sliding towards nationalism, forcing the population to affiliate to any identity in order to be secure. Those who resisted this affiliation were caught in the middle, in between national politics and local communities. National politicians and the often self-appointed leaders of local communities—the latter often criminals—opted for nationalism from the beginning, leading the country to war, over the wishes of a silent majority.

The Bosnian conflict encompassed a varied concentration of factors that made for a really complex situation. The country's historical ethnic divisions, which had been greatly diluted through intermarriage and socialist policies, were transformed into irreconcilable hatred as society divided itself into three factions, all rivals of each other, and all shifting alliances when convenient. The whole region of the Balkans was still in turmoil, from previous conflicts in Slovenia and Croatia. A country already in economic difficulties, but with a middle-class quality of life, was drawn into a war, which created a humanitarian crisis. The humanitarian crisis in turn attracted international attention but made impartiality very difficult. The countries that could intervene did so with timidity, sending only humanitarian support instead of solving the conflict.

UNPROFOR Mandates

The UN started its involvement during the early stages of the conflict. On 25 September 1991, UNSCR 713 (S/RES/713, 1991) encouraged "all parties to settle disputes peacefully" and established a military embargo under Chapter VII of the

Charter.[5] On 27 November, UNSCR 721 (S/RES/721, 1991) labeled the crisis in Yugoslavia as a "threat to international peace and security." This expression meant a "carte blanche" for different options. The UN Charter did not allow the organization to intervene in matters within the domestic jurisdiction of any state (Article 2.7)[6] unless, under Chapter VII, the Security Council determined the existence of a threat to the peace (Article 39). These resolutions, however, only opened the door to intervention, not daring to call for a peace-keeping operation without the full consent of the parties. At this moment, the Secretary General of the UN was Mr. Javier Pérez de Cuéllar, who was near the end of his term, and was unwilling to enforce a stronger UN presence in the world.

In his 11 December 1991 report (S/23280, 1991) to the Security Council pursuant to UNSCR 721, the UNSG explored again the feasibility of a further UN peace-keeping operation in Yugoslavia, underscoring that the conditions still did not exist for such an operation. UN troops could be deployed only to "those areas of Croatia in which Serbs constitute the majority or a substantial minority of the population and where inter-communal tensions have led to armed conflict in the recent past." The hope was that by "tackling the heart of the fires which have recently blasted in Yugoslavia, a further spread of the conflagration could be avoided." Those areas would be designated United Nations Protected Areas (UNPA). The role the UNSG envisaged for the UN troops was "to ensure that the areas remained demilitarized and that all persons residing in them were protected from fear of armed attack." Not anticipating the major change which was undertaken by the next Secretary General, the report allocated humanitarian support responsibilities to the UNHCR without mentioning any military role (S/23280, 1991).

A most interesting piece of this report is its Annex III, presenting a "Concept for a United Nations peace-keeping operation in Yugoslavia" (S/23280, 1991, 15). This concept followed the classical principles of UN peace-keeping operations. It established the UNPA where the peace-keeping force should be deployed. The troops should not receive orders from their national authorities and would be required to remain completely impartial toward the parties. The use of force was restricted "to the minimum extent necessary and normally only in self-defence." Beside the military force, there would be a police component for police-like missions, thus freeing the military force of those duties. Both components, military and police, were to be led by a Force Commander and a Police Commander respectively, under a civilian head of mission. The Security Council approved this report and the concept included therein by UNSCR 724, adopted on 15 December 1991 (S/RES/724, 1991), which underlined the purpose of a possible peace-keeping operation as "to enable all parties to settle their disputes peacefully."

The Egyptian Boutros Boutros-Ghali replaced Pérez de Cuéllar in 1992. This change meant a change of policy, too. The new Secretary General signed a new report on 15 February 1992 (S/23592, 1992). This report recommended the establishment of a peace-keeping mission. The UNSG admitted that the conditions set by his predecessor had not been met; he was not able to assure that the force would receive the necessary cooperation from the parties. Nonetheless, he concluded that the risk of failure of the peace-keeping operation because of a lack of cooperation from the parties was less grievous than the danger of a breakdown of the cease-fire and the possibility of the start of a new conflagration because of the delay in dispatching the force. The personality of

the new UNSG was more eager to take risks in the new world order, where he envisaged a more prominent role for his organization.

Boutros-Ghali's report (S/23592, 1992) also proposed some changes to the plan elaborated in his predecessor's (S/23280, 1991). The new report described the structure and resources required, and specified the conditions to carry out the mandate. The first change was a proposed relocation of the Force Headquarters to Sarajevo, in anticipation of a possible extension of the conflict to Bosnia and Herzegovina. The second change was in the command structure. The UNSG proposed that a military Force Commander be entrusted with the overall command of the United Nations operation (S/23592, 1992). With this proposal, the UNSG wanted to distinguish the European Community (EC) peacemaking role from that of the UN, fearing that a senior UN civilian representative might clash with the EC representative.[7] Thus, due to the limited political reach of the Force Commander and this decision, there was no integrated politico-military approach to the crisis.

The military component would consist of over 12,000 soldiers, the police component of over 500 policemen. They were to be deployed in the approved UNPA in Croatia, with a few observers inside Bosnia. Finally, UNSCR 743, of 21 February 1992 (S/RES/743, 1992), established the United Nations Protection Force (UNPROFOR) for twelve months. Again, the purpose of the force was "an interim arrangement to create the conditions of peace and security required for the negotiation of an overall settlement of the Yugoslav crisis." The Headquarters was established in Sarajevo, as a means to have a direct influence on the foreseen Bosnian conflict.

Nonetheless, the outbreak of the conflict in Bosnia surprised UNPROFOR, which was unprepared. Its presence did not deter the fighting at all, as the UNSG acknowledged in his report pursuant UNSCR 749 (S/23900, 1992). By that time, the humanitarian crisis created by the war, especially in the city of Sarajevo, had reached the point where it influenced public opinion. UNSCR 752, of 15 May 1992 (S/RES/752, 1992) called for the belligerents to stop the fighting and respect one of the numerous ceasefires signed, in this case on 12 April. It asked the UNSG to protect international humanitarian relief programs and ensure a safe and secure access to Sarajevo Airport. It was an opening move for a further UN commitment in Bosnia. UNSCR 757, of 30 May 1992 (S/RES/757, 1992) imposed a full array of sanctions on Serbia and Montenegro and requested that Croatia and all states involved in the conflict enforce the end of the war. It specifically requested for the reopening of Sarajevo Airport, which would be considered a security zone. In order to fulfill this request, the UNSG called for an enlargement of UNPROFOR's mandate and strength in a report pursuant this resolution, (S/24075, 1992) of 6 June 1992, approved by UNSCR 758 of 8 June 1992 (S/RES/758, 1992). This was just the first in a long series of changes to the mandate. UNSCR 758 mandated UNPROFOR to "take over full operational responsibility for the functioning and security of Sarajevo Airport." This task included "the unloading of humanitarian cargo and ensure the safe movement of humanitarian aid and related personnel." This represented a fundamental change from previous resolutions, because it directly tasked the military with a humanitarian support mission. This first modification of the mission and mandate seemed somewhat logical, were it not for the fact that it proved the lack of cooperation of the factions, one of the requisites for a peace-keeping mission, in total contradiction to

the UNSG report that established UNPROFOR. The UNSG raised again this issue in his report of 21 July 1992 (S/24333, 1992), in which he replied negatively to the request in the London Agreement, brokered by the EC among the parties of the Bosnian conflict, for a full UNPROFOR deployment in Bosnia, because he thought the parties would not respect the ceasefire.[8]

A subsequent report, (S/24353, 1992) of 27 July 1992, acknowledged that the situation in the former Yugoslavia, especially in Bosnia, altered many of the premises of the UN plan as expressed in the report from 11 December 1991 (S/23280, 1991). It faced three major concerns: (1) the situation of Internally Displaced Persons (IDP), (2) control of international borders, and (3) the humanitarian situation. It recommended, following the Force Commander's suggestion, another enlargement of the UNPROFOR mandate, in order to take control of civilian border crossings in the UNPA. Somehow it implied that the force was developing quasi-governmental tasks.

UNSCR 770, of 13 August 1992 (S/RES/770, 1992), recognized that the situation in Bosnia constituted a threat to international peace and security and that the provision of humanitarian assistance in Bosnia was an important element in the Security Council's effort to restore international peace and security in the area. As in the case with Croatia, it cited Chapter VII of the Charter. The door was open again for an enlargement of the UNPROFOR mandate to include Bosnia.

Following the adoption of this resolution, the UNSG signed a new report on 10 September 1992 (S/24540, 1992). In this report the UNSG told the UNSC that some Member States had communicated to him their willingness to provide humanitarian support to Bosnia. Specifically, they were ready to provide military personnel for

UNPROFOR in case the UNSC decided to add this function to UNPROFOR's mandate in accordance with the principles of UN peace-keeping operations. This amounted to a proposal to use UNPROFOR to support in earnest the delivery of humanitarian assistance. The need for humanitarian assistance was already evident in the situation at Sarajevo; some unnamed Member States wanted to provide forces—at their own cost—to UNPROFOR if its mission would be enlarged to include humanitarian support. The SG endorsed this proposal adding that it would be most welcome if the participating states would be willing to finance the cost of these operations.

The report stated that UNPROFOR's task would be "to support UNHCR's efforts to deliver humanitarian relief throughout Bosnia and Herzegovina, and in particular to provide protection" (S/24540, 1992). In providing this support, UNPROFOR would follow normal peacekeeping rules of engagement. For the first time in this context, the right to self defense included using force in situations in which armed persons attempted by force to prevent the UN to fulfill its mandate. The report established a new Bosnia and Herzegovina command for the operation, as the situation in Bosnia had become even worse than the situation in Croatia. This command would be the center of public attention for the following years. In accordance with this report, UNSCR 776, of 14 September 1992 (S/RES/776, 1992), enlarged UNPROFOR's mandate to include the protection of humanitarian support.

The next expansion of the mission was mandated by UNSCR 781 of 9 October 1992 (S/RES/781, 1992), which established a ban on military flights over Bosnia, commonly referred as a No-Fly zone. The resolution requested UNPROFOR to monitor compliance with this ban, including the deployment of military observers at airfields.

Aware of UN capabilities, the resolution called upon the states or regional agencies—meaning, without mentioning it, the United States or NATO—to provide assistance to UNPROFOR for this purpose (S/RES/776, 1992). This decision was explained in detail in a report of 5 November 1992 (S/24767, 1992), which included a concept of operations for this task, acknowledged the redeployment of thirty observers from other UN missions and requested a further increase of UNPROFOR personnel. The report was approved by UNSCR 786 of 10 November 1992 (S/RES/786, 1992). In the following year, the reports of constant violations of this resolution forced the UNSC to adopt another resolution, UNSCR 816 of 31 March 1993 (S/RES/816, 1993), authorizing Member States to take all necessary measures to ensure compliance with the No-Fly zone. The meaning of this statement implicitly authorized the "proportionate" use of force, requesting that the rules of engagement be coordinated with UNPROFOR. The significance of this resolution rests, once more, in the implicit recognition that previous resolutions had not deterred at all the parties from carrying out the flights they deemed necessary for their military purposes. The solution, again, was just an escalation in the level of the threat, short of calling all necessary means "including the use of force," which could have been much more effective from the beginning.[9]

At this moment, the UN reconsidered the whole UNPROFOR mission, since it had already changed its mandate and enlarged its composition without achieving significant results. UNSCRs 807 of 19 February 1993 (S/RES/807, 1993), and 815 of 30 March 1993 (S/RES/815, 1993), extended UNPROFOR's mission for short periods, asking the Secretary General to report on progress made, explicitly stating the UNSC's deep concern about the continuing violations by the parties of their cease-fire obligations.

UNSCR 807 (S/RES/807, 1993) called for the UNSG to take all appropriate measures to strengthen the security of UNPROFOR itself. Thus, this resolution recognized that UNPROFOR was not achieving its objective and was not able to effectively protect the force, undermining the willingness of the UNSG to send a force to a situation without full consent of the parties.

Apparently, the UN resolved to continue with the operation, because shortly thereafter it issued one of the most controversial concepts in UNSCR 819 of 16 April 1993 (S/RES/819, 1993). Deeply alarmed about the situation in the Bosniak enclave of Srebrenica, the UNSC declared this city and its surroundings as a "safe area", requesting UNPROFOR's increased "presence" with a "view to monitoring the humanitarian situation." The "safe area" was to remain "free from any armed attack or any other hostile act" (S/RES/819, 1993). This concept was the culmination of the UN approach to solve the conflict in the former Yugoslavia through dialogue. The long set of resolutions issued by the UNSC showed continuous and bitter complaints about the deteriorating situation due to the non-compliance of the parties with the agreed cease-fires. These complaints were followed by a strong call to the factions to respect their own agreements. Nevertheless, the solution proposed always presented diverse forms of political pressure on the parties, in the form of incremental measures such as embargoes, monitoring compliance—with obvious results—or using UNPROFOR to separate the warring parties. As the parties continued to behave in non-compliance with previous agreements or resolutions, the UN tried to increase their pressure but exhausted their repertoire of non-violent means, within their principles of impartiality and minimum violence. As a last resort, the fertile imagination of UN officials gave birth to original concepts such as

the “safe areas.” The parties increased their non-compliance in a geometric proportion, while the UN increased its deterrence measures in an arithmetic proportion.

The idea of the safe area was not necessarily wrong in itself. Within the humanitarian oriented action of the UN, it made sense to designate areas where large numbers of civilians lived as “safe areas.” This allowed for the UN to act in defense of its mission against anyone who violated these areas. What was questionable was the mandate given to the force to be “present” in the safe areas without allowing or directing it to act positively against possible violations. It implied a “wish” that the factions would be deterred by the mere presence of the force, not daring to attack it or to attack the civilians protected simply because the force was present. However, it was not easy for the UN to assign a stronger mission to its troops within a peace-keeping operation without violating its own basic principles of impartiality and minimum use of violence, as it would have undermined its credibility in future operations. The immediate conclusion was that the safe areas concept should never have been implemented within the limits self-imposed by the UN in its peace-keeping operations. The most surprising thing is the fact that the Security Council approved the concept, and that some nations sent their troops into danger under such a weak mandate.

The concept of the safe areas emerged in part from the recommendations of the report presented by a Security Council Mission established pursuant to resolution 819 on 30 April (S/25700, 1993). The report credited UNSCR 819 with the fact that Srebrenica had not been taken by the Serbs, which, in their opinion, might have resulted in a massacre.[10] It recommended an extension of the safe area concept to Gorazde, Zepa, Tuzla and Sarajevo as an act of preventive diplomacy. At the same time, it challenged the

restrictive use of UNPROFOR in a humanitarian support role, suggesting, at the instance of the Force Commander, that a “more intensive” role was possible. It also underlined the need to strengthen UNPROFOR capabilities, especially in reconnaissance. The report emphasized this more intensive role and encouraged a revised mandate—another one—to “encompass cease-fire/safe area monitoring and different rules of engagement”, short of “military strike enforcement measures.” It proposed not to rule out such enforcement measures at a next stage in case the Serbs attacked again. The main argument in support of this graduated step was that it would not “question the integrity of the humanitarian aid effort” (S/25700, 1993). That is, in order to keep humanitarian support as its main effort, the force should be restricted in the measures needed to enforce the safe area concept. This idea is a good example of the disconnect existing between the initial purpose of the operation, a show of humanitarian support by western countries and the international system led by the UN, with the realities on the ground that military commanders and special envoys could see.

Such a dilemma presented two possible options. One was to reject completely the combination of humanitarian support with peace-enforcement, as was understood in Somalia with UNITAF, devoting mission enlargement to security building measures. The other one was to implement imaginative solutions to encompass both ends, the one that suited the typical “can do” attitude of the military, stretching the concept of the use of force beyond the limits traditionally imposed by the UN. The UNSC soon made this decision: UNSCR 824 of 6 May 1993 (S/RES/824, 1993) extended the concept of safe areas to Sarajevo, Tuzla, Zepa, Gorazde and Bihac. But it only strengthened UNPROFOR with 50 military observers to monitor the humanitarian situation. At least, it declared a

readiness, in case any of the parties did not comply with the resolution, to consider additional measures.

A month later, acknowledging that the parties would not respect the safe areas, the UNSC took another small step forward in its use of force. UNSCR 836 of 4 June 1993 (S/RES/836, 1993) extended UNPROFOR's mandate "to deter attacks against the safe areas, to monitor the cease-fire, to promote the withdrawal of military or paramilitary units other than those of the Government of the Republic of Bosnia and Herzegovina and to occupy some key points on the ground, in addition to participating in the delivery of humanitarian relief to the population."[11] In order to enforce this mandate, UNSCR 836 authorized Member States or regional organizations to take "all necessary measures, through the use of air power, in and around the safe areas." Finally, as the situation in Croatia remained stable, it asked UNPROFOR to redeploy its troops, to the extent possible, to Bosnia. From this moment the crisis focused mainly in Bosnia, a situation far worse than the one in Croatia.

The UNSG elaborated a report (S/25939, 1993), signed 14 June 1993, in order to analyze the tasks needed to implement the resolution. This report summarized the tasks to be developed by UNPROFOR as: a) Deterrence of attacks; b) Monitoring of the cease fire; c) Promotion of the withdrawal of military or paramilitary units other than those of the Government of Bosnia and Herzegovina; d) Occupation of key points; and e) Protection of humanitarian relief delivery and distribution. The report assumed that the operational concept and the number of troops would depend on the degree of cooperation from the belligerent parties. Another important assumption was that in any case, the force on the ground would not be enough to resist a concentrated assault on any of the safe

areas, thus it relied on a credible air-strike capability. But this was a capability the UN lacked, so it asked NATO to provide it. The report stated that in order to increase UNPROFOR's deterrent capabilities the force should be augmented by 34,000 troops. It provided for a light option with an increase of only 7,600. This option would be more dependent on air-strike capabilities, of course, but was considered as more realistic in terms of what could be expected from the Member States. The report finished with a comment on the desirability of a political solution that might change the UN effort to one of reconstruction and development instead of a military peace keeping one. The new resolution could be interpreted as if UN military forces were not to provide this reconstruction effort, only protection. UNSCR 844 of 18 June 1993 (S/RES/844, 1993) approved the previous report, including the additional force requirement, reaffirming its decision on the use of air power.

The above resolutions and report are another attempt to reconcile the main purpose of humanitarian assistance with the need for a stronger peace-enforcement capability. It initially tasked UNPROFOR with actions such as deterrence of attacks, monitoring the cease-fire or promoting withdrawal of military units. The wording denotes passive measures (deterrence) which depended on the voluntary actions of the various parties to the conflict (promoting). At the same time, it recognized that the responsibility for air strikes, the most decisive enforcing action, would be outside of UNPROFOR responsibility, under NATO command. This way, UNPROFOR could say it remained within its principles of minimum force and impartiality while NATO would take the lead in enforcing peace. From then on, the main tool to protect UN personnel and mission was outside of the UN chain of command. NATO took seriously this responsibility, but on its

own terms, for its own agenda, without its own boots on the ground. The lack of unity of command would prove the weakness of this tool as NATO wanted to use its air-power in a way that did not suit UNPROFOR considerations, as will be addressed in following pages.[12]

Going back to redefine the political objective, UNSCR 859 of 24 August 1993 (S/RES/859, 1993) established the principles for a settlement to the Bosnian crisis: a) the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina; b) the fact that neither a change in the name of the State nor changes regarding the internal organization of the State such as those contained in the constitutional agreement annexed to the Co-Chairmen's report would affect the continued membership of Bosnia and Herzegovina in the United Nations; c) the principles adopted by the London International Conference on the Former Yugoslavia, including the need for a cessation of hostilities, the principle of a negotiated solution freely arrived at, and the unacceptability of the acquisition of territory by force or by 'ethnic cleansing' and the right of refugees and others who had suffered losses to compensation in accordance with the statement on Bosnia adopted by the London Conference; d) recognition and respect for the right of all displaced persons to return in their homes in safety and honour; and e) the maintenance of Sarajevo, capital of Bosnia and Herzegovina, as a united city and a multicultural, multi-ethnic and pluri-religious centre (S/RES/859, 1993).

This resolution recalled that the main purpose of the international community was not just humanitarian assistance, but the maintenance of peace and the rule of law in the territories of the former Yugoslavia. As stated by resolution 743 (S/RES/743, 1992), following the proposal in the preceding report from the Secretary General (S/23592,

1992), the person with overall responsibility for the UN mission in the former Yugoslavia was the Force Commander. However, UNPROFOR's military tasks were mainly oriented toward humanitarian support, as acknowledged in the report of 10 September 1992 (S/24540, 1992). This was done at the insistence of the member states willing to provide troops for this purpose. As the results demonstrated, it is really difficult to put together a force that would help achieve a higher political purpose while dealing with a humanitarian crisis; as if the extension of humanitarian support with military presence on the ground would be enough to attain the political objectives. Reality proved the contrary. This philosophy of extending humanitarian support to attain political objectives has been accurately described by David Rieff (Rieff 2003).

Further resolutions up to the end of 1995 addressed aspects of the conduct of operations, enlarged the authorized strength of the force or simply extended the mandate over time without major changes. Some of them reflected the tensions of peacekeeping, including short renewal of mandates when the whole continuity of the mission was at stake. But the mandates, in general terms, were the same as those described to this moment. The next section will discuss how those mandates were interpreted and implemented.

Finally, after the Dayton agreements, UNSCR 1031 of 15 December 1995 (S/RES/1031, 1995) endorsed the General Framework of Agreement for Peace (GFAP) signed the previous day in Paris, which gave birth to IFOR. As IFOR had a totally different mandate and capabilities, this resolution terminated the authority to take certain measures conferred upon States by some of the preceding resolutions, de facto terminating UNPROFOR operations. In fact, most nations' forces just remained in

Bosnia, their units changed the blue beret for the green or black and the vehicles were repainted in green from the UN white.

UNSCR 1035 of 21 December 1995 (S/RES/1035, 1995) created the International Police Task Force (IPTF) to be entrusted with the tasks set out in Annex 11 of the GFAP and a United Nations civilian office with the responsibilities set out in the report of the Secretary-General. Both organizations became known as the United Nations Mission in Bosnia and Herzegovina (UNMBIH), whose mission was to help ensure compliance with the provisions of the Peace Agreement, cooperating closely with IFOR and later SFOR. It assigned for itself the following functions: Coordination of the United Nations contribution to implementation of the Peace Agreement; Humanitarian relief and refugees; Demining; Civilian police; Human rights; Elections; Rehabilitation of infrastructure and economic reconstruction.[13]

The mandate for IFOR, later SFOR, emanated from the military annex to the GFAP. This mandate, benefiting from the previous UNPROFOR experience, was clearly one of implementing peace, with a force that had the resources it needed. At least, the Bosnian experience had provided useful lessons for the future. IFOR authorization to use force was sound and effective for the purposes given, but it has to be said that those same capabilities could have been used to attack the real causes of violence in case political will had been present.

UNPROFOR Implementation of the Mandates

UNSCR 743 (S/RES/743, 1992) established UNPROFOR. Following the plan drafted in the preceding report of the Secretary General, it consisted of about 12,000 troops from Argentina, Bangladesh, Belgium, Canada, Colombia, Czechoslovakia,

Denmark, Egypt, Finland, France, Ghana, Ireland, Kenya, Luxembourg, Nepal, Netherlands, New Zealand, Nigeria, Norway, Poland, Portugal, Russian Federation, Sweden, Switzerland, and the United Kingdom. Its first commander was Lt. Gen. Satish Nambiar of India, who commanded the force from 03 March 1992 to 02 March 1993. The Deputy Commander was Maj. General Philippe Morillon,[14] from France, and the Chief of Staff Brigadier General Mackenzie,[15] from Canada. The force was deployed mainly in Croatia, in the UNPA, later in the "pink zones," too.[16] Its headquarters was established in Sarajevo on 13 March 1992, with observers in Bosnia and Macedonia, and logistical bases in Banja Luka, Belgrade and Zagreb. Initially, it was a classical peace-keeping mission based on the consent of the parties, although there was no full consent. UNPROFOR was successful in freezing the conflict, both factions holding on the terrain they had been able to take at the beginning of hostilities. Internal ethnic cleansing and minor border clashes remained, coming from both sides. However, the main problem reported by the force commander came from the international community itself, moved by the images of the conflict. Lt. Gen. Nambiar complained about international pressure to place blame on the Serbs, while he intended to remain impartial following his mandate (Nambiar, 1999). The Croatian forces in January 1993 used as an excuse for a renewed offensive their impatience with UNPROFOR's insufficient efforts to implement the agreements, something that was not in UNPROFOR's mandate.[17]

In September 1992, UNSCR 776 (S/RES/776, 1992) enlarged UNPROFOR's mandate to include protecting humanitarian support in Bosnia, a task assigned to a new subordinate command under Maj. Gen. Morillon. He counted, initially, on over 7,000 peacekeepers, most of them French. The Main UNPROFOR HQ moved to Zagreb, while

the Bosnian Command went to Sarajevo. This deployment was not enough to either stop the conflict, or to provide humanitarian aid in the needed amount. Most of the convoys were halted at faction's checkpoints, which invariably took a toll on the transported supply. Again, UNPROFOR's presence served to freeze, not to resolve, the conflict.

This time, however, the factions had learned from the Croatian front that UNPROFOR lacked the mandate and the resources to stop their movements (Fleitz 2002, 120). Then, the three factions carried out several offensives against each other to seize terrain, with a view to a future negotiation table. The Serbs against the Bosniaks in Srebrenica, the Croats against the Bosniaks in Mostar and again the Serbs against Croats and Bosniaks in Central Bosnia launched small offensives with little ground in return but a heavy toll in lives. UNPROFOR forces were uncomfortable witnesses of the fights. The troops did their best to intervene when it was possible, but were completely unable to stop the fighting. In the case of Srebrenica, whose loss would have provoked a major humanitarian crisis, the international community put a stronger pressure on the Serbs to stop their advance.

This partial success in Srebrenica was not due to military pressure, but to diplomacy. And diplomacy is what generals on the ground did on their own. Deprived of a powerful military tool, at least they were in the area and had access to the factions' leaders. They used their influence to arrange local agreements that saved thousands of lives, put pressure on the leaders and tried to focus public opinion attention on the most useful spots. Belgian Lt. Gen Francis de Briquemont replaced Lt. Gen. Morillon in July 1993. He complained that there was no political representative in Bosnia to take this job (Briquemont, 1998, 57), other than Sergio Viera de Mello, assigned in October 1993 to

assist the UN representative in Zagreb, Thorvald Stoltenberg.[18] Briquemont dismissed his mandate as useless, throwing the documents to the deepest corner of his drawer. He understood that his task was to convince the generals commanding the factions to stop combat in order to give the political negotiators in Zagreb and Geneva the opportunity of a relative calm (Briquemont 1998, 59). To do so, he needed to maintain contact with the three parties to the conflict, acknowledging that one of them was formally recognized by the international community. But in doing this political job, Briquemont never got along with his political masters, so he resigned in January 1994.

His successor was British Lt. General Michael Rose. Aware of his predecessor's political relations problems, he managed to better integrate the political and the military aspects of the crisis. He played even more of a diplomatic role, both in Bosnia and in Geneva, while at the same time he succeeded in pushing the units on the ground to assert themselves regardless of the faction involved. He felt an even stronger pressure than his predecessors to use UNPROFOR politically. His bitter complaints reflected his disagreements with the policy adopted by the United States and NATO which blamed the Serbs and used UNPROFOR or NATO air power to check them and force their position at the negotiating table. His mandate and conviction was to remain impartial.[19] Rose understood his mission as supporting the UNHCR. He explained once to then-US Defense Secretary, William Perry, that "the use of force to compel the Serbs to accept the Contact Group's plan was not part of the UN mandate" (Rose 1998, 183). In a different interview he provided a reason for not using compellence: what he termed "a war mission" would need at least 100.000 troops (Rose 1998, 152). He criticized those who

wanted war-fighting criteria for UNPROFOR when it had a peace mandate (Rose 1998, 161).

The use of air strikes was a major problem for both Briquemont and Rose, a tool at their disposition but outside their control. NATO and the US, following the policy of punishing the Serbs, tried to use air power against Serb forces whenever they—United States and NATO—deemed convenient. UNPROFOR, which was the force that actually had soldiers on the ground, wanted to use air power to lower the risk for their troops. The disagreement was painful for all UNPROFOR commanders. The system finally agreed was called a "dual key", with the double requirement of UNPROFOR and NATO authorization for air strikes.

Once this tool was set up, its application proved more difficult than expected. First, the United States and NATO pushed for strikes following UNPROFOR reports of cease-fire violations. Lt. Gen. Rose simply ceased to send those reports to avoid NATO interference (Rose 1998). When it was first used, the Serbs replied by taking UN observers as hostages. Lt. Gen. Rose tried to make sure that the use of air power was even-handed, calling for air strikes against Croats and Bosniaks. But, in the initial cases, bad weather, NATO reluctance or other conditions prevented this use; then, the Serbs were the ones targeted and hit. As a consequence, UNPROFOR lost its reputation for impartiality, making contact with the Serbs more difficult, and placing its humanitarian mission in jeopardy. In the final analysis, it was the air strikes which forced the Serbs to accept negotiations in the terms desired by the international community, but in the meantime, these air strikes complicated UNPROFOR's humanitarian mission.

The last UNPROFOR commanders, French Lt. Gen Bernard Janvier as overall commander in Zagreb and British Lt. Gen. Rupert Smith in Bosnia, were forced to deal with the worst crisis of UNPROFOR's mission. On 7 July 1995, the safe area of Srebrenica was finally taken by the Bosnian Serb Army, overrunning UNPROFOR observation posts, even taking UNPROFOR soldiers as hostages. The safe area concept had completely failed to deter the Serbians, and UNPROFOR troops were unable to counter the Serbian attack. The situation became even worse when the Serbian troops massacred about 8,000 Bosniak men from the enclave. A month later, in August 1995 Croatia launched its successful Operation Storm, defeating the Krajina Serb Army inside the UNPA. UNPROFOR was forced to abandon the area, effectively failing in accomplishing its mission. Both failures triggered a strong international response to settle the conflict, bringing the Serbs to negotiation in Dayton. UNPROFOR was dismantled; IFOR, a much more robust force under NATO command, with a stronger mandate, took over the responsibility.

In spite of its final failure, at the tactical level, the force performed with professionalism.[20] There are few complaints about UNPROFOR behavior. The command relations were clear and as effective as the political relations between the coalition members permitted. The main concern was its structure. It was composed of independent battalions, answering not only to the force commander, but also to their parent nations. These battalions did not operate in concert; they assumed responsibility for a sector or an area where they carried out their assigned task. The commander was not able to mass forces if it was required. Some units followed strictly the UN ROE, under national political pressure, while others had more latitude in implementing the mandate. Tactical

units did as much as they could within the mandate to alleviate human suffering in Bosnia, to the risk of their lives. Finally, the weaponry was far from being the most adequate, lacking mechanized capabilities and artillery. The formal humanitarian purpose of the force did not require anything else, but their actual use on the ground would have been greatly enhanced by the protection provided by mechanized units, the deterrence afforded by tanks and artillery plus the offensive capabilities of these systems if necessary.

In conclusion, UNPROFOR was composed of excellent troops, with good commanders and a solid but inappropriate command structure. Its equipment was adequate for its peacekeeping and humanitarian mandate. However, the requirements made on UNPROFOR far exceeded its mandate and resources. Under such circumstances, from a strictly military point of view, UNPROFOR performed at the maximum of its possibilities. Whatever the failure in the mission, it was not because of poor military performance.

The Relation between Purpose, Mandate and Results

The purpose of the international community for intervention in the Balkans was never clear nor coordinated. The EC looked for a political compromise among the parties to end the war, ready to accept the dismemberment of Bosnia. The United States wanted to revert to the previous status, a unified and democratic Bosnia (Gawrych 2004, 25), not to reward the Serbian aggressors. The UN tried to fill in the humanitarian role besides seeking a political solution. Despite the diversity of interests and aims, the most important tool on the ground was UNPROFOR, which was the means to monitor what

was happening there, and the instrument that allowed regular access to the parties to the conflict, influenced the situation, and reacted quickly to unexpected events.

UNPROFOR's mandate evolved incrementally to encompass the evolving orientation of the international community's political purposes. Initially, it was conceived as a classical peace-keeping operation. It should have relied on compliance from the parties, but this compliance was non-existent. Nevertheless, the UNSG Boutros-Ghali perceived that the UN had an opportunity to play the role of a protagonist in the new world order. Therefore, he pushed for UN participation even without the consent of the parties to the conflict, expecting that simply through its presence, a UN force would create the conditions that would enable peace negotiations. The UN first used its force to support the peace-making efforts of the international community which was then led by the EC, instead of a peace-keeping role, because peace was non-existent. UNPROFOR, by its presence, ensured the parties in Croatia would not achieve further territorial gains from military action, but did not deter them from posturing for minor gains and from creating sustained instability.

Once the conflict spilled over into Bosnia, UNPROFOR needed to change its mandate again. This time a peace-keeping role was out of the question, because the minimum conditions to consider compliance or consent were not present there. But the humanitarian crisis, which was far worse than in Croatia, provided the grounds for UNPROFOR participation. Thus, UNPROFOR in Bosnia received a humanitarian mandate, following UNSCR 758[21] and 776.[22] The humanitarian purpose was a response to pressure from public opinion. This idea came from an offer made by some Western countries to the Secretary General. But behind the humanitarian purpose was the

expectation that a ground force would be able to monitor and influence events. But UNPROFOR had a mandate that responded to only one of the real purposes of the operation. The problem was that the force was tailored specifically for this humanitarian purpose. The reality, proved by UNSCR 859, was that the international community was seeking a political solution in the Balkans.

This discrepancy might have been solved by political direction. But, as Lt. Gen. Briquemont complained, the political direction he received was just "General, please, do something!" When UNPROFOR commanders interpreted their mandate with latitude within the typical military "can do" attitude, they became involved in the political negotiation process, which yielded excellent results at the local level and garnered extraordinary support at the political level, like LT. Gen. Rose intervention in the Geneva talks (Rose 1998). However, the lack of cohesion within the international community impeded an effective use of the influence that military commanders could exert on the factions.

The UN tried to fill the gap between its humanitarian mandate and the extended political purpose with imaginative solutions in order to extend UNPROFOR's reach; hence the safe area concept and the NATO air strike capability to compensate for the lack of deterrence. However, this move by the UN opened a gate for the United States and NATO to have their own opinion on how to use force. It moved from peace-keeping to humanitarian assistance and then to "presence." It became about forcing negotiation on the United States and NATO's preferred terms.

For two years, the forceful political struggle between the UN and the EC against NATO and the United States damaged UNPROFOR's impartiality and credibility, its

center of gravity, without improving its ability to influence events. Following the summer of 1995, UNPROFOR became useless. The United States, supported by NATO, seized the opportunity to enforce its own solution to the conflict taking the leaders of the factions to Dayton. But it was too late for a stable solution. Dayton managed to freeze the conflict in place but did not provide for a stable future.

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[1] From now on, it will be referred as Bosnia

[2] The Bosnians of Muslim allegiance received this name, as all Bosnian Serbs or Bosnian Croats were "Bosnian" too.

[3] Most of the voters were Bosnian Croats or Bosniaks, the Bosnian Serbs refused to vote.

[4] Notwithstanding violent acts the previous months.

[5] This embargo was to be a subject of dispute between the UN and most European countries on one side facing the US and the Arab states on the other.

[6] The previous resolution, claiming a military embargo, did not deal with domestic questions but with external aid to the parties to the conflict; therefore, there was no need to call it a threat to peace.

[7] The police and civilian components would remain under the Force Commander but through its Director for Civilian Affairs.

[8] A later resolution, UNSCR 802 of 25 January 1993 (S/RES/802, 1993)—among many others, explicitly admitted that the parties were not complying with the agreements when expressing its condolences to the families of UNPROFOR personnel who lost their lives in these acts.

[9] The most important action took place on 28 February 1994, when NATO fighters shot down four military aircraft which had ignored two previous warnings.

[10] It also acknowledged the role played by UNPROFOR commander in previous negotiations to avoid this massacre.

[11] Lt. Gen. Francis de Briquemont, UNPROFOR Bosnia commander, wrote he was told that this resolution was adopted against the recommendation of UN military advisers (Briquemont 1998, 60).

[12] In a Report pursuant Resolution 844, the UNSG went as far as admitting that UNPROFOR's protection role was derived from its mere presence, not having the resources to defend the "safe areas."

[13] United Nations, Department of Peacekeeping Operations, http://www.un.org/Depts/dpko/missions/unmibh/mandate.html (accessed 21 May 2008).

[14] He was later named at the head of the Bosnia UNPROFOR Command.

[15] As the senior officer in Sarajevo was the head of the later created Sarajevo Sector, drawing much attention from the media.

[16] Disputed zones adjacent to the UNPA, which controlled access to the protected areas.

[17] United Nations, Department of Peacekeeping Operations, http://www.un.org/Depts/dpko/dpko/co_mission/unprof_b.htm (accessed 16 March 2008). Following UNPROFOR commanders expressed the same impression (Gautier, 1993, Briquemont, 1998, Rose, 1998).

[18] Briquemont added that, even if de Mello was a very remarkable official, he was not the high political representative the mission needed at this moment. De Mello is better known for his extraordinary accomplishment in East Timor and his tragic death in Baghdad in 2003 as the head of the UN mission.

[19] Public opinion and political pressure against the Serbs portrayed him as pro-Serb.

[20] Dr. Baumann says that "given their predicament, UNPROFOR soldiers comported themselves well and laid claim to remarkable achievements as well as tragic failures" (Baumann 2004, 44).

[21] UNSCR 758 asked UNPROFOR to provide support to the humanitarian assistance effort in Sarajevo airport.

[22] UNSCR 776 mandated UNPROFOR to support the humanitarian efforts of the UNHCR.

CHAPTER 6

CONCLUSIONS AND RECOMMENDATIONS

Purpose

The use of force by the UN in Somalia and Yugoslavia followed a new and more ambitious concept. It was based in the humanity of its purpose, and was full of good intentions. The end of the Cold War had freed the resources of the Western powers, encouraging them to commit forces to peace operations. In Europe, European Community nations committed forces under a UN mandate to the former Yugoslavia. Similarly, the United States committed forces to help relieve the chaos in Somalia. Unfortunately, both operations ended in failure; Somalia was abandoned, while NATO took over from the UN in the former Yugoslavia. This thesis has explored the relationship between the mandates for the use of force and the results achieved. The content of the mandates was key to the outcome of the operations.[1] The reluctance to develop coercive mandates, while at the same time raising the expectations of the outcome to be obtained by a mere presence of the force, were a hindrance to the results of these operations.

Both Somalia and the former Yugoslavia are very representative cases of this new concept for the use of force. The initial mandate for UNOSOM and one of the initial mandates for UNPROFOR[2] were the first to include humanitarian support in their purpose. The evolution of the mandates provides clear evidence of how the mandates tried to keep up with a deteriorating situation on the ground. Both UNOSOM and UNPROFOR went beyond their mandates to perform tasks deemed necessary to achieve a solution to the conflicts. Military commanders found it difficult to abide by the

mandates and obtain the expected results; sometimes they carried out their mission trusting their own perception of the situation, while in others they followed the instructions given.[3] In any case, both operations were failures.

The purpose behind both operations mixed a real altruistic and idealistic humanitarian perspective with a realist approach based on a response to public opinion demands, the security interests of Western powers, and the personal ambitions of the UN system's leadership. Andrea Talentino argues that "international changes witnessed since 1989 have transformed intervention, moving it away from realist interests and toward normative, conflict resolution agendas" (Talentino 2005, 51). This move may not have been the more appropriate for the humanitarian purpose. As Frederick H. Fleitz points out, "expanded peacekeeping collapsed because its promoters put their idealistic and political aspirations ahead of operational realities (Fleitz 2002, 111).

Humanitarian Mandates

The humanitarian perspective cannot be considered only as an excuse for intervention. According to the writings of the UNSG there was a real concern for the humanitarian situation of the Somali and Yugoslav peoples. However, it seems that, in order to achieve a humanitarian purpose, the UN pressed for international participation in situations where it could not guarantee the basic principles of UN operations: consent of the parties to the conflict, impartiality, and neutrality.[4] This humanitarian component was highlighted by the reaction of international public opinion to the images of starvation in Somalia and ethnic fighting in the former Yugoslavia. Western governments considered this reaction as a request to "do something about it". One of the tools they had available

was their armed forces. The UN also perceived this opportunity and stepped in to assist in the international contribution to peace operations.

However, the principles and previous experience of UN peace operations gave little scope for military force acting solely on humanitarian purposes. The UN confronted a difficult decision. For the first time it had the much desired resources to commit to peace operations, which would be useful as long as they were oriented towards humanitarian action. Thus, the word engineering specialists at the UN or in the nations designed the mandates for the subsequent operations. First, in order to intervene without the consent of the parties, the UN in its resolutions declared both conflicts as a threat to international peace and security. This consideration, however, implied a need to solve the situation that was beyond the basic humanitarian purpose. And so, in order to make a humanitarian intervention legal and possible without the consent of the parties, the UN had to draft mandates that included this more ambitious purpose.

Second, it became clear that a mere humanitarian mandate was not sufficient to solve the conflict. The humanitarian objectives were attained in each case, especially in Somalia under UNITAF. This particular operation showed that a massive intervention with a proper chain of command, military resources, limited mandate, effective rules of engagement and full military involvement in the political approach can be successful. At the same time, it reveals that solving the humanitarian problem does not necessarily solve the political problem. And, if the political problem remains, the humanitarian issue might come back again at any moment. Thus, political decision makers, both on the ground and in New York, supported a more active military role with the goal to reconstruct the civil society out of the chaos. In Bosnia, the provision of humanitarian assistance, especially in

the case of Sarajevo, permitted the continuous support of a population under siege. But the warring factions profited from humanitarian provisions, either directly, or indirectly seeking protection from UN units that protected humanitarian convoys, while endangering their supposed impartiality.

Mission creep

The military commanders on the ground found it difficult to stick to the sterile humanitarian mission, because they clearly perceived opportunities to positively influence the outcome of the conflict. These factors moved commanders to use military force beyond the assigned mandate, which led to the so called “mission creep.” UNITAF developed new tasks that had not been included in the original mandate, which, when liberally interpreted made the force more successful. Examples of these interpretations allowed for missions such as training the police or organizing city councils. In addition, UNPROFOR commanders put a lot of pressure on Bosnian commanders in order to reach temporary agreements. But the lack of a clear mandate to develop such tasks did not allow for the optimal use of the force, and put additional strains on the command chain. In some cases, the multinational nature of the force caused internal tensions because some countries were willing to go beyond the mandate while others respected it strictly.

Despite some positive results, further mission creep combined with a diminution in force capabilities were the keys to failure. In Somalia the mission went from humanitarian assistance to nation building without major contradictions until the need to capture Aidid transformed the operation into a manhunt. In Bosnia the creation of the Safe Areas without enforcement capabilities proved to be a fatal blow to UN ambitions.

When UN mandates asked the forces to do much more than their capabilities allowed them without the enforcement mandate needed it proved to be a recipe for failure.

Secure Environment Mandates

It is perhaps the wording of the mandates, what may be described as engineering, what really posed difficulties to the military force. Concepts like “secure environment” or “safe areas” permitted a high level of ambiguity that allowed each institution or actor to interpret them according to their own will. The UN was constrained by its own history and experience, by its principles of consent, humanity, impartiality and neutrality. In drafting the resolutions the UN also considered the interests of its member states. There was a widespread reluctance to use the force in a compelling way and an extraordinary trust in the power of diplomacy backed by the mere presence of the force.

In order to conciliate the classic UN principles with these new, more violent situations, the mandates were drafted with ambitious purposes but maintained many constraints over the authority and use of military force. This decision reflected the natural aversion of civilian decision makers, especially those in the UN system, to employ force coercively. In order to intervene in Somalia, the US demanded a Chapter VII resolution by the UN, who initially resisted. But even when the UN issued a Chapter VII resolution, the mandate did not call for imposing a cease fire on the belligerents; instead, it asked the force to create a “secure environment.”

The meaning of a secure environment was not defined. The ambiguities inherent in this expression were very comfortable for the military and the civilians involved. For the military decision makers it implied the force would not be used in police jobs. The military task would be developed in a sterile military environment. For the civilians the

word “secure” is much more acceptable than any other with a more coercive meaning, like defeat, control, or impose. However, “secure the environment” has been very often interpreted as a sort of wall or umbrella that takes evil out of the clean and sterile field of humanitarian assistance or reconstruction. There is no such thing as a sterile environment. In places like Somalia or Bosnia the wrongdoers are intimately mixed with the civilian population. Another lesson for the future is that just separating parties is no longer a good solution (Talentino 2005, 52). There is a requirement for military forces to gain situational awareness and participate in the social, political and economical development of the situation. To achieve this, it is essential to obtain good coordination with the other international and local actors.

Implementation of the Mandates

In the cases studied, the commanders on the ground did their best to implement the mandates assigned. They were all professional soldiers with extensive experience, and none of them has received significant critiques in the literature reviewed. The troops consisted of forces with varied capabilities and organization, not always tailored to the needs of the mission. In retrospect, the most important capabilities that commanders lacked were intelligence and communications. Even if they had enough intelligence assets, the use of the information gathered was not always optimal, because it was not properly disseminated or shared. In general, the failures identified do not reflect shortcomings in the performance of the forces involved in these missions. The various commanders interpreted their tasks with different perspectives. For example, Major General Johnston took a prudent initial approach in Somalia, and was reluctant to enter into political issues; but his good relations with Ambassador Oakley facilitated good

civil-military coordination. Therefore, the force assumed tasks beyond its strict orders with fair success. When this civil military coordination was absent, like UNOSOM II or UNPROFOR under LTG Briquemont, any task beyond the most stringent interpretation of the mandate was assumed with a greater risk and difficulty.

For UNOSOM and UNPROFOR the lack of clear political guidance was one of the major hindrances for both operations. As the mandates were the result of political compromises, the task of interpretation was much in the realm of political guidance. However, even civilian decision makers were not aware of what they really wanted. The New World Order was not born with an instructions manual. They were very often confronted with tough decisions over conflicting principles or mandates. The provision of humanitarian assistance was not easy when the factions opposed the distribution of aid or took a share for themselves. In many instances, protecting the distribution equaled, or was interpreted by some actors, as taking sides. This was against the UN principles of impartiality and neutrality. Politicians were used to rounding these corners with political compromise, but military commanders preferred a clear order in one sense or the other. Whenever there was good civil military cooperation this civil military compromise was more easily reached and produced better results.

Force commanders were on their own on many decisions that had to be taken on the ground. In these occasions, their personal sense of humanity played a central role in their interpretation of the mandates. The troops under their command had a great difficulty tolerating the abuses from the factions to the conflict. Wherever they had a local military superiority the soldiers tried to enforce humanitarian standards of behavior from the factions. When they did not have the means to enforce a minimum of respect for

humanitarian principles from the belligerents, they felt impotent, and this was a big blow to their morale. However, when they lacked sound political guidance, their reaction could be counterproductive. The culmination of these difficulties at the higher level occurred when the hunt for the Somali warlord, Aidid, was understood as a political necessity by the civilians on the ground, and a legitimate military mission by the military commander. But since this mission was outside of the UN mandate, it was not properly coordinated between Somalia, Washington and New York and, finally, proved to be the wrong option.

In the former Yugoslavia the political room for maneuver for military commanders was even bigger. The lack of a single appointed civilian representative created a de facto double chain of responsibility: humanitarian assistance for the UN, political negotiations for the EU. UNPROFOR responded to the UN but also had many commitments as part of EU negotiations. LTG Briquemont understood his mission as creating the conditions for the success of these negotiations, while LTG Rose preferred to stay closer to his humanitarian mandate. As all UNPROFOR commanders, both these generals served as spokespersons that conveyed important political messages to the factions; they used their relative freedom of movement and immediate access to the factions to serve as negotiators between them. However when they tried to coerce factional leaders' behavior without having enough military deterrence capabilities, the factions learned how to circumvent this pressure. As Roy Gutman says about 1993 negotiations over Bosnia: "The negotiations, conducted in the absence of military leverage, always ended in failure" (Gutman 1996, 200)

Back to the future

It is difficult to speak about lessons learned from the mandates of these operations. The lessons of Somalia—the famous Mogadishu line[5]—were perhaps interpreted in the wrong way. Rwanda was the result of this mislearned lesson. At least, some antecedent conditions may be identified. First, a low level of commitment will correspond to the poor results in limited operations; second, the limited power of the exclusively humanitarian approach.

There was no real national interest behind Somalia and Bosnia.[6] Both operations were decided as a result of the conditions arising from the New World Order. It may be argued that the containment of the conflict was in the interest of the powers that intervened. Thus, the intervention was considered important to the national interests of those powers, but not decisive. Both operations were motivated by the power of the humanitarian appeal to Western Governments. However, the lack of interest by many influential civilian leaders played a major role in the size and mandate of the forces. The argument between the proponents of the Powell and Schultz doctrines was solved in favor of the latter (George 2000). The West started sending a few troops for humanitarian mandates just to "do something." This is an antecedent condition that may be expected in any future operation, as a shallow analysis of subsequent operations (Rwanda, Haiti, Timor and Afghanistan) proves. Partial exceptions to the rule are the two major NATO operations in the Balkans, in Bosnia and Kosovo, with an overwhelming peacekeeping force, but with a highly restricted mandate. Even the invasion of Iraq, powerful in its pure military offensive phase, lacked a strong military mandate for the reconstruction, hoping that the Iraqis would receive the US soldiers as liberators and would be able to govern

themselves shortly thereafter. Thus, military planning would be better served if planners assume that most contingencies will be addressed with a force smaller than what should be theoretically required.

The other major antecedent condition is the powerful appeal of humanitarian motives. This appeal is developed in two ways: first, through the public opinions of Western countries, that tend to push for the justification of any deployment of troops with a humanitarian motive. This humanitarian motivation may either take the form of actions taken to avoid starvation or to provide immediate aid in case of natural calamity, or increasingly, the promotion of democracy as a remedy for the world's ills. In addition, when troops on the ground do not encounter a challenging enemy, their general attitude before the suffering population will be one of trying to go as far as their means permit, even going over the real mandate of the operation.

The results that can be expected due to the antecedent conditions identified are not encouraging. Military commanders have often received fewer forces than what prudent military planners call for, because of a lack of realism and commitment by national, international, or UN leaders. As a result, the forces fielded lacked the strength and capabilities necessary for a complete solution of the conflict. There is a natural dilemma, then, whether to strive for a complete and lasting solution or to accommodate to what is considered possible and leave a volatile situation simmering for a long time. Both extremes may be wrong, but to judge the just middle requires the judicious application of both political and military strategies by responsible and realistic leaders.

The final consideration for this thesis is how to overcome the widespread reluctance for a stronger mandate. The UN in the future may still show signs of this

reluctance (Fleitz 2002, 161). In any case, military commanders should ask for a clear and robust mandate; they should assess their political masters in this direction. But it should be assumed too that the mandate may not change or may be slightly tweaked in order to keep political consensus. In that case, knowing the historical consequences, a military commander should devote special attention to Interagency coordination, with the political and humanitarian actors present; the military commander should take a positive political involvement to ensure his mission answers to a concerted political direction, including the UN and the capitals. The risk of mission creeping does not come from assuming some tasks beyond the mandate, like UNITAF did in Somalia, but from a wide change of purpose, as the hunt for Aidid with UNOSOM II. This political involvement may require some consensus building decisions, in order to be able to influence the outcome of the conflict.

When assigned a peace operation under a UN mandate, a military commander must, as a minimum, be aware of the context of the situation, maintain control of the forces he will have under his command and seek clear political guidance from his national leaders and other members of the coalition, His challenge is to use judgment with prudence and innovation and, in above all, try to establish a relationship of trust with his political superiors. As a military professional, any Force Commander will know the importance of the mandate and the directives received from the political decision making in the UN and in the capitals. The consensual process of drafting mandates may result in ambiguous orders. Commanders should learn how to interpret these orders to benefit the mission with flexibility and common sense.

[1] Even if some commanders claimed not to follow these instructions (Briquemont 1998, 56)

[2] As soon as Bosnia was at stake and Boutros-Ghali was at the head of the UN.

[3] When those instructions were properly issued, which was not always the case.

[4] On the failure of UN principles cf. Masten (2004).

[5] The line that separates war-fighting from peacekeeping, in LTG Michael Rose own words (Rose 1998, 184, 201).

[6] Former Secretary of State James Baker admitted that US vital interests were not at stake in the Balkans, unlike in the Persian Gulf (Baker 1995, 636).

APPENDIX A

MOST IMPORTANT UNSCR ABOUT SOMALIA

UNSCR 733 23 January 1992 S/RES/733	First UNSCR on Somalia. Considers it a Threat to international peace and security. Mentions Chapter VII
UNSCR 746 17 March 1992 S/RES/746	Requests the unimpeded delivery of humanitarian assistance.
UNSCR 751 24 April 1992 S/RES/751	Establishes the United Nations Operation in Somalia (UNOSOM) for the cessation of hostilities, maintenance of cease-fire, promote reconciliation and provide humanitarian assistance.
UNSCR 767 24 July 1992 S/RES/767	Enlarges UNOSOM's area of responsibility to four areas outside of Mogadishu.
UNSCR 794 3 December 1992 S/RES/794	Recognizes UNOSOM failure. Authorizes, under Chapter VII, "the use of all necessary means to establish as soon as possible a secure environment for humanitarian relief operations in Somalia." Welcomes the offer by a Member State to lead an operation, which became UNITAF
UNSCR 814 26 March 1993 S/RES/814	Establishes UNOSOM II "to provide humanitarian and other assistance to the people of Somalia in rehabilitating their political institutions and economy and promoting political settlement and national reconciliation."
UNSCR 837 6 June 1993 S/RES/837	Authorizes "all necessary measures against those responsible for the 5 June 1993 attack on Pakistani troops serving in UNOSOM II." Requests an inquiry on the events.
UNSCR 897 4 February 1994 S/RES/897	Reviews UNOSOM II mandate with less ambitious objectives, excluding disarmament and peace-enforcing.
UNSCR 954 4 November 1994 S/RES/954	Defines the primary purpose of UNOSOM as to facilitate political reconciliation. Sets a final date for the mission.

APPENDIX B

MOST IMPORTANT UNSCR AND REPORTS ABOUT UNPROFOR

UNSCR 713 25 September 1991 S/RES/713	First time the UNSC addresses the situation in the former Yugoslavia. Establishes a military embargo under Chapter VII
UNSCR 721 27 November 1991 S/RES/721	Labels the crisis as a "threat to international peace and security."
Report pursuing UNSCR 721 11 December 1991 S/23280	Considers the inexistence of conditions for a UN peace-keeping operation. Presents a concept for a UN Peacekeeping operation. Establishes UNPAs.
Report pursuing UNSCR 724 15 February 1992 S/23592	Recommends the establishment of a peace-keeping mission. Changes to the previous concept. Force HQ in Sarajevo, military commander as head of the operation.
UNSCR 743 21 February 1992 S/RES/743	Establishes UNPROFOR, following the concept outlined in reports S/23280 and S/23592.
UNSCR 752 15 May 1992 S/RES/752	Asks the UNSG to protect international humanitarian relief programs and ensure a safe and secure access to Sarajevo Airport
UNSCR 757 30 May 1992 S/RES/757	Requests for the reopening of Sarajevo Airport, which would be considered a security zone.
Report pursuing UNSCR 757 6 June 1992 S/24075	Asks for an enlargement of UNPROFOR mandate and strength.
UNSCR 758 8 June 1992 S/RES/758	Approves previous report. Tasks include "the unloading of humanitarian cargo and ensure the safe movement of humanitarian aid and related personnel."
Report of the UNSG 27 July 1992 S/24353	Recommends another enlargement of the UNPROFOR mandate, in order to take control of civilian border crossings in the UNPAs.
UNSCR 770 13 August 1992 S/RES/770	Recognizes the situation in Bosnia as a threat to international peace and security and that the provision of humanitarian assistance in Bosnia is an important element in the Security Council's effort to restore international peace and security in the area.
Report pursuant UNSCR 770 10 September 1992 S/24540	UNSG tells the UNSC that some Member States had communicated to him their willingness to provide humanitarian support to Bosnia in case the UNSC decided to add this function to UNPROFOR's mandate.
UNSCR 776 14 September 1992 S/RES/776	Enlarges UNPROFOR's mandate to include the protection of humanitarian support.
UNSCR 781 9 October 1992 S/RES/781	Establishes a No-Fly zone. Requests UNPROFOR to monitor compliance with this ban, including the deployment of military observers at airfields.

UNSCR 816 31 March 1993 S/RES/816	Authorizes Member States to take all necessary measures to ensure compliance with the No-Fly zone. Allows for a proportionate use of force.
UNSCR 819 16 April 1993 S/RES/819	Declares Srebrenica a “safe area,” requesting UNPROFOR’s increased presence.
Report pursuant UNSCR 819 30 April 1993 S/25700	Recommends an extension of the safe area concept to Gorazde, Zepa, Tuzla and Sarajevo as an act of preventive diplomacy. Suggests a more intense role for the force.
UNSCR 824 6 May 1993 S/RES/824	Extends the safe area concept to Gorazde, Zepa, Tuzla and Bihac. Enlarges UNPROFOR with 50 observers.
UNSCR 836 4 June 1993 S/RES/836	Extends UNPROFOR’s mandate to deter attacks against safe areas, monitor the cease-fire, promote withdrawal of military or paramilitary units … and to occupy some key points on the ground, in addition to participating in the delivery of humanitarian relief to the population.
UNSCR 844 18 June 1993 S/RES/844	Reaffirms its decision to use air power. Increases UNPROFOR’s strength by 7,600 troops.
UNSCR 1031 15 December 1995 S/RES/1031	Endorses the General Framework of Agreement for Peace (GFAP) signed at Dayton. Terminates UNPROFOR operations.

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