

PANEL III: THE ROLE OF THE UNITED NATIONS WITH RESPECT TO THE MEANS FOR ACCOMPLISHING THE MAINTENANCE AND RESTORATION OF PEACE

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What I intend to do this afternoon is to present an option—a path that peacekeeping can evolve into as we approach the year 2000. Over the past half decade, the last five or six years, we have witnessed tremendous growth in the number and complexity of peacekeeping missions undertaken by the United Nations. It is the second aspect, the complexity, which is posing challenges that we have not experienced before. The United Nations Protection Force in the former Yugoslavia (UNPROFOR), provides in my view an excellent example of the challenges inherent in the conduct of so-called peacekeeping operations undertaken in the new global reality. UNPROFOR has grown to become the largest, and arguably the most complex, United Nations mission of its kind yet undertaken. It now numbers more than 40,000 people, most of them military, and its ever-unfolding mandate includes, among others, preventative peacekeeping in Macedonia, traditional style peacekeeping in the zone of separation in Croatia (which may however come to an end very soon), and what started out as a humanitarian-oriented peacekeeping operation in Bosnia-Herzegovina.

While this mission has enjoyed some successes, it has also experienced its share of failures. The causes of these failures are many, but it is a fact that a number have been the result of misrepresentations and misunderstandings of its increasingly complex mandate. This has given rise to false, unfulfilled, and indeed unfulfillable expectations which has in turn led to severe criticism of UNPROFOR, its missions, and its leadership.

The complexity and breadth of current mandates, in missions such as UNPROFOR and indeed in UNTAC in Cambodia, have required that the term “peacekeeping” take on a much broader meaning than that associated with it in the past. Current missions, in addition to being large, are multi-dimensional and multi-disciplinary in nature, thereby presenting significant challenges in terms of structure, organization, coordination, and operating procedures hitherto unexperienced.

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Post-modern conflict, such as that ongoing in the Balkans, and the inability of the international community to deal with it effectively, presents additional problems to peacekeepers and peacekeeping in terms of politics, political direction, the humanitarian effort, human rights, and the rule of law.

I am going to explore some of these challenges from the point of view of the senior United Nations military commander, and offer some thoughts as to a potential path to be followed in an evolving international environment.

First, the working environment must be examined. U.N. involvement in the former Yugoslavia, Cambodia, Rwanda, and Somalia has highlighted the need to reassess the place of what is called peacekeeping among the tools of conflict prevention, management, and resolution. Before reshaping the tool, however, it is necessary to understand fully the environment within which it is to be used. Most, if not all, conflicts currently underway in the world are intrastate in some form or other. In fact, the world order of today can be characterized by the destruction of national states as a result of ethnic civil war. Warlords play a central part in this world order, ensuring that the key language of our age is ethnic nationalism.

Warlords and their warriors usually have no stake in peace; the longer a conflict continues, the less redeemable they become. Their acts of violence are brutal and wanton, and are usually conducted for their own sake. Tactics used in this kind of warfare are those of the guerilla that are significantly enhanced by the warriors' total lack of restraint. Suffocation of this type conflict, by standard military means, is extremely difficult. As the conflict continues, the homegrown warrior is joined by warrior mercenaries from other lands. Meanwhile, as the societal structure crumbles, the victims become further exploited by internal and external elements, leading to a state of affairs for which an imposed and, indeed, even a negotiated settlement, will not necessarily mean the end of a conflict.

Simply extending the breadth of peacekeeping has not proven to be sufficient to deal with current conflict situations. Imperialist-style intervention, in my view, is unlikely. Some middle road, therefore, has to be taken. This is the path to be followed by peacekeeping and by peacekeepers.

There does appear to be a growing realization of the differences between peacekeeping and enforcement operations. However, there still remains that body of thought which seems to equate these differences to equipment, rather than to intention. The peacekeeper's primary tool, and his greatest source of protection, remains his credibility. This credibility is based upon the combination of professional competence and the perception of impartiality. Each of the characteristics is essential. If either is lacking, a peacekeeper is

no longer credible and becomes, at least in the minds of the belligerents, a legitimate target.

I believe the unfortunate experience of Somalia has brought to light the dangers inherent in establishing a robust peace enforcement operation, in a situation far from benign. The lesson drawn from this should be sufficiently sharp, so as to dissuade from the start a repetition of such an ill-defined mission. What I consider to be a greater concern, however, is a slow but seemingly inexorable transition from the peacekeeping mandate towards a peace enforcement and an accompanying expectation of a return to the former. It is my opinion that in many ways, the situation in the former Yugoslavia, especially in Bosnia, remains vulnerable to this syndrome.

A military force, regardless of its mission, is only capable of tasks for which it is equipped and trained. In the case of peacekeepers, this normally equates to the capabilities to defend oneself against low level attacks. While UNPROFOR is the most heavily mechanized of all U.N. peacekeeping missions, it, like most peacekeeping forces, is equipped to achieve tasks with the underlying assumption that it will receive a certain degree of cooperation from the warring parties.

I would have assumed that all of this was somewhat self-evident and that the inability of the force, such as UNPROFOR, to take on enforcement tasks would have been universally understood. Nevertheless, during joint planning between NATO and the U.N., in which I was involved, the former made reference to UNPROFOR taking on an enforcement role. More distressing was the belief that the force could then revert back to its peacekeeping mandate, once the enforcement stage had been completed. To use an oversimple analogy, the peacekeepers' impartiality is much like virginity. Once lost, it is impossible to regain.

The closer a peacekeeping mission approaches peace enforcement, the more likely the mission is entering not a gray zone, as some would have it, but rather a zone of paralysis, wherein any mandate component, be it the delivery of humanitarian aid, the monitoring of weapons, or simply self-support missions, becomes difficult if not impossible to achieve. Peacekeeping and peace enforcement are, in fact, separate and distinct. I would just like to point out here that first of all, I have no trouble with peace enforcement missions at all. I am not saying that they should not happen. Certainly the peacekeeping based upon partiality is the traditional way. Some people say that consent is required as well. I am not so sure that is essential. Nevertheless, you cannot mix the two. In this context, the concept of "safe areas" in Bosnia and the concept of total exclusion zones in and around

Sarajevo had the effect of pulling the mission towards this breaking point, bringing everything to a halt, including the delivery of humanitarian aid. Therefore, it is my firm belief that you cannot enter this gray zone: "peacekeeping" or peace operations must either keep an established peace or impose one. There is no middle ground.

This has significance with respect to the humanitarian effort as well. UNPROFOR Bosnia, first established under Security Council Resolution 757, was mandated to create the necessary conditions for unimpeded delivery of humanitarian supplies to Sarajevo and other locations in Bosnia-Herzegovina. This mandate was later expanded to include the following tasks: First, to provide support for the U.N. High Commission for Refugees in the delivery of humanitarian aid, particularly through the provision of convoy protection, when so requested; second, to provide protection for convoys of released detainees, on request of the International Committee of the Red Cross.

Ladies and gentlemen, I believe that at least initially, this mandate made sense, because by the time of its coming into existence, it was clear that the international community was prepared neither to abandon Bosnia to its own fate, nor to intervene militarily. The humanitarian-based mandate allowed the community, working through the United Nations, to bring together two apolitical, two seemingly impartial activities, in order to look after, in some fashion, the victims of the ongoing conflict while concurrently having in location a force of blue berets, ready to exploit any hint of peace which could emerge. An additional bonus would accrue if by their very presence, the level of the conflict would be lowered.

Now almost three years have passed, including two winters of very intense conflict, during which a working relationship was formed among UNPROFOR, the U.N.H.C.R., W.F.P., UNICEF, W.H.O., I.C.R.C, and others. In the main, this partnership worked, but only as long as one overriding characteristic was present, and was seen to be present, and that characteristic is impartiality. To be successful in the execution of the humanitarian operation, the entire U.N. mission had to be seen as impartial. The responsibility for this is two-fold. First, I think it goes without saying, the humanitarian agency must be impartial if aid is not to become a weapon in the conflict. Secondly, the escorting agency, and in this case, UNPROFOR, must be equally nondiscriminatory.

In essence, there must be a humanitarian military bond in which the armed force is seen to be but a protective extension of the assistance operation. Should the military force be required to take on other tasks, which may put it in a position which jeopardizes its impartiality, then one of two results

would ensue. Either the military humanitarian bond would become unglued, leading to a parting of the ways, or the impartiality of the humanitarian effort itself, through its perceived association with the military, would be questioned. I contend that both of these conditions have occurred to some degree in the former Yugoslavia; this can be seen by highlighting the incompatibility of, on the one hand, threatening the use of force, and on the other, attempting to continue to support the humanitarian operations.

Of course, UNPROFOR had not changed its modus operandi; it remained and still remains a peacekeeping force. Why then the widespread perception to the contrary? Specifically, why do the parties to the conflict, most notably the Bosnian Serbs, perceive that the U.N., in particular UNPROFOR, and on occasion U.N.H.C.R., has been less than impartial? The answer lies in a series of political events and actions, which taken together, give rise to the expectation that UNPROFOR was, at the very least, to defend certain Bosnian areas, and at the most and in collaboration with U.N.H.C.R. and NATO, to force the delivery of humanitarian aid.

I would like to use the example of the so-called "safe area." Resolution 836, passed in June 1993, implied that UNPROFOR itself was to become an instrument of enforcement. NATO was invited to support UNPROFOR through the provision of air support. UNPROFOR was to be expanded by about 7,000 troops in order to provide it with a basic level of deterrent capability. Close examination of this resolution reveals a presence of some very carefully chosen words, such as "to deter" attacks against the safe areas, rather than "to defend," and to "promote withdrawal" rather than to "ensure" or "enforce." As for the use of air power, even its sponsors considered that air strikes would pose grave dangers to U.N. personnel and the humanitarian convoys, and should therefore be initiated with the greatest restraint, and essentially in self-defense. The extension of the mandate to include a capacity to deter attacks against these safe areas was not to be construed as signifying deployment in sufficient strength to repel attacks by military force.

UNPROFOR's main deterrent capacity, in true peacekeeping fashion, would flow from its presence as peacekeepers, not enforcers, in the safe areas, as was already the case with the U.N. presence in Srebrenica. What has resulted is a situation whereby the media, main members of the international community, the warring parties, and indeed some members of UNPROFOR and even humanitarian relief organizations are confused with the current state of affairs. Constant coordination, discussions, explanations, and assurances are necessary in order to maintain the humanitarian operation and to retain a somewhat tenuous humanitarian military bond in the former Yugoslavia.

In the experience of some humanitarian officials, the use of military and technical expertise for large and complex operations is a positive lesson learned. However, the use of military for humanitarian access is much more problematic. In the former Yugoslavia, the military component initially retained a tendency to look humanitarian with political and military issues, with negative consequences. At the lower level, unfamiliarity with the humanitarian procedures and principles as well as an apparent lack of initiative and flexibility required considerable time and energy consumption to correct. Further, with frequent troop rotations and wide disparity of capability, these problems had a tendency to recur. The uniformity of purpose and coordination among the humanitarian elements themselves was, and is, also lacking, thereby exacerbating the more difficult problem of military humanitarian cooperation.

For example, the requirement to conduct detail planning and preparation for convoy movement into insecure areas and to impose controls came as a surprise to many senior humanitarian officials. It was eventually accepted as being both necessary and prudent. Now these problems of coordination of effort do not lie solely within the U.N. There are a great number of humanitarian agencies, other than U.N.H.C.R. and UNICEF, present in the former Yugoslavia; these range from the highly professional, courageous, completely natural groups (such as the International Committee of the Red Cross), to those nongovernment organizations whose motives and performances are somewhat suspect to say the least.

Creating uniformity of purpose within the military community is a challenge that must be addressed. Dispensing of humanitarian coordination is a more complex problem, I believe. Although there has been an increase in exchange of information, much still remains to be done before true coordination, even within the mission area, can be said to have been accomplished. Success and coordination of the military humanitarian effort in the former Yugoslavia has been achieved to a certain degree and should be exploited for future use. Too much success, however, has been based upon personality and too little on procedure.

With respect to the political effort during the era which might be called traditional peacekeeping, peacekeepers, primarily but not exclusively military forces, maintained a somewhat detached position from the ongoing political agenda. In U.N. missions such as Cyprus and the Golan, the mandate given was to maintain a stable environment in which a political solution could be worked out. A peacekeeping force, under these circumstances, can be perceived as being both neutral and separated, as it is, from the political

sphere, impartial. Its credibility, in light of its constraint parameters, remains unchallenged. The complexity of modern-day peacekeeping is such that a mission must function under a number of mandates, some of which are contradictory. To exacerbate matters, the Security Council has often assigned unrealistic goals. The contradictions call into question the mission's impartiality, and the unfulfilled goals question its competence. The ensuing lack of credibility results in mission paralysis and a furthered questioning of a particular mission and of peacekeeping in general.

In view of the type of conflict currently extant, as described earlier in my presentation, however, it would be naive in the extreme to expect a return to the traditional forms of peacekeeping, especially without the total consent of all parties to the conflict. There are no military solutions to current peacekeeping problems such as those which exist in the former Yugoslavia. Furthermore, it is unlikely that conditions which enable conflict resolution, in the narrow sense, in the Cyprus tradition, will soon return. In fact, the warring parties in the former Yugoslavia have coined the term "Cyprusization" to refer to a state of affairs in which the result attained is peace in its narrowest sense—the absence of armed conflict. As the end of the millennium nears, this Cyprusization, or state of stalemate, is not seen as an acceptable solution to the problems at hand.

Peacekeeping missions, particularly when undertaken when there is no peace to keep, will remain at least in part a political instrument. As such, there should be no question of peacekeepers being entirely neutral. They must, however, remain visibly impartial. The lack of coherent, consistent, and workable political direction, therefore, has a direct and adverse impact upon modern-day peacekeeping missions. In the case of UNPROFOR, the Vance plan, the Vance-Owen plan, and the Stollenburg-Owen plan, the various bilateral and multi-lateral initiatives, such as that of the so-called Contact Group and the more than fifty Security Council resolutions have, taken together, had a whiplash effect within the mission area. The failure of each initiative usually resulted in increased pressure on commanders on the ground to make some progress, no matter how small. The cry to the U.N. Commander in Bosnia in August of 1993, to "do something general," remains regrettably relevant.

The hesitancy of the international community to impose, or to attempt to impose, a peace in intrastate conflicts has already been noted; the present contradiction between states' rights and the nationalists' aspirations of component groups is unlikely to be resolved in the short term. Prevented by public opinion from doing nothing on the one hand, and on the other from

imposing a strictly military solution, the international community, working essentially through the medium of the United Nations, must strive for some middle ground in which to achieve conflict prevention, or, failing that, to achieve some degree of conflict containment, or preferably resolution, and to conduct post-conflict rebuilding.

We must therefore develop a way ahead which achieves the desired middle ground between inactivity and imposition. In the formulation of this plan, it is my assessment, based upon personal experience, that three key imperatives must be considered and included in any evolving peacekeeping mission.

The first and greatest challenge is to produce a strategy that recognizes the warning signs, takes preventative measures, engages in conflict resolution activities, or at the very least, activities which moderate the effects of conflict and follow up with a post-conflict agenda to reduce the risk of relapse. This process must be recognized as representing a continuum of effort, demanding coherence, consistency, perseverance, and endurance. The contradictions and false expectations which plague current missions must be eliminated. This strategy should also note the relative success of preventive deployment in Macedonia.

Secondly, while conflict prevention containment and resolution tend to be the focus of attention, of equal if not greater significance is the need to protect, assist, and support the victims of the conflict. Humanitarian assistance must be more than simply the delivery of foodstuffs and medicines.

The third and final imperative is the need to strengthen the mechanisms by which crimes against humanity are investigated and through which the perpetrators are brought to justice. This last aspect, that of the application of international law to peacekeeping missions, is an area in which there is much work to be done.

Based upon these three peacekeeping imperatives, I believe that a feasible "peacekeeping" mandate could therefore take the following form. First, initiation would be by means of a population protection or population assistance mandate, based upon humanitarian aid, humanitarian relief and/or assistance to refugees. There would be the inclusion of a component dealing with the protection of human rights as a key element. The mandate could also include a component which authorizes, with or without the consent of all parties to the conflict, the presence of the peacekeeping force to protect the victims, assist the aid organizations, and to promote or ensure the observation of international humanitarian law, international refugee law, and basic human rights.

Force would be used in self-defense, as it is now. However, in consent with the protection of population mandate, intervention, when faced with blatant human rights abuses, would be encouraged. Finally, the peacekeeping force and the rest of the mandate component would likely continue to operate while the conflict is ongoing.

Such a peacekeeping mandate would essentially be humanitarian based and oriented, relying heavily upon the use of international legal instruments. To peacekeepers, it would require political direction which is both consistent and supportive. It would also demand increased efficiency and coordination among NGOs and between them and the military component.

Now, while I would not suggest that the peacekeeping model outline is the only form in which peacekeeping will evolve, I do believe that such evolution is both feasible and likely. For the military, this would mean an added requirement to operate beyond the confines of traditional military operations. Peacekeepers must themselves be human rights monitors and not enforcers. They must be schooled thoroughly in the relevant elements of international humanitarian law and, if so called upon to do so, to ensure its observation. Also, peacekeeping commanders must be adequately schooled and trained in order to succeed in this very sophisticated decision-making environment. At the same time, and regardless of the direction in which peacekeeping evolves, the military skills and standards of peacekeepers require significant improvement. Standards of capability and conduct must be at the highest order among all contingents in order to provide the restraint and discipline necessary to gain and retain the utmost credibility in the eyes of the belligerent.

To do his job effectively, the peacekeeper must be the antithesis of the warlord. The latter is criminally-oriented, has no stake in peace, is a destroyer of order and revels in violence. The peacekeeper must be the suppressor of violence, a systematic restorer, and a champion of both the rule of law and of peace. Achieving these standards has always been a daunting task, and the demands of the changing world has made it much more difficult. Thank you very much.

