

STIFTUNG WISSENSCHAFT UND POLITIK (SWP)
German Institute for International and Security Affairs

The Brahimi Report

Overcoming the North-South Divide

*6th International Workshop
Berlin, June 29 – 30, 2001*

Report by Winrich Kühne

in cooperation with Jochen Prantl

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Introduction

In December 2001, atop the Petersberg near Bonn, the Afghan parties agreed on an interim government for the war-torn country after more than a week of negotiations. This agreement, hopefully, is the beginning of a peace process which will be difficult and long. It will succeed only with strong international support. Agreeing on the need to set up a multinational peace force therefore was a substantial element of the Petersberg Accord. Such a peace force will be the beginning of probably one of the most difficult peace operations ever.

Many would have liked the United Nations to conduct such an operation but, at the same time, had serious doubts about its capacity to do so. Indeed, there were strong warnings, notably from Lakhdar Brahimi, the Secretary-General's Special Representative for Afghanistan. His voice has particular weight due to the fact that in March 2000, the Secretary-General asked him to chair a high-level group, the so-called Brahimi Panel, to undertake a thorough review of the United Nations peace and security activities, with particular regard to its ability to conduct peace operations. The Panel delivered its report to the Secretary-General in August of the same year.

The Report, after having been received favorably by the international media, entered into a phase of intensive discussion, both inside and outside the United Nations. A number of international seminars took place, critically assessing its analysis as well as its recommendations. Some fundamentally diverging opinions surfaced, particularly concerning the wisdom and utility of some of the Report's key recommendations. Above all, countries from the South feared that increased emphasis on improving peace operations would consume resources better spent on fighting poverty. Others objected that the call for robust peacekeeping mandates is conceptionally wrong and might threaten the sovereignty of smaller countries, especially in the South. They also criticized Northern countries, in particular the leading military powers, for having disengaged from

risky peacekeeping operations outside their spheres of vital interests, notably Sub-Saharan Africa. This made the present Security Council's lack of representativeness even more intolerable.

The *Stiftung Wissenschaft und Politik* and the *German Foreign Office* agreed to make a special effort to bridge these differences. "The Brahimi Report – Overcoming the North-South Divide" was chosen as the topic for the 6th Berlin Workshop. Politicians and parliamentarians from the South and the North, Permanent Representatives at the UN in New York and other high level diplomats as well as civilian, police and military personnel who have been in leadership positions during crisis prevention and peace operations, were invited to Berlin.

This mix of participants facilitated a very comprehensive debate. What would practitioners suggest regarding the Brahimi Report and its recommendations? Does its call for robust mandates, improving the capabilities of the UN-Secretariat in New York etc. correspond to what is needed in the field? Is there, indeed, a general divide between the North and South?

After outlining basic doctrinal developments of peace operations, different concrete cases – particularly the Kosovo, East Timor, Sierra Leone, and the DR Congo – were thoroughly discussed. These cases also gave the opportunity to verify how profound and systematic the North-South divide really is. The Workshop then highlighted three regional organizations which recently have focused their activities on developing regional capabilities for crisis prevention – in Europe the European Union (EU) and the Organization for Security and Cooperation in Europe (OSCE) and the Economic Community of West African States (ECOWAS) in Africa. What kind of capabilities have they developed? How do they organize their decision-making and how do they cooperate with other international actors, especially the UN?

This report summarizes the contributions and discussions of the Workshop Recommendations. The report will be widely distributed

in the UN and amongst Member States as well as in regional organizations.* I would like to thank all participants for their willingness to share their experiences and insights in an extremely frank and rich manner.

Berlin, November 2001

Winrich Kühne
Member of the Directorate

* List of reports on past Workshops:

- “Winning the Peace – Concept and Lessons Learned of Post-Conflict Peacebuilding,” Report on the 1st Berlin Workshop, July 4–6, 1996, Winrich Kühne (ed.);
- “The Transition from Peacekeeping to Peacebuilding – Planning, Coordination and Funding in the Twilight Zone,” Report on Follow-up Workshop in New York, March 10, 1997, Winrich Kühne (ed.);
- “Improving African and International Capabilities for Preventing and Resolving Violent Conflict – The Great Lakes Region Crisis,” Report on the 2nd Berlin Workshop, July 3–5, 1997, Winrich Kühne (ed.);
- “Consolidating Peace Through Practical Disarmament Measure and Control of Small Arms – From Civil War to Civil Society,” Report on the 3rd Berlin Workshop, July 2–4, 1998, Winrich Kühne (ed.);
- “The United Nations and Regional Security Arrangements – Towards more Effective Task-sharing and Cooperation,” Report on 4th Berlin Workshop, June 24–26, 1999, Winrich Kühne (ed.);
- “The Security Council and the G 8 in the New Millennium – Who is in Charge of International Peace and Security?,” Report on the 5th Berlin Workshop, June 30–July 1, 2000, Winrich Kühne (ed.).

Executive Summary

The Brahimi Report is the first serious institutional attempt by the UN to address the dynamic nature of peace operations since the Agenda for Peace. UN peacekeeping operations have become discredited in international public opinion since the mid-1990s. The Brahimi Report's recommendations offer a unique chance to reverse this.

The validity of some of the Report's assumptions and recommendations were disputed during the Berlin Workshop. For instance, the Report seems to be based upon the understanding that UN operations in the Balkans had been dismal failures. This is far from the truth, as one participant pointed out:

“Indeed, the two most successful missions in the Balkans were conducted by the UN, i.e. UNTAES in Eastern Slavonia and UNPREDEP in Macedonia. The latter did particularly well, until it was prematurely ended by the Security Council due to Chinese objections.”

Secondly, the conceptual framework of the Brahimi Report relating to democracy, good governance, the rule of law, and human rights raises concern in several countries of the South with regard to the principle of sovereignty. Some felt that the Brahimi Report is too much a Western-driven undertaking rather than an effort supported by all UN Member States.

North-South Divide: A Myth?

The discussion on the Workshop's main topic, the North-South divide, turned out to be far less dogmatic and Manichean than expected. As one ambassador from the South stated:

“We have to stop talking about North and South, East and West. It is high time to look for a common language to address those issues together. Indeed, North and South have a lot in common when addressing peace and security in this world.”

The paradox is that the Brahimi Report is needed most by the South, not by the North. The North has the means and the will to carry out peace operations, if necessary, without the support of a UN Secretariat:

“There is a certain duplicity in demanding more and more aggressive peacekeeping and condemning the North for not intervening forcefully in Rwanda, Sierra Leone, and in the Congo, yet at the same time to accuse it of interventionist policies.”

Duplicity is not restricted to countries from the South. There are key Northern countries who, on the one hand hesitate to engage their troops with

the UN due to its deficiencies and, on the other, refuse to finance the measures needed to improve the UN.

Unfortunately, the North-South divide is no myth when it comes to politics at the UN in New York. Virtually all negotiations beyond the consultations within the Security Council (SC) are organized into bloc confrontations: For the South, the Group of 77 articulates positions on economic and social issues, the Non-Aligned Movement (NAM) on more political ones. The North is trickier, as one participant stated, because little effort is made formally to coordinate substantive positions beyond intensive and usually successful efforts within the European Union to forge a joint stance.

This diplomatic framework hardly corresponds to the reality beyond the UN. There are many Souths and several Norths:

- some Asians worry about too much international intervention, some Africans about too little and too late;
- differences of view are also rife *within* several of the regions, notably Africa and Asia; on the principles that should govern forcible intervention in internal conflicts, the views of Thailand and the Philippines are a far cry from those of Indonesia, India, and China; in Africa, the policy preferences of South Africa and Nigeria at the UN stand in some contrast to those of Egypt and Algeria;
- some in the North, like the Scandinavians and Canada, are strongly in favor of strengthening the UN by fully implementing the recommendations of the Brahimi Report; others, occupying permanent seats in the SC, have strong reservations against some of the recommendations.

The majority of participants therefore agreed: As long as the discussions in New York continue to be conducted systematically in a framework organized along North-South lines, their outcome will remain largely meaningless or even counterproductive. It cannot be tolerated any longer that vital issues, which the UN has to deal with, suffer substantive neglect and remain unresolved.

Robust Mandates – a Necessary Development

The deployment of UN personnel and military peacekeepers into insecure environs without a strong mandate and robust rules of engagement (ROE) jeopardizes the prospects for success and is morally irresponsible. Past, traditional peacekeeping doctrine is woefully inadequate for the hostile environments into which these types of operations had to be deployed. Generals and other practitioners from the North and the South were equally outspoken in this regard:

“For anybody who has seen the humiliation, degradation, and brutality that people suffer in an armed civil crisis situation and who cannot offer meaningful assistance due to past rules and regulations, the shift towards a robust mandate is a development to be welcomed.” (General from Nigeria)

“The first and highest priority in the Kosovo, in line with the KFOR Commander’s orders, was to establish a secure environment allowing for the return of the hundred thousands of refugees and to ensure and to provide humanitarian aid. The establishment of a secure environment meant that we had to end the killing of people, the burning of houses, the raping, etc.” (General from Germany)

“I do not think that there is much doubt that to undertake such operations requires a certain degree of robustness. However, the very concept of peacekeeping already accommodates robustness. The reservation or the lack of application has been because the mandates have not been formulated properly, and the resources were not provided.” (General from India)

The general feeling was also that the specific role of the military in robust operations is properly understood neither by politicians nor by the media. The task of the former is not the targeted use of force against a designated enemy, i.e. combat (such as the bombing campaign against Serb Forces in the Kosovo war), but to create and sustain a framework, in which the non-military elements of the mission can develop and implement a coherent peace building strategy. This may include robust military policing action. The most important factor in fulfilling this specific task is impartiality.

Integrated Peacebuilding and Executive Mandates

There is one definite lesson: peacekeeping and peacebuilding activities have to be planned and executed not as separate tasks, but in an integrated manner. Many practitioners stressed that a coordinated, coherent and integrated approach of the military forces, police units, including civilian actors, is a precondition for the success of complex operations. Mandates have to be formulated accordingly.

Some diplomats, however, felt uncomfortable with this demand. It is the business of the Security Council to formulate peacekeeping mandates. If the mandates extend too much into matters of peacebuilding, this might marginalize the role of the General Assembly. It considers the formulation of post-conflict peacebuilding activities as its domain.

The Kosovo and East Timor are examples that, under certain conditions, complex emergencies can only be successfully dealt with when an inter-

national transitional authority with executive powers is established. Still, some participants feared that such mandates endanger the principle of sovereignty. Others worried very much about the fact that the UN is thrown into such theaters completely unprepared to assume the role of a fully-fledged government with final responsibility:

“If General Jackson was – as some people referred to him – ‘the King of Kosovo,’ Bernhard Kouchner turned out to be its ‘Emperor’.”

Such mandates also dramatically increase the demand on military, police and other civilian capabilities in terms of number and skills. It is also no exaggeration to state that in the Kosovo as well as in East Timor, most personnel arrived as ‘gifted amateurs.’

“The quality of staff to do this job turned out to be completely inadequate due to its lack of experience. For instance, only few people had been involved in local government before. In the Kosovo, it took us one year to achieve a 50 percent staffing of the mission, not only as far as civil police was concerned.”

No doubt, to run such operations successfully, the UN’s structures, rules, and working methods have to be thoroughly redesigned. More responsibilities should be decentralized and outsourced, as indicated in the Brahimi Report.

Building up an international capacity in the field of civil administration appears to be even more difficult than building up capacity in the military and police field. All endeavors in this regard, be they by the UN, the EU, the OSCE, or other regional organizations, merit full support.

It was suggested that involving Non-Governmental Organizations (NGO) more systematically could be a solution. However, the NGOs’ effectiveness was questioned. Indeed, NGO involvement in various peace operations was judged by most practitioners as being quite mixed. Only a limited number of NGOs has what one can call truly professional personnel.

Security and Development

Several countries in the South fear that implementing the Brahimi Report recommendations for improving peace operations will consume resources better spent on fighting poverty and supporting development.

In past thinking about economic development, security played a minor role, if any at all. In recent years, the debate has shifted. Now, it is widely accepted that there is no perspective for sustainable development without a secure environment. Security and development are highly intertwined. As one representative from Africa forcefully stated:

“As true as the emphasis on development and economic integration may appear, this argument fails to acknowledge that no economic progress can be achieved in a situation of crisis, particularly a crisis threatening lives and property. Economic progress and development are only possible with peace and security.”

One fear, however, persisted for some participants, as long as the UN has to operate on a zero-budget rule: Will resources needed for implementing the Brahimi Report be allocated away from the ‘soft’ areas relating to social and economic activities of the UN? This should not happen.

Disengagement of the North from Peacekeeping in the South?

Workshop participants from the South shared one feeling: Northern countries have disengaged from risky peacekeeping operations in the South, particularly in Sub-Saharan Africa:

“The absence of Western countries in UNAMSIL in Sierra Leone undermined the mission. There is a political perception in New York that the current situation reflects an era of ‘virtual peacekeeping apartheid,’ meaning Western countries are willing to do something in some parts of the world they consider vital to their own interests. Elsewhere, like in Africa, they are prepared to pay but are not willing to take any risks by deploying their own troops.”

Participants from Northern countries were less unanimous on this issue. Some agreed with the critique of participants from the South and deplored the West’s unwillingness to come up with any meaningful participation in the huge DR Congo. Others differentiated. On-the-ground operations of countries like France and the United Kingdom in Africa should not be forgotten, although they might have been conducted outside UN missions. In Sierra Leone, the United Kingdom came in with a massive presence to beef up UNAMSIL (UN Mission in Sierra Leone). In the Central African Republic and Guinea-Bissau, France did not hesitate to engage resources. The Netherlands as well as Scandinavian countries participate quite substantially in UNMEE (UN Mission in Ethiopia and Eritrea). Of course, this is a less risky mission as it is operating under a classical Chapter VI mandate.

One European military gave a very blunt reason for the reluctance to participate in UN conducted missions in the South:

“I do not think that this point is sufficiently understood in New York that DPKO’s credibility is virtually zero in many of the Western capitals. There is not going to be Western participation in many of these operations until that is changed.”

Obviously, implementing the recommendations of the Brahimi Report is extremely important in order to rebuild confidence in the UN, particularly in the Department of Peacekeeping Operations (DPKO).

There was one final critique and recommendation. Western politicians as well as military commands were thinking too much in terms of being compelled to send entire battalions for peace operations in Africa. Inevitably, the answer is 'no,' considering the low strategic interest in Sub-Saharan Africa. Yet, sending small numbers of military or police personnel can still make a big difference and supplement African capabilities, thereby enhancing their effectiveness. For example, half a dozen British staff officers play a very positive role in UNAMSIL.

Dangerous Middle Ground

The DR Congo, one of the cases where the West refused to get involved in a meaningful way, shows the deep dilemma decision-makers can face during a crisis situation in a country which is not of vital interest for their own country. Doing nothing is difficult in terms of public opinion, advocating a comprehensive, well developed, and clear mandated mission with sufficient and rapidly deployable resources is also not realistic in view of low national interest.

Inevitably, most decision-makers end up on a middle ground, and the respective mission is sent out with an unclear mandate as well as understaffed and under-resourced. ONUC (Opération des Nations Unies au Congo) in the Congo is such a case.

Decision-makers tend to assume that taking the middle ground is still better than doing nothing. That is a rather dubious assumption. There is more than one case where the middle ground approach has made things worse or even led to disaster. Workshop participants were adamant that decision-makers, not only peacekeepers, have to learn their hard lessons!

No Improvement without Security Council Reform?

The low will of industrialized countries to participate in risky peace operations in the South is even more reprehensible in light of the serious deficiencies of the present Security Council, particularly when it comes to its representativeness. This was another issue participants from the South very much agreed upon.

The current global reality is vastly different from 1945, and the difference resides primarily in the fact that the developing countries did not exist (apart from Latin America) when the UN Charter was drafted and the Organization founded. Today, the majority of its members are developing countries. But it

is not just the increase in membership which is important. The work of the Council has been expanded beyond the Charter's original conception of peace and security.

“If you look at the Security Council's agenda, more than 90 percent of its issues/items pertain to developing countries. This constitutes a North-South divide, and something has to be done about it.”

A wider interpretation has evolved, including the development of integrated peace operations. Conflict prevention, crisis management, and peacebuilding, all three areas raise fundamental questions of the social, economic, and political welfare of a country. Thus the non-representativeness which characterizes the composition of the Council today becomes even more significant.

India has been particularly adamant about the need to reform the Security Council in its critique of the Brahimi Report:

“With the exception of one operation, since 1960, India has participated in every single peacekeeping operation in Africa. We dispatched brigades to Congo in the 1960s and to Somalia. We supplied battalions to Mozambique, Angola, Rwanda, Sierra Leone, and Ethiopia/Eritrea. Generally, India has been at or near the top of the list of countries contributing most troops to UN peacekeeping operations. Despite this fact, India and other troop contributing countries have had an inadequate voice in decision-making when it came to conceiving the operations.”

Participants agreed that the present Security Council membership's lack of representativeness will continue to trouble and weaken the UN. The reform of the Security Council is fundamental to the reform of UN peacekeeping.

Regional Organizations on the Rise

In recent years, there has been what one might call a “revival” of UN Charter Chapter VIII. Some regional organizations have moved quite vigorously into the field of crisis prevention and peace operations. Recent activities by two of these organizations, the European Union (EU) and the Economic Community of West African States (ECOWAS) in West Africa, were discussed in some detail.

The EU is broadening its spectrum of civilian instruments to include military ones. Civilian instruments are no substitute for military instruments, particularly in situations requiring robust, executive action. Yet, the aim is not to create an European Rapid Reaction Force in the literal sense. The objective is rather to be capable of fielding a force of 50,000–60,000 soldiers at short notice from existing capabilities:

“This is not a European standing army, this is not a separate military establishment. It requires the same processes we are already used to within UN or NATO operations, i.e. that once a political decision has been taken, countries have to provide forces on a voluntary basis.”

Participants agreed that the EU will have a comparative advantage, if it manages to combine its new military capacities with a wide range of new and old civilian instruments. Indeed, representatives from the EU feel that there is no regional organization in the world that is better placed to engage itself in conflict prevention, peacebuilding, etc.:

“By 2003, we should be able to mobilize a 5,000-strong police force for crisis management, 1,000 of them at short notice. We now also have a headline goal in the field of rule of law, i.e. that by 2003, the EU should be able to deploy 200 rule of law experts, such as judges, prosecutors, or magistrates. In addition, a Rapid Reaction Mechanism that should make it possible to more quickly link support for acute crisis management with rehabilitation and reconstruction measures.”

It is important to stress that these are capabilities the EU is developing for either the UN or the OSCE, or for EU-led operations.

Coordination and decision-making in the EU for using these capabilities swiftly and effectively are still rather weak, as several participants critically remarked. Decision-making in the field of the European Security and Defense Policy (ESDP) resides with Member States and needs the consent of each and every one. This is another limiting factor.

To improve coordination and decision-making, several steps have been taken in Brussels. For instance, since December 1999, a Political and Security Committee is active at the ambassadorial level. Furthermore, a Military Committee, a Military Staff, and a Civilian Committee were established. And then there is, of course, the Office of the High Representative, including his Policy Planning and Early Warning Unit. Although several participants criticized the confusing, cumbersome set-up in Brussels, they agreed these developments are quite spectacular in view of what constituted the EU's main areas of activities in the past.

Participants from the South, however, were wondering to what extent the new capabilities would be available for crisis prevention.

“More would be gained if the EU decides to contribute troops to peacekeeping, peacemaking operations and operations related to conflict prevention in the South.”

Where and when the new EU capabilities could be deployed there would be a first serious test. One participant felt that such a testing ground could easily be found in the Balkans, i.e. in Bosnia and Herzegovina. The mandate implementation plan for UNMIBH (UN Mission in Bosnia and Herzegovina) developed by the UN one year ago is expected to be completed by the end of 2002. After that, the region will need some kind of long-term police monitoring mission. Given that the solution to long-term stability in the Balkans, particularly in Bosnia, lies in some kind of association with and eventually entry into a larger European construct, there is an inherent logic to the EU fulfilling this task.

The discussion then turned to ECOWAS. There are interesting developments regarding the changing role of regional institutions not only in Europe, but also in Africa. The bloody crisis in one of its Member States (Liberia) in the early 1990s forced ECOWAS to move beyond its economic scope and to incorporate conflict prevention and peace operations.

When the Liberian civil war was eventually ended and elections were held, the Member States of ECOWAS decided to formalize their intervention arrangement. They decided to institute a Mechanism within the Organization to ensure that such interventions would be handled properly in the future. For that purpose, they established a panel of experts to develop ideas on a concept of conflict prevention, management, and resolution.

“The ECOWAS Mechanism was finally adopted in 1999. It provides for the creation of a Secretariat that would be equipped to prevent, manage, and resolve conflicts. It also provides for the appointment of a Deputy Executive Secretary and certain other bodies. One important body in this regard is the above mentioned Mediation and Security Council. ECOWAS leaders did not want to copy the concept of the UN Security Council, particularly the model of permanent membership.”

As one of its major intervention instruments, ECOWAS created a Standing Force consisting of an earmarked brigade to which Member States contribute.

West African leaders also decided to establish a Council of Elders which would consist of eminent persons drawn from civil society within the region and past presidents of the organization. The Council will meet periodically, reviewing the security situation in the region and giving advice. The Elders also will be available for the Deputy Executive Secretary to be used for the “good office” services.

“An important aspect of the ECOWAS Mechanism is the right to intervene in internal affairs. Conditions for this have been specified, e.g. when there is a threat of a potential humanitarian

catastrophe or when there is a gross human rights abuse by particular governments against its people.”

Another important element of the Mechanism is the development of capacities for early warning. The region will be divided into four observation zones with headquarters in four capitals. These observation zones are supposed to be early warning centers that would develop linkages with various research institutions and monitor developments in the region.

While the performance of ECOWAS Ceasefire Monitoring Group (ECOMOG) was generally appreciated as being effective, some skepticism was uttered whether ECOMOG and its troops sufficiently respected human rights in their operations. The effectiveness of ECOMOG partly depended on means which were not always in accordance with United Nations peace-keeping standards.

Still, there was agreement during the Workshop that if one looks at its constitution, ECOWAS seems to be one of the most advanced regional organizations in the field of crisis management and peace operations. And, similar to NATO, its member states are prepared to intervene without the explicit authorization of the Security Council, if felt necessary. Here, too, one can speak of North-South similarity rather than a divide.

Conclusion

Despite differing views on several issues, participants of the Workshop were unanimous in one demand:

“To implement the Brahimi recommendations, we need more than a couple of reports by the Secretariat. We need decisions from the legislative organs of the UN, reform in their organization and methods of work; we need to enhance the capacities of the Secretariat and modernize its working methods. Furthermore, and above all, we need action taken by Member States.”

It seems that states who are members of the Special Committee on Peace-keeping Operations headed this call. In its Report from to the General Assembly from July 31, 2001, the Committee greenlighted the implementation of most of the Brahimi recommendations.¹

1 See UN-document A/55/1024, July 1st, 2001. There is one particularly notable exception: The Committee was negative on the recommendation of the Brahimi Panel to establish an “Information and Strategic Analysis Secretariat” (ISAS) in the Secretariat.

Opening Statement

***Ludger Volmer, Minister of State,
German Federal Foreign Office***

Excellencies, Members of Parliament, Ladies and Gentlemen,

It is a great pleasure for me to open this year's Berlin Workshop.

Most of you will have shared the excitement last year, when Ambassador Brahimi and his panel members published their recommendations on how to make UN peacekeeping more effective. They were received with overwhelming support by most delegations in New York. But there was also criticism. Many of the reform proposals mean more money, in particular more money to finance higher contributions to the assessed budget. Some also fear that implementing the Brahimi Report would mean less money for sustainable development and the eradication of poverty.

On Monday, the Peacekeeping Committee of the UN, the so-called "C-34," will start to examine a revised set of reform proposals. This session of the Committee will be crucial to initiate the much needed reform. We are very happy that its chairman, Ambassador Michel Duval, found the time to be with us in Berlin.

Of course, you have not gathered here to prepare the C-34 meeting. Nor have you come to Berlin to attend yet another "Brahimi seminar." We felt that during the discussion in New York and in those seminars, it became clear that there are three fundamental issues that go beyond the technical and financial aspects of the Report which merit a thorough discussion.

1. Do countries in the South fundamentally differ with the North on how to develop peacekeeping? What is their underlying concern? Is it only alarm about a perceived shifting of resources or fear of a new form of hegemony? Conflicts are moving from interstate to mostly intrastate. Are there firm indicators which

show when a peacekeeping operation is needed? Who should monitor such indicators? When is there a danger of an illegitimate infringement on the sovereignty of a state? How, on the other hand, can peacekeeping operations become less selective? Obviously, there are crisis areas in the South which are painfully neglected by the international community. Are we contributing enough to solve the various conflicts in Africa like in Sierra Leone or the Congo?

2. What constitutes effective, modern peacekeeping? If a peacekeeping operation is agreed upon, how robust should its mandate be? Do we need a new, more comprehensive civilian police concept? How best to address the civilian tasks within a mission and the crucial role of peacebuilding? How can the necessary cooperation between the military, the police and other civilian actors be improved? And what can we do in the first instance to avoid costly and difficult peacekeeping operations by developing and strengthening conflict prevention mechanisms and mechanisms to initiate early action?
3. What constitutes a reasonable international division of labor? Who should do what, and who coordinates? There is agreement that the UN, despite its primary role in promoting peace and security, cannot do everything, everywhere. The issue of how the UN can cooperate more effectively with regional organizations like the EU, the OAU, ECOWAS or the OSCE is far from being resolved. And there are interesting new developments: the EU, for instance, is dynamically developing its crisis management capabilities as part of the European Security and Defense Policy.

Let me briefly lay out where Germany stands on the implementation of the Brahimi Report and the issues mentioned:

1. We will do our part to help bring about a meaningful reform of UN peacekeeping. The Report should be implemented as comprehensively as possible. If we want the UN to be able to do its

job, we have to provide the organization with the necessary resources. This will be money wisely invested. There is no zero-sum game between peacekeeping and development. The opposite is true: there is no sustainable development possible without peace and security. For this reason, we will support necessary reforms within the UN system and especially within the Secretariat. The UN has to develop more effective peacekeeping, crisis prevention and general coordination mechanisms in order to be able to keep pace with developments on the ground. We hope that there will be a productive discussion of the recent report by the Secretary-General on conflict prevention.

2. We welcome the wider North-South debate. Only jointly can we achieve peace and security. But we also feel that in the 21st century, next to the rights of states, we have to do more to place the individual and his or her rights at the center of the security concept of the international community. We fully subscribe to Kofi Annan's comment that no government has the right to violate human rights by hiding behind the principle of state sovereignty. The protection of human rights has to be a common goal of the international community. We need to develop the existing system of the United Nations in such a way that the Security Council can effectively deal with grave violations of international humanitarian law and human rights. Moreover, Germany, like all Member States of the European Union, considers the early establishment of the International Criminal Court essential to enhance respect for international humanitarian law and human rights.
3. It is of limited use to reform peacekeeping in its narrow, classical sense. Rather, we have to develop the whole spectrum of instruments, from crisis prevention to post-conflict peacebuilding. This is not an academic exercise. We are working on very concrete instruments. The International Berlin Workshops, organized by SWP in close coordination with the German

Foreign Office since 1995, have made a number of practical recommendations to improve conflict prevention, peacekeeping and peacebuilding.

4. Another initiative that we have started in Germany is a full-fledged program to recruit and train civilian participants for peacekeeping operations, including government officials and members of NGOs. We are planning to develop this program into a specialized institution responsible for the whole cycle of recruitment, training and deployment of civilian personnel, including an analysis unit.
5. Finally, we need an effective international division of labor. Every international organization has its regional as well as functional strengths and weaknesses. At present, we are working hard within the European Union to develop effective conflict prevention and crisis management tools. The OSCE, which has a wealth of experience in civilian aspects of crisis management, has recently developed a rapid reaction mechanism called REACT. We call on the UN to continue and intensify its relationship with and develop new mechanisms for cooperation with regional organizations.

SWP has again managed to identify a very pertinent set of questions which merit a thorough debate. We are very grateful to Dr. Kühne for his work in organizing the Berlin Workshop. I am glad to welcome today a unique mix of high-level experts from the field, decision-makers from the headquarters of the international organizations concerned, prominent members of international think tanks as well as high-ranking parliamentarians and diplomats. I am confident that everyone will take this opportunity to freely speak his or her mind so that we can arrive at concrete recommendations for the decision-makers, be they in New York, Brussels, Vienna or the national capitals.

Like last year, we want to make sure that the recommendations developed during this workshop have a practical impact, particularly

in New York. I therefore hope that SWP will organize a follow-up meeting later this year in New York as it did together with IPA last year.

Ladies and gentlemen, I am looking forward to your conclusions and recommendations. So let me leave it at that and close by wishing you an interesting one-and-a-half days of stimulating debate.

Areas of the North-South Controversy: The Shift towards Robust and Executive Mandates and Lessons Learned from East Timor and Kosovo

Military Aspects

Philip Wilkinson, Colonel Ret., King's College, University of London

I am currently writing an operational level doctrine manual for the Armed Forces of Bosnia and Herzegovina that is designed to cover the complete range of operations endorsed in their recently signed Defense Policy White Paper. From 1993 until I left the British Army last year, I was responsible for the development and writing of doctrine for what the UK and NATO call Peace Support Operations (PSO).

I know that this doctrine raises many concerns. For instance, it is considered to be too prescriptive and therefore could be used to legitimize all kinds of actions. But that is not my understanding of doctrine. I subscribe to the NATO definition of “doctrine,” which is that “doctrine” defines the principles which guide the conduct of training and of operations. Thus doctrine does not tell you what to think, but offers guidance how to think and what to think about. Doctrine provides guidance for the enactment of policy decisions, but it does not make policy.

In the British Army, we originally decided to use the term PSO rather than PK (Peacekeeping) to describe the increasingly complex and challenging nature of operations that were being conducted in Cambodia, Somalia, Rwanda and the Balkans. Peacekeeping doctrine existing at the time – our own, Nordic and others – seemed to be woefully inadequate for the hostile environments into which these types operations had to be deployed. These new operations were multifunctional and all too often in the absence of consent at the tactical level. Furthermore, they included the use of coercion and

the robust use of force when necessary and possible. Put simply, you cannot ‘peacekeep’ unless there is a peace to keep.

So we needed a doctrine to allow us to use force in more than self-defense but in a manner that did not undermine, but supported the on-going political process of conflict resolution and peacebuilding. A doctrine to win the peace, not to win the war. Thus we developed the concept of PSO. PSO include elements of PK and PE (Peace Enforcement), but PE in PSO context makes a clear demarcation between the impartial use of force to ensure compliance with a UN mandate and International Humanitarian Law, and the targeted use of force against a designated party or enemy, such as the bombing campaign against Serbian Forces in the Kosovo war. The bombing campaign in Kosovo may have been designed to change the local correlation of forces and set the conditions for a subsequent PSO, but of itself, it was not a peace “anything” operation. And, from my perspective as a member of the UK’s Strategic Planning Group for Kosovo, neither can, nor should the bombing campaign be described as a humanitarian war. To have done so, in my opinion, was obscene.

So we decided upon the term PSO to clearly demonstrate the fact that we considered these kinds of peace operations fundamentally political affairs, in which the military played a *supporting* role. The role of the military, along with other members of the international emergency response group, was to contain and control the symptoms of the crisis and to create a framework, based upon the rule of law, in which the political and developmental elements of the mission could redress the underlying causes of the crisis, and develop a coherent and comprehensive peace building strategy.

We were not trying to draw more resources into PSO and away from development strategies, quite the opposite, but we were trying to ensure that when we did deploy, we did so effectively. By being more effective in achieving objectives, we intend for the military to be down-sized as soon as possible, thereby allowing the main effort

of the mission to switch to peace building and development strategies. Put simply: “a stitch in time saves nine.”

The converse approach would be to deploy a constrained military with the consequence that they cannot confront the ‘spoilers’ and will therefore have to remain in the mission area for many years, at vast expense, and more importantly, at the expense of development strategies. Unfortunately, this is all too frequently what does happen: once the military has achieved its primary security objectives, the international community fails to switch the operational main effort and funding from security to development strategies.

Hopefully, this will not be the case in East Timor and Kosovo, although the operational problems are much greater in Kosovo because there is no defined political end-state, in contrast to East Timor. As for Sierra Leone, PSO doctrine makes it quite clear that until the UN forces or Sierra Leone Army re-impose the rule of law, development is unlikely to become self-sustaining. My personal view is that when the UK had a Joint Force in Sierra Leone, they should have enforced compliance with the UN mandate and rule of law. Thus they would have created the necessary level of security in which UN peacekeepers could keep the peace, and allow for the professionalization of the Sierra Leone Army, until they and other elements of the security forces – police, judicial, penal, etc. – were able to manage their own security. The successful conduct of PSO depends upon effective transition; that is, the transfer of responsibilities from the international force back to the indigenous authorities. And this, of course, requires that institution-building be conducted concurrently with the other more obvious activities designed to address the immediate symptoms of the crisis: poverty, starvation and insecurity.

These ideas are now contained in UK, NATO and many other national doctrines. However, doctrine is a dynamic area of development and whilst it has contextually expanded over the years to include conflict prevention and peace building activities, more recent operations in East Timor and Kosovo have created new

challenges which have yet to be encapsulated into doctrine. And it is those new lessons that I want to discuss in the context of the Brahimi Report and also the Secretary-General's latest composite report of 28 May 2001.

The Brahimi Report is the first serious institutional attempt by the UN to address the dynamic nature of peace operations since the Agenda for Peace. I use the term Peace Operations (PO) guardedly because the term does seem to me to be mixed and muddled with PK in the various reports. If I could make a recommendation concerning definitions, it is that we use the term PO as the over-arching term to cover the activities of all UN departments and agencies when engaged together, and supposedly integrated on a mission, and that PK should be used only to describe those activities for which the DPKO has responsibility. The term PSO could then be confined to those more robust operations in which force may be used impartially to enforce compliance along with other concurrent activities designed to turn opposition into compliance, compliance into consent and consent into active cooperation. This is the basic philosophy underpinning the operational concepts of the missions in both Kosovo and East Timor.

But aside from the robust nature of the mandates for Kosovo and East Timor, what really takes these two operations into another stage of development is their executive nature. When General Jackson first deployed into Kosovo for a short period of time he was, for want of a better way of describing his position, the "King of Kosovo." This was partly defined in the mandate but also by dint of circumstance. Many of the executive functions of a functioning independent state, both in Kosovo and East Timor, were simply not present. This fact has thrown up all sorts of new challenges, not just in terms of security, but also in many other areas of governance and state functions.

Many of the unsolved security problems have been addressed in the Brahimi Report, for instance, the requirement to deploy more police more quickly to ensure that any rule of law vacuum is not filled by

criminal elements, national or international. The need for judges and prosecutors, the need for a working penal and customs services and, of course, a code of law to form the basis for the rule of law. All of these functions need to be considered in the operational planning process, and where they do not exist, they will need to be provided for by the host nation or by the international community as a temporary measure.

By taking on these broader executive functions, I do not believe we are promoting nation-building in a colonial sense but creating the conditions in which we can help the war-torn nation to establish its own institution-building such that it can create its own self-sustaining social and economic development.

**Satish Nambiar, Lieutenant General Ret.,
former Commander UNPROFOR**

The first point I would like to raise is that much of the discussion of the last few years on aspects of UN peace operations has been very much “Yugo-centric,” i.e. it has been related far too much to the experience of former Yugoslavia. Many of the lessons learned in the Yugoslav context are not applicable to other regions, because the Western world in particular is likely to take much less interest in those regions. This fact has an impact on the conduct of peace operations.

The second point is about robustness. I do not think that there is much doubt that undertaking such operations requires a certain degree of robustness. However, the very concept of peacekeeping already accommodates robustness. The reservation or the lack of application has been because the mandates have not been formulated properly, and the resources were not provided. Provided the mandate is properly formulated and the resources are allocated, there is no reason why peacekeeping should not work. The concept is fairly flexible in this context. This is the reason why I think that some of the conclusions of the Brahimi Report have wrongly focused too much on the Balkan experience. I have some reservations about the terminology, i.e. peace operations and peace support operations. In my view, much of the terminology adds to the confusion, because some of the existing terms are already quite clear. It is just a question of interpreting them correctly. Impartiality is very important when talking about peacekeeping operations. The application of force is not a problem, as long as it remains clear against whom this force should be applied.

My third point relates to the worst case scenario. I would like to raise two caveats: firstly, the moment you have the force available for the worst case scenario, the time of the actual deployment will definitely be longer than planned; secondly, how should one deal with unarmed persons trying to obstruct peace operations, including women and children? To deal with those situations, the mandate

must grant a certain degree of flexibility to the mission commander. Another related problem is the proper tuning between command and control. If the channels are not clear, one cannot deal with the operation. National governments should not try to impose their will on the mission once it has been constituted. The SRSG's or the Force Commander's decision must prevail. If some governments are not willing to accept that, they should not be asked to contribute troops.

The last point I want to raise refers to the so-called North-South divide. This divide largely stems from the perceived reluctance of the Western countries to place their deployable forces at the disposal of the UN command. On the other hand, there are many occasions where Western countries still intervene outside the umbrella of the United Nations. This certainly affects the way the South perceives this issue. When looking at Bosnia and Herzegovina and Kosovo, where such a large NATO force has been deployed, such a large integrated force did not actually achieve much better results than UN forces.

***Carlo Cabigiosu, Lieutenant General,
former Commander KFOR***

The Brahimi Report underlines a series of fundamental points which will influence the positive outcome of a peacekeeping (PK) mission. Reading these observations, I have to say that I was, as all the other NATO Commanders engaged in a PK mission, a very lucky commander. There are a number of relevant advantages working from within an organization like NATO, ranging from military to political. In fact, I have noticed that most of the report's recommendations, especially those concerning the military aspects of the mission, are already being applied to NATO-led missions.

In more general terms, I must stress the political dimension of the Alliance, which is able to adequately establish an effective framework in which the military organization can then work. From a purely military point of view, we have to take into consideration some of the advantages resulting from fifty years of close cooperation among NATO Member States. This resulted in the use of a common language and common procedures. We all share the experience of thousands of exercises in which generations of soldiers have been trained in HQS, on the ground or have been taking courses in our schools. By now, they have been deployed and cooperated in a number of real-life missions, ranging from war on the ground and in the air to peacekeeping operations.

NATO disposes of an organic air support, a structured intelligence capability and, as its armies belong to the most developed ones in the world, all types of high tech equipment. For the purposes of a PK mission, we can also exploit quite a wide spectrum of assets, which are normally used for battlefield surveillance, in order to achieve a very high degree of control over the territory under our responsibility.

Even if a final NATO PK doctrine does not yet exist, we will stick to the general principles which are the basis of every good military organization.

Firstly, we prepare ourselves for the worst case, as no NATO member would agree to take part in a mission unless all the necessary elements of an adequate level of Force Protection are in place.

Secondly, we bring together commanders, staff elements and even units for training before deployment, in order to achieve the best possible integration.

Thirdly, every commander is convinced that deterrence has to be exercised in order to get respect and consideration from the local population, as well as a warning for extremists, should they not accept the decisions of the international community.

Finally, we have an indisputable planning capability which allows us to face different situations with an adequate level of preparation.

Another factor which I would like to emphasize is the mutual confidence among the contributing states. A NATO commander usually enjoys a good maneuvering flexibility without too many “caveats” or national restrictions, getting the best out of what is available in the theater.

Let me add a few comments on specific NATO-led PK missions. First, these missions always have taken place in the Balkans, in very peculiar conditions. In Bosnia, the NATO troops assumed responsibility after the end of the UN period, but particularly after the joint French-British Rapid Reaction Force and NATO air forces had intervened to stop the Serbs from attacking their UN national contingents. In other words, we came in after a very determined military action which showed the parties that hostilities would no longer be accepted. IFOR benefited from this approach, i.e. the principle of deterrence, which I have mentioned before.

The same happened in Kosovo, where the ground mission of KFOR started after the end of the air campaign, again clearly signaling to the armed factions and to the former Yugoslavian army the Alliance’s military capabilities.

Another important element, which helped us in the Balkans, was the presence of a well-defined mandate. Dayton for Bosnia and the Resolution 1244 with the addition of the MTA (Military Technical Agreement) for Kosovo have given the respective commanders a solid foundation for carrying out their tasks with appropriate authority. And with regard to skill, culture and personal preparation of the NATO personnel participating in these missions, there is no doubt that they have come with a background of absolute respect for the indigenous people, helping them to understand the concept of their task and devote themselves to doing their job professionally.

Last point, a necessary condition not only for NATO-led missions, is a good level of understanding between the Force Commander and the Head of the UN mission. This is a prerequisite for success which, fortunately, until now has always been present.

In summary, the organization and the principles which determine a PK mission under NATO authority very much correspond with most of the points the Brahimi Report has proposed. These principles are a good example of an effective realization of the Report's recommendations.

**Greg Baker, Colonel, former Commander
Australian Contingent, UNTAET**

In the short time at my disposal, I intend to address some of the key strategic successes and lessons resulting from Australia's commitment to East Timor within the context of some of the major Brahimi Report recommendations. I will do this in the context of Australia as both the lead nation during the multinational peacekeeping force known as the International Force in East Timor (INTERFET), and also as a result of Australia's continuing contribution to the United Nations Transitional Administration in East Timor (UNTAET).

I will essentially focus on four of the areas that are addressed within the Brahimi Report in regard to improving the effectiveness of UN or UN sponsored peace support operations, namely the need for:

- rapid deployment,
- a robust mandate,
- appropriate and robust rules of engagement, and
- capable security forces and committed leadership.

I intend to provide examples from the East Timor operation for each of these areas. I would also like to raise the question of the degree of national sovereignty exercised over deployed forces within a UN or UN sponsored operation. This is a thorny issue that I dealt with on a daily basis as the Australian National Contingent Commander, under UNTAET, last year in East Timor.

To Australia, the East Timor operation resembled the "*Three Block War*" as described by General Krulak, a former Commandant of the U.S. Marine Corps, where forces transit between humanitarian assistance, peacekeeping and peace enforcement or combat operations, all within a restricted locality and time. This was apparent during the operation where in the space of one day and in one square kilometer around such cities or towns as Dili, Maliana or Balibo, a soldier could be involved in an emergency food distribution or administering first aid to local East Timorese; a vehicle control point (VCP) and a clearing patrol that may have had contact with Militia ele-

ments resulting in injury and/or death. I mention this by way of a scene setter before discussing the factors required for greater success within such multi-faceted UN or UN sponsored operations.

Rapid Deployment

A key focus of the Brahimi Report is on Rapid Deployment. This, in my view, should be examined as both rapid *action* and rapid *reaction*. Brahimi says that rapid and effective deployment of *traditional* peacekeeping operations should occur within 30 days of the adoption of a UN Security Council Resolution and within 90 days in the case of *complex* peacekeeping operations. The INTERFET and UNTAET operations serve as somewhat of a model here.

A notable element of the INTERFET operation was the rapid deployment of troops together with an established multinational force headquarters *within 5 days* of the UN Security Council authorization. To achieve such rapid speed of response three pre-conditions were, and are, essential:

1. *UN Authorization for the Operation.* This must be timely and robust. In the case of the East Timor operation, the UN mandate *was* timely and robust and placed the operation inside the ambit of the UN Charter and international law. In the case of INTERFET and UNTAET, a less robust mandate would not have allowed such a clear, forceful and rapid response from member countries. I contend international support was focussed very quickly due to the timeliness and robustness of the UN Mandate, adding considerable *legitimacy* to the operation from the outset. A less robust or slowly developed mandate would not have allowed INTERFET to bring militia activity under control so quickly.
2. *Host Government Consent.* The consent of the host government (if a recognized host government exists) to allow and international presence is highly desirable to elicit timely support of coalition partners and, in turn, a rapid response. In the case of

INTERFET, this was a precondition for Australia's participation and, indeed, for a number of other countries' participation.

3. *Strong Coalition of International Support.* INTERFET gathered some 22 countries, including a number of ASEAN states, that committed troops and equipment, with essential strategic lift and other support from the United States. Readiness, deployability and military capability were key factors in the mission's success. I contend that no one country could have achieved this alone. INTERFET and its successor, UNTAET (which is currently comprised of 32 nations), are good examples of true multinational coalition operations formed and deployed quickly with appropriate and capable military forces.

Rapid *reaction* is critical to mission success and is founded upon *preparedness, planning and preparation that apply equally to civil and military components*. I have already briefly outlined how speed of action by both INTERFET and UNTAET resulted in the military mission success; however, it should be noted that UNTAET, a much larger and more complex organization than its predecessor INTERFET and the UN Assistance Mission to East Timor (UNAMET), took a good deal longer to get established and become effective. Through no fault of the SRSG, UNTAET did not have the same opportunities for *preparedness, planning and preparation* that were afforded the military component. This is an important lesson that has been addressed within the Brahimi recommendations with respect to the readiness of the civilian components of a UN mandated force.

Robust Mandate

A strong and achievable mandate, appropriate to the circumstances, is an essential precondition for success in UN or UN sponsored interventions. The mandate must provide the SRSG and the Force Commander, be it Multinational Force (MNF) or United Nations Peacekeeping Force (UN PKF) with the necessary authority and freedom of action to achieve the mission.

The mandate should be based on realistic and “worst case” planning that provides the most secure environment for peacekeepers and international personnel as well as local inhabitants. In the case of the East Timor operation, the Security Council resolution authorizing intervention by the INTERFET/MNF (UNSCR 1264 of 15 Sep 99) was made under Chapter VII and provided the MNF Commander with considerable authority to restore security and deal forcefully with the militia and other threats. This mandate was based on a “worst case” threat assessment and unambiguously allowed for security to be restored and maintained using all necessary and legitimate force. The spirit of this initial mandate was continued into the mandate to establish UNTAET (UNSCR 1272 of 25 Oct 99) and to the transition of the INTERFET MNF into the UNTAET PKF.

Appropriate and Robust Rules of Engagement

The extension of a strong mandate is the need for appropriate and robust rules of engagement (ROE). Appropriate and robust ROE are the most important for the safety and security of peacekeeping personnel although, on occasion, they can be subject to disagreement by coalition partners. Appropriate ROE are essential to participating international military forces and must be agreed upon by the UN Security Council, be promulgated early, be understood and agreed upon by all national contingents with sufficient authority and flexibility for the SRSG and the Force Commander to adjust the ROE quickly when necessary.

It is essential to have tough ROE, particularly in Chapter VII Peace Enforcement Operations, to both enhance the protection of troops from contributing coalition nations and, just as critically, to leave the adversary in no doubt that all necessary force will be employed to enforce the UN Security Council Mandate. Robust ROE also enable the mission SRSG and Force Commander to institute and establish uniform force protection measures.

The deployment of UN personnel and military peacekeepers into insecure environs without a strong mandate and robust ROE

jeopardizes the prospects for success and is morally irresponsible. Both appropriate and robust ROE enabled INTERFET and UNTAET to apply the necessary level of force and significantly enhance force protection measures.

Finally, one of the most important factors for success in any peace-keeping mission is the caliber and professionalism of the forces deployed and the effectiveness of the mission leaders and command and control mechanisms.

National Sovereignty over Deployed Elements

Political reality is that sovereignty over deployed elements will not be surrendered by most nations. Many governments will place significant restrictions and restraints on the employment of their deployed forces. Some countries may choose to send only humanitarian forces, while other countries may set force protection caveats on the use of their forces. This may mean that only a few countries will be able to contribute forces capable of being employed on the full range of operational tasks desired by the Force Commander.

The degree to which countries are willing to delegate control over employment of their national contingents to a commander from another nation is an active consideration in the employment of forces within a UN or UN sponsored intervention. I contend that cultural sensitivity and awareness of national constraints, together with a willingness to accommodate such national requirements, are essential traits in successful mission leaders.

National sovereignty over deployed forces will not go away, regardless of the recommendations in the Brahimi Report. The operational constraints that many governments place on the employment of their military forces will also determine the level of cooperation that can be achieved by coalition forces. Indeed, together with the suitability and timeliness of the mandate, in addition to the appropriateness of the rules of engagement, such operational or national constraints

may determine the degree of freedom of action for the leaders within the mission to ultimately achieve successful outcomes.

***Friedrich Riechmann, Lieutenant General, former
Commander of the 2nd German Contingent KFOR***

In contrast to the more strategic views of some of the previous speakers, I would like to concentrate on the tactical level of my command.

Let me start with a short description of how I experienced the situation when I arrived in Prizren/Kosovo in August 1999: The overall security situation was far from stable. One could feel the tension in the air. So the first and highest priority, in line with the KFOR Commander's orders, was to establish a secure environment allowing for the return of the hundreds of thousands of refugees and to ensure and to provide humanitarian aid. The short period of time until the beginning of winter put us under very heavy time pressure.

Establishment of a secure environment meant that we had to end the killing of people, the burning of houses, the raping, etc. We managed to significantly reduce those kinds of incidents because our mandate was robust and provided the maximum flexibility to cope with the situation.

The brutality of these incidents required special reactions. Soldiers were living together with minorities, like Serbs or Roma, in their houses to protect them from being murdered. The mine threat was very real. We needed to do as much as we could to detect mines, especially the tricky hidden ones, to avoid casualties within the population and KFOR. To create mine awareness in the children was a specific challenge which required a sensitive psychological approach.

Without any functioning jurisdiction, our soldiers had to function as police, criminal investigators, prosecutors and, last but not least, chiefs of the local prison where individuals indicted for war crimes and other serious offenses were incarcerated. Our forces operated the Prizren city prison with a strong sense of justice and respect for human rights. The soldiers and our legal advisers earned great respect from the local population and the former adversaries. How-

ever, as long as professional civil judges were not available, we could not exclude that in some cases, even suspects of serious crimes were released from prison. That happened because we followed the principle “in dubio pro reo” when timeliness of detention became significant criteria.

It was not easy to fulfil all these tasks, especially in light of the atrocities committed to Kosovo-Albanians, still visible in the form of mass graves and maimed dead bodies. But, with guidance from our national authorities based on UN Resolution 1244, we were able to handle this problem quite effectively. The crime rate decreased significantly within a couple of weeks.

One, or even the most important factor in fulfilling this specific task was impartiality, despite the aforementioned atrocities. Consequently, we also had to protect those people who were perceived by the Kosovo-Albanian population to be the perpetrators.

The next major problem was the extent of destruction. Thousands of refugees, now flooding back from the former Yugoslavian Republic of Macedonia and from Albania, found their houses destroyed or burnt down. And we were facing the next winter. So, in addition to a secure environment, we needed to provide at least some shelter for the returnees. Our aim was to have at least one room available in a house with a fire-place or heating to enable the people to survive in winter.

Thirdly, we had to create some kind of local administration to get the local authorities to look after their people and assume responsibility for the food-, water-, electricity- and gasoline-supply, labor, garbage collection, medical support, media, etc. In order to resolve these problems, a “Round Table” was established with local key-actors. Here, again, impartiality was of utmost importance. It was also important to communicate the results of the “Round Table” to the population.

There were more non-military tasks which I could elaborate on, but that would take too much time. Yet, I would like to stress that all

these tasks could only be fulfilled effectively because of the sound training, common spirit and excellent equipment of our troops. The multinationality of our forces sent a signal of cohesiveness, thus contributing to the establishment of a secure environment.

After a phase of consolidation in which we fulfilled the depicted tasks, more and more civilian organizations arrived. Fortunately, a unit of the German Foreign Office coordinated the disparate activities, interests and aims of the German organizations in the German-led Multinational Brigade South. This, too, was not an easy task. The quality of work of the Non-Governmental Organizations varied widely, depending to a large extent on their training, structure of the organization leadership, etc.

We were thus able to transfer the non-military tasks, i.e. maintenance of public security and order, slowly but steadily to them.

As military forces are still carrying quite a burden of non-military tasks, one can conclude that the transition process takes too long. In principle, this underlines the validity of the Brahimi Report's mission to improve flexibility and credibility of the United Nations.

Discussion

All participants deplored the fact that UN peacekeeping operations have become quite discredited in international public opinion since the mid-90s, due to several failures or perceived failures. The recommendations of the Brahimi Report offer a unique chance to reverse this trend and to give the United Nations back its primary role as a global actor in the field of international peace and security. However, the validity of some of the Reports assumptions and recommendations were disputed.

For instance, the Report seems based upon the understanding that UN operations in the Balkans had been dismal failures. This is far from the truth, as solid analysis shows. Indeed, the two most successful missions in the Balkans were conducted by the UN, i.e. UNTAES in Eastern Slavonia and UNPREDEP in Macedonia. The latter did particularly well, until it was prematurely ended by the Security Council due to Chinese objections. UNPREDEP, conceived as an operation of preventive deployment, probably had the most important mandate in the region. Its absence has contributed to returning the region to the brink of war. UNTAES, for its part, was exemplary for its well functioning, integrated, sole chain of command. In fact, one may question whether the non-UN conducted missions in the Balkans will produce results similar to UNTAES and UNPREDEP.

Critical questions were also raised about the practical application of NATO's doctrine on peace support operations. In Bosnia and Herzegovina, one of the traps NATO might be falling into is the attempt to separate the military components from all the other mission components. The military would be ill-advised if it thinks that it has just a military job to do and then can leave. It has to consider itself an integral part of the mission and cannot pursue an independent exit strategy. The military also has to drop its "sense of otherness," as one UN representative working in the region observed. However, the

perception of such a sense differs according to the national background of the military contingents and their commanders.

Looking at the records of the past five or six years of peace implementation in Bosnia and Herzegovina, another problem emerges. Force protection, i.e. deployed troops protecting each other, has been a dominant doctrine to the detriment of more active peacemaking. Only a handful of war criminals have been apprehended in those six years, although 60,000 troops were present when the operation started. Instead of focusing on the needs of the overall mission, the political arena is constantly clouded with shouts of ‘we want to get out, we have to find an exit strategy’ etc. Every attempt to convince extremists that “we are going to be there until successful conclusion” is thus undermined. Furthermore, SFOR has monopolized the use of force, but has left an enormous security gap filled by Croatian extremists when UNMIBH tried to seize their illegal accounts in Mostar. UNMIBH staff was left without the proper protection. Extremist Serbs behaved similarly in Banja Luka.

As one military staff member noted with a certain degree of cynicism: “The political concerns over force protection are a cancer, undermining the effectiveness of Western troops. Military business is about the management, not the elimination of risks. We have force contingents in the Balkans from Western nations which are unable to operate after dark. This is a disgrace. However, these are genuinely political, not military restraints.”

Interference from National Capitals

Much of the discussion circled around the problem of interference from national capitals, aiming to define lessons learned from UN operations in East Timor and Kosovo. “There will always be an impulse to have some degree of at least communication with, if not control over national contingencies,” one general observed. Force Commanders tend to accept such patterns as “a fact of life,” since national sovereignty will always take precedence in any UN operation. However, there are ways to control such interference, for

instance via the composition of a Common Group. As one former KFOR Commander remembers: “I had a British, German, French and an American deputy. When I had to make a decision, I did not give any order, but rather gathered my common group to discuss the issues. Then the national commanders usually left the room, probably to make phone calls to their national headquarters. Afterwards, we agreed upon the course of action.”

There was agreement among the commanders that the maintenance of cohesion between the national contingents was crucial. Therefore, the influence of the capitals had to be contained and channeled into positive, cohesive action. A multinational headquarter is very useful for maintaining such cohesion.

The difficulty of cohesion maintenance when conducting operations in the South became apparent during the discussion and touches on the problem of the North-South divide. In NATO-led operations, such cohesion is not so difficult to achieve. When it comes to operations outside NATO, however, cohesion is much more difficult, if not impossible. The challenge of dealing with the contingents’ differences in training standards, equipment etc. becomes overwhelming. “The developed world has been very tardy in terms of assistance, except in those circumstances where it suits them. For example, the Nepalese contingent came into the UNPROFOR mission without any armored personnel carriers. The Nepalese were told that carriers would be provided when the contingent arrived in the mission area. However, it took an entire year until those carriers arrived,” criticized a former UNPROFOR-Commander.

Clear, Credible, and Achievable Mandates?

The call for clear, credible and achievable mandates is one of the demands of the Brahimi Report. This demand has been discussed for many years. Some improvement has been made. Nevertheless, there are limits to what can be achieved, several participants critically remarked. There are obvious reasons for these limits. The Security Council is first and foremost a political body. Its decisions on

mandates are in most cases a compromise between the various players involved, i.e. particularly the 15 Security Council members, the Secretariat (which is not always united), the (potential) troop-contributing countries, and the parties to the conflict. Therefore, realistically, the question should be not so much how to draft a clear and credible mandate, but rather how Member States will act when mandates resulting from these compromises are not so clear.

Relationship between the Secretariat and Coalitions of the Willing

Despite the provision of Article 24 of the UN Charter, assigning primary responsibility for the maintenance of international peace and security to the Security Council, coalitions of the willing increasingly set the parameters of conflict management and peace implementation. The discussion on the emergence of mandates responding to the crisis in East Timor highlighted the crucial cooperation within the informal Core Group on East Timor, comprising like-minded states interested in the solution of the conflict and the UN Secretariat. As one senior member of the Secretariat pointed out: “When the situation in East Timor deteriorated, the Secretariat was consulted by interested parties, including Australia, on how the UN should react, whether we should set up a UN operation or an a coalition operation. The Secretariat responded promptly and unanimously, helping to set up a coalition, for the simple reason to have the political support, which is necessary to be strong and to deploy quickly.”

However, a representative from a Nordic country raised a general caveat: Although peace operations under the leadership of NATO or conducted by a coalition of the willing have been proven successful in the case of Kosovo and East Timor, could the same have also be done within the United Nations framework? UN Member States should invest more political commitment to endow the United Nations with such deployable force.

Police Aspects

Stefan Feller, former Deputy Police Commissioner, UNMIK

The establishment “from scratch” of a multinational Police Force in the Kosovo with full law-enforcement responsibilities and also tasked to establish a new local police service, has proven to be a success in many ways. Nevertheless, the focus of my contribution will be on possible improvements:

Engagement of both military forces and civilian police forces under the given mandate in UNSCR 1244 warrants the need of close cooperation on all hierarchical levels, on the strategic, operational and tactical level as well as within a given framework of mechanisms and memorandums of understanding. The credo is “do it jointly or you will fail.”

The experience in UNMIK and KFOR clearly shows the success of joint operations. They are very important when it comes to handling difficult and dangerous situations of ethnic minorities, like in the Kosovo.

One difficulty with regard to proper cooperation, however, are the different terms which are used by the military and the police. I would like to give you three examples:

- the military term of “police primacy” is called “investigational authority” on part of the police;
- the military term of “tactical primacy” is called “police patrolling and protection authority” by the police;
- the military term “overall primacy” defines the desired final objective of military forces in a mission with intervention tasks; it means that the military forces have achieved a security condition in a given area, under which the civilian authorities can do their work under hospitable conditions.

The rapid deployment of both military and civilian police forces as early as possible is crucial for the success of both endeavors. As long as the civilian police is not operational, military forces are forced to handle police-type situations (see the first two definitions above). That will reduce their ability to guarantee overall security. As long as the military forces, even after a rapid deployment of police forces, are not in the position to enforce overall security, the civilian police is handcuffed in its ability to establish rule of law.

It goes without saying that, even under optimal conditions, the transition from a conflict situation to a more stabilized level and then later on into the desired democratized peaceful end-state needs time and is difficult in many ways. Inevitably, setbacks will have to be faced.

A police force which has to fulfill law enforcement duties faces the immediate necessity for specialized facilities, like formed police units (Special Police Unit – SPU), facilities for protective tasks and high-risk-arrests, forensic capacities, crime investigation specialists and special units to combat severe crime cases up to terrorism (including means for covert investigation and witness protection). These facilities are needed, despite the fact that the international police presence is mandated to be only temporary.

The situation in Kosovo, where the necessary special resources in UNMIK-Police were not available for a substantial period of time and remain deficient, compelled the military side to engage in such police-type action. For instance, not every unruly or even partially violent demonstration in a post-conflict area needs military type action, but as long as the police does not have the capabilities to handle such situations, they must be dealt with by the military or jointly. Inevitably, soldiers then have to learn to act in the framework of police strategies, i.e. how to communicate with demonstrators, how to deescalate, how to protect peaceful demonstrators and how to single out and act against violent perpetrators.

In countries where the international community faces the complete breakdown of public functions and security, it has to provide not only a police force, but also a sufficiently staffed justice and penal system. As long as qualified personnel for these tasks is not available, the police is forced to fulfill non-police duties for which it does not have the proper training, which the military does. In addition, police personnel involved in these non-police tasks is not available for essential police functions.

To manage this overload of functions, UNMIK-police divided its tasks into three categories as a guideline for itself and other players in that theater: core/essential, discretionary, abstentive.

Another lesson learned is that the preparation of key-leadership – possibly as a team before entering the theater – will improve the operational success of the police. This preparation should include joint training sessions of military and police commanders.

Policing in an intervention situation rapidly moves from basic police functions to levels of high specialization and professionalism. One of the first phenomena to evolve in a region in which rule of law has broken down, is organized crime. Success in these areas, particularly the ability to solve serious felonies, is crucial for the overall perception and success of the police and the international mission at large. Crime cases with a terrorist background can be countered only with a well equipped police force, which has the necessary resources to combat high-profile crime and is able to influence the security situation in a positive way. The UNMIK-police achieved improvements in this sector the hard way.

Therefore, already in early in the planning process, the police must be allocated sufficient equipment and specialized personnel to fight organized crime. As this is a risky business, the need for good contingency planning cannot be stressed often enough. UNMIK-police has developed a variety of Standard Operation Procedures (SOPs) and is continuing to improve them.

Furthermore, it has become obvious that the law applicable in Kosovo proved to be old-fashioned and in many ways too complicated to serve as a legal basis. Various attempts by legal experts and police experts are being undertaken to improve the situation, drafting regulations for the SRSG to improve the legal basis of fighting organized crime.

***Lima Castro, Major, Deputy Police Commissioner,
UNTAET***

The Berlin Workshop is a very important occasion for us. As the representatives of the UNTAET Civilian Police, we have the opportunity to share our problems, concerns and mission experience.

The Civilian Police mandate in East Timor comprises the following tasks:

1. to enforce and maintain law and order;
2. to select, recruit, train and establish the new East Timor Police Service.

In East Timor, we have a total of 1,341 police officers available from an authorized strength of 1,640 to comply with our mandate. 41 different nationalities are represented in the CIVPOL of UNTAET.

As you can imagine, it is not easy to manage such a diverse international staff in the complex environment of East Timor. The differences of culture, experience, knowledge and professional understanding of each police officer are enormous. The Timorese people themselves lived for almost 500 years without any democratic government and institutions. Now is the first time that the Timorese have an opportunity to experiment with democracy, to experience how a democratic police works under the law, what it means to respect the rights of citizens and minorities. In the past, human rights were absent from the lives of the Timorese.

The achievements of the UNTAET Civilian Police are quite remarkable:

- Without any extra budget, additional personnel or logistical support, we enlarged the permanent presence of the Civilian Police from 32 Sub-districts in September 2000 to 63 in April 2001; there is a total of 68 Sub-districts in East Timor.
- The East Timor Police College was established within three months time (January to March 2000).

- We have 808 Police Officers graduated from the Police College (616 male – 71 percent – and 151 female – 19 percent).
- By doubling the capacity of the Police College and by recruiting former police officers (Integration Plan), we reduced by 50 percent the costs and the graduation time of the total manpower force projected for the East Timor Police Service; the goal is to have 3,000 in April 2003.
- We have a list with more than 13,000 names of candidates to join the police service. Building up a national police has given an additional opportunity to Timorese people to enter a solid career, to receive a salary and to have a concrete perspective for the future.
- The local police officers are provided with quality service uniforms and equipment; they are working side by side with international police officers.
- The East Timor Police Service is recognized by the UN authorities, including a delegation from the UN Security Council that visited the mission months ago, as one of the most relevant achievements of the UN in East Timor. The presence of local police officers on the streets is improving the quality of life of citizens and the credibility of the mission.
- The law and order situation has normalized and the crime rate is very low. One crime per day per 90,000 inhabitants occurs, equivalent to one crime per year per 250 inhabitants.

However, we are facing several obstacles and difficulties that interfere with our capacity to comply with our mandate more efficiently, for instance:

- The lack of a Human Rights culture;
- the former repressive police;
- the traditional dispute-solving and justice system;

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- the existing judicial system – there are only two courts, one in Dili and one in Baucau; the new local judges/prosecutors do not have any practical experience;
 - lack of vacancies in the prisons;
 - no social re-integration system;
 - no forensic laboratories, no pathologists;
 - lack of legislation;
 - the citizens are not registered, there are no ID cards; drivers have no drivers' licenses;
 - vehicles are not registered, there are no license plates;
 - a general manpower shortage in the police; we have only one local police officer per 800 inhabitants, the world average being one police officer per 350 inhabitants;
 - the shortage of CivPol vehicles; we have only 50 percent of the vehicles needed, which would be one vehicle per 5.7 police officers;
 - insufficient funds to establish local police stations and to purchase all common-use service equipment needed; we need an urgent decision by the UN authorizing the hand-over of some of the equipment and premises of the International Civilian Police to the local police;
 - the budget assigned to East Timor Police Service covers only training, uniforms, individual equipment and initial deployment of the local police officers, assuming that it will use the equipment and infrastructure of CivPol; unfortunately, however, the infrastructure of CivPol is not being developed fast and well enough even for CivPol purposes (no established stations, no complete crime databases, no evidence collection and storage facilities, no forensic laboratories; lack of vehicles, handheld radios, computers, communications systems, etc.).

- Finally, the budget to establish the infrastructure of the Koban Community Police System is insufficient (Koban is the successful Japanese Community Police System adopted in many countries of Asia).

That is the present situation of the Civilian Police in the East Timor mission. We hope that this Workshop can help us with ideas to solve some of the problems we are facing.

Discussion

The discussion reflected a consensus that it is not advisable to handle peacekeeping and peacebuilding as separate tasks. Conducting protectorate-like missions such as UNMIK and UNTAET implies that the international community has assumed a leading role in the long-term conflict transition. This increases the demand for more military, police, and judiciary all at once. Many practitioners stressed that a coordinated, coherent and integrated approach of the military forces, police units, including civilian actors, is a precondition for the success of complex peace operations.

With the complexity of today's peacekeeping operations, the dividing line between genuinely military and police tasks becomes increasingly blurred. Furthermore, the cooperation between the military and the police on the ground is clearly insufficient. Police units are generally not sufficiently informed by the military, although they do have the better means of gathering intelligence. This leads to the prolongation of problems such as the existence of shadow police forces and parallel structures.

There was overall agreement that the demand of the Brahimi Report to provide for more police is correct. But, seen realistically, there are limits to how many additional units can be recruited in the near future. These units are needed now and not in five, ten or twenty years.

The question of to what extent the military can close the gap in the meantime is therefore pertinent. The mission spectrum of modern peace operations covers a certain level of 'militarized' policing. More of that may be needed, even if most military leaders do not like it. The latter also became obvious during the discussion of the Berlin Workshop.

Under which command to place police forces is another contentious point in modern peace operations. No final answer was given to this question in the Workshop. However, the Bosnian experience seems

to show that placing robust police forces like the MSUs (Multi-national Support Units, consisting mostly of Carabinieri, Guardia Civil and similar types of units) underneath the SFOR structure, with the same rules of engagement as the military combat force, is very problematic. As one senior official put it bluntly: “The MSUs that have been put into the Bosnian context have not been able to do their job.”

As far as the link between justice and policing is concerned, participants supported the Brahimi Report recommendation of simultaneous reform of the police and of the judicial system. These institutions should be integrated into one area and not be dealt with by separate organizations.

The need to beef-up the fight against organized crime was another important point of discussion. There often is a close link between organized crime and obstructionist political behavior, which undermines peacebuilding efforts. A closer look at the demands of a typical contemporary post-conflict environment underlines the need for sending experts in this field rather than police generalists. As one seasoned peacekeeping expert made crystal clear: “Typically, the Administration is in place, but not working properly. You will face a lack of infrastructure, growing criminality, highly armored civilians, organized, cross-border, transnational, and international crime. In fact, criminals, including obstructionists, nationalists like in Bosnia, rule the population. The Administration has to deal with refugees, displaced persons, property problems, legal problems, a non-functioning judiciary. These are hardly military problems. We need specialists. In these cases, we ask Member States to contribute police officers. These officers are absolutely incapable of doing the job. We need experts to tackle those issues.”

Finally, three additional requirements were identified with regard to fighting organized crime: *Firstly*, confidentiality of information and intelligence is a problem. There are doubts to what extent some of the organizations involved in this process can actually handle the vast amount of confidential material. If mishandled, for instanced

leaked or processed to the wrong place, this may have life-threatening consequences. *Secondly*, the protection of people who are actually investigating and working against organized criminals is not guaranteed. *Thirdly*, the need for local cooperation: As long as doubt remains as to how long the international community will stay (i.e. will it stay until the job is finished and thereby control the threat of retribution and revenge until it subsides?) it will be enormously difficult to get a sufficient degree of local cooperation.

Civilian Administration

Tom Königs, Deputy Special Representative of the Secretary-General (Civil Administration), UNMIK

As the topic of the Agenda suggests, in the Kosovo, we do have a robust and executive mandate. The UN was thrown into the Kosovo completely unprepared to assume the role of a fully-fledged government with final responsibility. We do have not only all encompassing legislative, but also executive and judiciary powers. If General Jackson was – as some people referred to him – ‘the King of Kosovo,’ Bernhard Kouchner turned out to be its ‘Emperor.’

It is no exaggeration that we arrived in Kosovo as ‘gifted amateurs,’ with little more than an extensive mandate in our baggage. The quality of staff to do this job turned out to be completely inadequate due to its lack of experience. For instance, only few people had been involved in local government before. Furthermore, the deployment was rather slow. It took us one year to achieve a 50 percent staffing of the mission, not only as far as civil police was concerned. Then, we succeeded to change the UN rules for recruitment by decentralizing the process of recruitment. Two months later, we had reached a 98 percent employment level. Obviously, we had learned one of the lessons of the Brahimi Report. We were happy to see that the same rules have been applied in East Timor.

One might ask whether building up an entire civil administration is the appropriate tool for this kind of peacekeeping mission. If you look at the various organizations involved in the UNMIK operation, such as UNHCR, OSCE, EU, none of them has ever been entrusted with the role of governing. One might therefore conclude that the job cannot be done. However, I think we have been very successful. We have, in particular, been successful in the first emergency phase in organizing the return of all the refugees together with UNHCR and in re-integrating them into ‘normal life.’ This is – in my view – the overarching goal of any civil administration, to provide the

conditions for normal, if de-politicized, life without war and conflict.

From the very beginning, we managed to quickly abolish parallel structures by integrating Kosovars into the process and giving them an advisory function. This, by the way, is an “unintended” positive effect of the UN’s unpreparedness for coming to the Kosovo. The UN was not in a position to maintain the omnipotent protectorate provided for in the mandate in the long run. By the end of 1999, we had created advisory councils both on the national and municipal level. After one year, we held municipal elections empowering the administration which gained confidence by assuming day-to-day responsibility. The general election in November this year will foster this transition process. It will result in a hand-over of even greater power to the Kosovars.

Reviewing the last two and a half years, one can say that they have turned out to be successful. At the moment, 70,000 refugees are returning to their homes. The process is very well organized and managed by the Kosovars themselves.

Still, this success story has one important shortcoming. Repatriation and reintegration have been extremely successful for the Kosovo Albanians. The same cannot be said with regard to the other Kosovo minorities, in particular the Serbs. Now, as the Albanians are integrated into the government, participation and protection of minorities are a serious concern.

This brings me back to the basic question raised above: Should peacekeeping operations include building up civil administration? Reflecting on my experience in the Kosovo, I would like to give an affirmative answer, partly at least. Building or rebuilding civil administration have a genuine role to play in mediating conflict. However, the instruments we have created in the field of civil administration, particularly the elements at our disposal to integrate minorities or to force or to persuade their participation are rather weak. The reason for that might be that the legitimacy of the

mandate is derived from the Security Council, and is therefore tainted, because it presently excludes any discussion beyond the substantive autonomy granted by its resolution.

Where could a stronger legitimizing force come from? The European Union may turn out to be such a force. Its integrative approach creates a strong incentive, in particular the long-term prospect of future EU membership for the Kosovo. The EU also specializes in transforming socialist into market economies. However, peacekeeping is presently not part of the EU's mission. In my view, it is urgent that the EU develops a peacekeeping mechanism to accompany its existing non-military tools.

Coming back to the UN, its rules and structures have to be redesigned to better support missions like the one in the Kosovo. More responsibilities should be decentralized and outsourced, as indicated in the Brahimi Report.

NATO, for its part, needs some adequate low-key instruments to support its military tasks in peacekeeping operations. The fact that KFOR managed the jails, or that the military police functioned as prison guards, has widely impressed and enhanced its standing. The element of flexibility is absolutely crucial to modern peace operations.

Jamsheed Marker, former Personal Representative of the Secretary-General for East Timor

My experience has been largely devoted to the period before the East Timor agreement and the subsequent referendum leading to its independence.

I would like to comment upon the need of a robust mandate, which has always been very difficult to get, as a glance into the history of UN peacekeeping will show. It has to be painfully negotiated. Also, the robust mandate for the operation in East Timor could not be achieved until the very last moment. Finally, we got an agreement to have a UN presence there, led by the Australians who were willing and able to move in very quickly.

Coming to the current situation, I would like to hold the view that East Timor is a success story. Although the administration still faces many problems, there has been a very carefully calculated cooperation of the UN with the East Timorese people. Step by step, they are incorporated not only into the political system, but also into the administration.

In the beginning, as a result of the past Indonesian presence, there was and, by and large, is no human infrastructure capable of dealing with the requirements of a modern state. Language has been one outstanding problem: While East Timor does have a universally spoken indigenous language, the commonly used language for the last 25 years has been Indonesian, and Portuguese before that. The problem which arises is which language they should choose as the official one for the future. This is not something the United Nations can decide for them. It is something they themselves must decide.

Choosing an appropriate currency has been another problem: After many difficulties, the U.S. dollar was agreed upon. The same degree of difficulties applies to various other problematic areas of nation building, such as the establishment of schools.

Problems with building up the police, which have already been referred to by previous speakers, are indeed immense. They are complicated by the fact that police operations are like a port. You can have perfect docks and cranes, but if you do not have the appropriate infrastructure and personnel that connects the port to the interior of the country, the port cannot operate successfully. Furthermore, even if you have a police system, you need a legal infrastructure. At the moment, there are no prosecutors, no judges etc. Most of them were Indonesians who returned to their home country.

Finally, there is a very basic question: What legal system should be used in future? Is it the past Indonesian legal system, or would it be preferable to go back to the Portuguese legal system? Or does East Timor need an entirely new one? All these questions are currently being worked out.

Discussion

The discussion of this panel focused on *firstly*, the problem of building capacities in the field of civilian administration, *secondly*, the question of how to re-establish rule of law and the related sub-question of ownership, and *thirdly* the existence of parallel structures.

Civil administration: Some critical comments were made regarding the UN's efforts to take on a governmental role in Kosovo. The UN did not have much choice but to deploy international personnel which often does not have the necessary experience at state and local government level. To build up an international capacity in the field of civil administration appears to be even more difficult than to build up capacity in the military and police field. There is a dilemma: the state and local level was generally made up of international professional administrators without the necessary political skills and of politicians who do not have sufficient administrative skills.

The lack of skilled, professional personnel begs the question how to best build up an international pool from which one could draw the needed personnel. A greater involvement of NGOs, which have experience in governance and administration as well as citizen participation, was suggested as one possible solution. Others, however, questioned the effectiveness of NGOs. Indeed, NGO involvement in various peace operations was judged as being quite mixed. Only a limited number of NGOs has what one can call truly professional personnel.

Rule of Law: Several practical difficulties in implementing the rule of law in war-torn societies arose. The enforcement of the rule of law (by the international community) versus the "ownership" of the legal system by the locals is one such difficulty. These goals very often turn out to be conflicting. In Kosovo, for example, the applicable law had to be changed after one and a half years,

reverting to the system of 1989. The selection of (unbiased) local judges also runs into serious difficulty. They hardly exist. In East Timor, the applicability of rule of law has also been a rather difficult matter, due to the shortage of local prosecutors and judges. Another problem is that it is still not possible to buy property in Dili. The respective rights and documents belong either to Indonesians, who left the country, or people from East Timor, who have run away but want to come back. The entire issue is still blocked and will take a long time to be resolved. The question of what kind of law East Timor is finally going to adapt, which legal system it is going to use, is still under consideration.

Parallel structures: In the Kosovo, it has not been possible so far to abolish the parallel structures, particularly in the Serb areas. However, the integration of the KLA and the Fahci Government into the official, formal structures is a considerable success. Both have, to a large extent, dissolved their parallel structures.

In Search of Meaningful Western Participation in Peace Operations outside Europe

The Case of Sierra Leone

Manfred Eisele, Major General Ret., former Assistant Secretary-General, DPKO

When SG Kofi Annan requested an increase in the size of UNAMSIL to 20,500 Blue Helmets, he clearly demonstrated that the small country of Sierra Leone matters to the UN. 20,500 would allow for up to 18 infantry battalions. By comparison, the peace-keeping operation in the Democratic Republic of the Congo, with a huge territory of 1.2 million square km, was authorized a mere 5,537 Blue Helmets, of whom only 500 were to be deployed in the first instance.

When early last year more than 500 Blue Helmets had been taken hostage by the RUF, it became apparent that UNAMSIL was in deep trouble. The SG therefore sent a team to assess the mission, to answer the very questions which are the topic of this panel: What went wrong? Why? Who is responsible?

I had the honor to head this team of which Leonard Kapungu, attending this Workshop, was also a member. Quite frankly, to stay within the time limit given by the organizers of the Workshop, it would be easier to ask, what went right, because almost everything did go wrong. I will therefore not try to elaborate the many “wrongs” and the few “rights,” but will highlight a few observations of particular relevance for the discussion in this Workshop.

The fact that the Secretary-General took the initiative to deploy such an assessment team indicates that responsibility starts at the top. By that, I do not refer to the responsibility of the Secretary-General regarding UNAMSIL in the first place, but to the Security Council as the top political directorate of the United Nations.

The answers, which we provided in our report to the Secretary-General, led to quite a number of recommendations. All of them were finally presented to and implemented by the Security Council. This resulted from the fact that many “wrongs” actually originated from this body, others from the Secretariat, particularly DPKO. But Member States were to be blamed most of all – not just those few nations who contributed troops to UNAMSIL, but even more so those who deprived the mission of the necessary financial resources.

Let me spell out some of the difficulties that hindered UNAMSIL at being as efficient as it should have been expected:

- Mandate and Rules of Engagement (ROE) lacked clarity of purpose and robustness. UNAMSIL once more proved that never in the history of the United Nations has a force commander or SRSG dared to overstep the freedom of action granted by the mandate or ROEs. On the contrary, they mostly shy away from fully exploiting this freedom of action, quite often to the detriment of the mission. Lack of initiative and determination in the leadership turned out to be a problem throughout the entire operation.
- Problems with interpretation of impartiality and neutrality in the mission: The results of our related findings have been included in the Brahimi Report. Impartiality is certainly a basic condition for the deployment of peacekeepers, as long as all parties to a conflict adhere to the rules of a peace agreement. However, in the absence of such understanding by one faction or another, impartiality may stand in the way of the successful implementation of a mandate.
- Command and control procedures: They were fragmented in many ways, i.e. between the political and military leadership and the civilian administration. There was a basic understanding in UNAMSIL that command and control has to operate in a vertical way. However, command and control should also include horizontal communication. It was lacking. The under-

standing in a number of troop contributing countries, as expressed by their Ambassadors in Freetown, but also in conversations with Ministers, brought some interesting insights into the political mentality in some capitals which provided troops. They assessed the Force Commanders to be the Heads of the Mission, whereas the Secretary-General and the Security Council hold that the SRSG is actually the political head of the mission, providing direction to the military commander-in-charge.

- Piecemeal logistical support and deficient “self-sustainability” of contingents: radios, maps. This especially applied to contingents who were switching functions by moving from ECOMOG to UNAMSIL. These contingents did not usually meet the logistic and support conditions that the United Nations had expected.
- Lack of common operational culture between different national contingents: language, national reins, racial mobbing. Of course, the United Nations has experienced that language can constitute a problem. Troop contributing countries ought to have their forces prepared to deal with commanders in English.
- A final observation regarding the financial situation of the mission: DPKO had estimated that US\$ 15.4 million were needed for the airlift and seairlift. However, the airlift of some 7,000 soldiers alone exceeded this amount, since it actually added up to US\$ 50.0 million. This overage had to be compensated from existing resources within the Secretariat.

What difference would have a limited direct Western participation made? The answer to this question remains hypothetical. In the case of East Timor, the announcement came early on that some Western nations, including even Germany, were prepared to participate in the mission paved the way for a satisfactory response of other troop contributors; a comparably demonstrative if only token presence might have positively influenced the strength of UNAMSIL.

The Role of British Forces: The British involvement in Sierra Leone causes quite a bit of concern. It has remained difficult to understand how a P 5-Member of the SC can, on the one hand, demand that a multinational peacekeeping operation of the UN is mandated and then, on the other hand, deploy its own units outside this mission. How can a young soldier from Jordan or Guinea, who has risked his life in the disarmament process to collect arms from the rebels and has delivered them to a storage area, understand that on the same day, thousands of brand new rifles were delivered to one of the factions in the civil war by the British military presence? These are questions which have to be answered.

When the British military presence, moored at the coast of Freetown, first arrived, the response by both the RUF and the government forces and – last, but not least, the population towards their former colonial masters – was extremely positive. The UK Force demonstrated by their attitude and bearing that a determined, well-trained and well-equipped force could really make a difference. However, it is so much easier to act as a national force under direct control of its own government than as a multinational peacekeeping operation with at least 15 political masters in the SC, if not 189 masters in the General Assembly, to provide the necessary resources through painstaking procedures in the ACABQ and the 5th Committee of the General Assembly.

While British media praised their military for saving the UNAMSIL peacekeepers from “ignominious defeat at the hands of the rebels,” there was a certain feeling of satisfaction among the UNAMSIL military when, a few months later, British soldiers from the Royal Irish Rifles were taken hostage by the West Side Boys, a rebel group consisting mostly of armed children. The UK authorities then asked UNAMSIL to provide support for the British operation to liberate the hostages. Such support was granted by the Jordanian contingent. The successful British operation left more than 20 rebels dead, mostly armed children. Imagine the response, if UN soldiers would

have acted in a similar way, shooting these children. There would have been an outcry from the international press.

Meanwhile, there are now several British elements within UNAMSIL, especially staff officers, including the chief-of-staff.

Let me conclude with a reminder: We have already praised the rapid reaction in the case of the Australian forces vis-à-vis East Timor. However, let us not forget that in early 1998, the Secretary-General was tasked to deploy within nineteen days a peacekeeping operation into the Central African Republic, and he succeeded. The United Nations deployed a peacekeeping ground force exceeding 1,500 soldiers which was operational and functional. This demonstrated that if resources are available and Member States provide the political will, the United Nations can be as efficient as we expect it to be.

Martin Luther Agwai, Major General, Deputy Force Commander, UNAMSIL

The present leadership of UNAMSIL came into effect in November 2000, when the operation was at its lowest point both in terms of morale and personnel. Two countries were withdrawing their troops at this time, i.e. India and Jordan. In addition, when we took over, most countries were due for rotation.

Consequently, there was nothing we could do at this time. We could not take any new initiative, since Ghana, Kenya, Nigeria, and Zambia were going to rotate their entire battalions. However, this situation brought us into the favorable position that we had a brand-new body to deal with. We could start from scratch.

First of all, let me comment on the British presence. Following the lines of the previous speaker, I had serious problems understanding why the United Kingdom, as permanent member of the Security Council, had to run 'a parallel show' with its own forces, against the background that it had taken part in the decision upon the UNAMSIL mandate in the Security Council. Furthermore, there had not been any coordination, meeting, or consultation between the British force and UNAMSIL up to the moment when we took over. The first meeting took place in January 2001. From then on, one could observe an improvement in the relationship and in the way the military conducted business in Sierra Leone.

As far as the interference from capitals, mentioned by previous speakers, is concerned, we did not have any problem. Troop contributing countries did not try to interfere with our functions. And I do think that this is one of the reasons for the rapid progress we have made so far.

Another element contributing to our success is the fact that we all use the same language. The official language in Sierra Leone is English and most of the military leadership within UNAMSIL is from English speaking countries. In addition, due to the fact that we speak Pidgin English in Nigeria, which is very close to Creole, I

could easily communicate with the leadership of both the Revolutionary United Front (RUF) and the Civil Defense Force (CDF). Consequently, I was accepted, and on many occasions, the two factions treated us in a very friendly manner. And I think this has helped us to move the peace process forward without firing a shot.

The common cultural and religious background has also helped. For example, when a contingent arrived in the Eastern part of the country, where the diamond mines are located, there was a Bangladeshi officer who met with the combatant leaders there. At the beginning, they were very hostile. But when the officer joined them in their Muslim prayer 'Allah akhbar,' it was eventually possible to disarm them without any greater complications, since they treated each other as friends. If there had not been any common religious affiliation to the Islam, the story would have been much different.

The close link between the military and civilian leadership, in particular between the SRSG and the Force Commander (FC), is very important. We meet three times a week. Every move the FC undertook was approved by the SRSG, before it was officially submitted to DPKO. The political and military leadership walk hand in hand.

A major difficult question we face is how to sustain the troops of UNAMSIL which are exclusively from Southern countries. They have problems responding to the contingent-owned equipment (COE) procedures adopted by the General Assembly. Let me highlight the problem with one example: Since December 2000, Ghana has been prepared to contribute an additional battalion to UNAMSIL, but lacked the required equipment. Presently, they are still waiting for a possible equipment donor to enable them to join us in UNAMSIL. If the other troop contributing countries from the South would have waited until they had gotten the necessary equipment, what would have happened to Sierra Leone? The presence of those half-equipped, but properly trained forces is crucial, since they are accepted as impartial observers by the people of Sierra Leone.

And here I would like to disagree with what has been reported in the media: Those forces are ill-equipped, indeed, but they are not ill-trained. They do have determination and morale.

Finally, the dialogue between the two sides in Sierra Leone is absolutely crucial. Once the various sides realize that the peace-keeping force on the ground is impartial, there is a chance of success. In my view, we have succeeded in Sierra Leone to a very large extent, and I have cautious optimism that by the end of this year, we should be able to disarm both factions, i.e. the RUF and CDF.

David Musila, MP, Head of Defense and Foreign Policy Committee, National Assembly, Kenya

When General Eisele was sent by the Secretary-General of the United Nations to Sierra Leone on a fact-finding mission, the Parliament of Kenya, where I chair the Committee on Defense and Foreign Affairs, sent me and my parliamentary colleagues on a similar mission to Sierra Leone. Kenya had contributed a battalion to the peacekeeping force in Sierra Leone. The situation had deteriorated after five soldiers were killed by the rebels, and 26 were taken hostage, including our battalion commander. The public opinion in Kenya was against the peacekeeping mission and advocated recalling soldiers. Hence, the impetus for the fact-finding mission.

Peacekeeping, as we understand it, involves the maintenance of peace in those countries where peace has already been established and a peace agreement has been signed. In the case of Sierra Leone, the Lomé Agreement had been signed. It had been agreed that the rebels and the conflict parties would surrender their arms. Apparently, our forces went to Sierra Leone to enforce a peace which did not exist, as that country's government obviously had perceived. The mandate, which had been adopted in the Security Council, had not been clearly understood. It authorized peacekeeping under Chapter VI, but not peace enforcement under Chapter VII. This was one of the conclusions of our mission.

Furthermore, I would like to comment on the training of soldiers serving with UNAMSIL. When I interviewed some of the 200 Zambian soldiers taken hostage, I realized that they were very young boys; in fact, some were less than 21 years old. Asking them how long they had been in the army, they told me that they had just finished their training. Consequently, these young soldiers did not seem to have the necessary training and experience for the job assigned to them.

As far as equipment is concerned, the UNAMSIL force commander informed us that he had been in the field for almost a year without any equipment. For instance, he could not communicate with his brigades in the field. Developing countries do not have enough resources to equip their peacekeeping forces sufficiently. In the case of those countries who have been trying to meet the UN equipment standards, very often they lose their equipment in the field, and the tax payers in those poor countries have to pay for replacements. If Western countries were willing to participate, they would be able to provide the necessary resources for equipment. They would also enable some kind of initial training when forces arrive on the ground, in order to ensure that certain minimum standards are met by the peacekeeping forces.

A final comment on public opinion: As long as there are not any casualties, public opinion in Member States seems to support a mission. However, in cases with casualties, public opinion changes and turns against these missions. This is not only true in developed countries but also in developing countries. So, whether peacekeeping is mandated under Chapter VI or VII should be clarified before forces are deployed.

Mette Kjuel Nielsen, Deputy Permanent Secretary of State for Defense, Ministry of Defense, Denmark

First of all, I would like to question the perceived lack of Western support for and participation in peacekeeping in Africa. One example is the participation of my own country and other Northern countries in the UNMEE operation in Ethiopia and Eritrea. There, the conditions for a successful peace operation were present. Our participation took place in the framework of SHIRBRIG (Stand-By High Readiness Brigade). Another example is the assistance to the SADCC countries. Several nations, including Denmark, have been involved for years.

With regard to training, I think, rather than looking at participation as such, one should focus on the underlying conditions for engagement: Is there a peace plan or a peace agreement? What are the position and involvement of neighboring states? Are they supportive in the process of finding a solution? Or, are they rather part of the problem? Does the mandate include DDR (Disarmament, Demobilization, Reintegration)? Is there a timeframe with achievable targets?

The need for most of the conditions is also highlighted in the Brahimi Report. In my opinion, one reason for low Western participation in other conflicts in Africa can be found in the lack of prerequisites for a sound peacekeeping operation.

To put regional organizations to the forefront is a problematic concept. A time honored principle by the UN, so far, has been that states with a special interest in a conflict should not participate in the respective peacekeeping mission. This principle has been eroded over the last seven years. But it is still worth keeping it in mind. Moreover, sometimes regional organizations have neither the resources nor the structure to conduct complex missions.

Looking at the two conflicts in question, obviously, a number of the basic conditions for a successful peacekeeping mission were not met. There was an obvious lack of political will and, at the same time, the pronounced interest of neighboring states in the con-

tinuation of the conflicts. This made it very difficult for the UN to conduct its mission.

Discussion

The discussion concentrated mainly on four aspects: (1) the right interpretation of the mandate with regard to impartiality; (2) the crucial link between casualties and public opinion; (3) the role of the British forces and, finally, (4) the issue of proper equipment.

(1) From the very beginning, UNAMSIL has been facing the dilemma how to fulfill conflicting expectations and respect impartiality. As one close observer put it: “If you are going into that arena, the public expects you to support that government. However, the rebels will call you an enemy, then.” In extremis, these two different views cannot be reconciled. Consequently, it is very difficult to maintain impartiality, and its perceived lack has also been one of the reasons for the various kidnappings. However, impartiality is not to be mistaken as neutrality. By virtue of its mandate, UNAMSIL has never been in the position to be neutral, although it was expected to remain impartial at the same time. To a large extent, this has been successfully implemented on the local level, as one African observer stated: “When the government or its allies (the CDF) had done something wrong, we criticized it publicly, the same applies to any misbehavior on the side of the RUF. This has earned us a lot of respect and strengthened our mission.”

(2) The so-called “zero-casualties” doctrine, held by several Western countries, was very much a point of debate. The reluctance of governments to expose their troops to any serious risk of casualties reflects their approach to prevent any engagement if – in former Secretary of State James Baker’s famous words – “we don’t have a dog in that fight.” Consequently, the absence of Western countries in UNAMSIL very much undermined the mission. There is a political perception in New York that the current situation reflects an era of “virtual peacekeeping apartheid,” meaning Western countries are willing to do something in some parts of the world they consider vital to their own interests. Elsewhere, like in Africa, they

are prepared to pay but are not willing to take any risks by deploying their own troops.

However, a situation where resources are provided by one side and blood has to be given by another, is not tenable. Western countries, therefore, should rather follow the example of a major country from the South that has participated in every past peacekeeping operation in Africa, without having ‘a dog in the fight,’ i.e. without having any strategic interest. Such a commitment reflects a political will for a desirable world.

Participants were also reminded that the discussion on “zero-casualties” amongst the military is a bit distorted since it does not take into account the rising number of casualties on the civilian side. However, as Kofi Annan has pointed out: more civilians died in peacekeeping operations in recent years than military personnel.

(3) The main reason why the United Kingdom has been reluctant to put their forces under a UN mandate must be perceived in the lack of confidence in DPKO and its capacity to command and control operations in distant places. As one participant bluntly put it: “There is not going to be Western participation in many of these operations until that is done. I do not think that this point is sufficiently understood politically in New York, that DPKO’s credibility is virtually zero in many of the Western capitals.” Against this background, the implementation of the Brahimi Report is extremely important in order to re-build confidence in the DPKO.

(4) The reluctance to allocate sufficient resources for equipment is one of the core reasons for the difficulties UNAMSIL ran into. The Deputy Force Commander emphasized this point. For instance, the disarmament process was seriously delayed due to the lack of logistics while it could have been completed within four months.

The Case of the DR Congo

Kamel Morjane, Special Representative of the Secretary-General of the UN for the DRC

Today, 30 June, 2001, marks the 40th anniversary of the independence of the Congo. When I compare the situation 41 years ago with today, I start wondering whether there is any difference. The conflict in the Democratic Republic of Congo (DRC) has been described as Africa's First World War. This has been due to the involvement of the regular armies of six countries as well as three rebel movements, not counting the various armed factions.

The crisis in the DRC has many dimensions: political, internal, military, economic, national and regional ones. It entails the dependence of the Congolese parties – on the government as well as on the rebel side – on foreign allies. Economic interest, linked to the exploitation of natural resources as indicated in the UN panel's report on illegal exploitation of natural resources and other forms of wealth in the DRC, obviously plays a major role, too.

According to the Lusaka agreement, signed on July 10, 1999, all the countries officially involved in military activities in the DRC signed an immediate cease fire. The agreement includes provisions regarding the control of illicit trafficking of arms and the infiltration of armed groups, the need to address security concerns, the pursuit of the inter-Congolese dialogue, the formation of a national army, the establishment of a mechanism for the disarmament of armed groups, the withdrawal of foreign forces and the establishment of a joint military commission among the signatories of the agreement for adequate coordination. Furthermore, it proposed that the United Nations should deploy a peacekeeping force in addition to the political committee, which is composed of all the Ministers of Foreign Affairs and Defense of the parties involved, including the rebels.

Before dealing with the MONUC (Mission ONU au Congo) mandate, I would like to raise three points or specifics of the operation. Firstly, it is the second operation in the same country. The United Nations has already been involved in the Congo 35 years before. To my knowledge, this is the only instance of repeat UN engagement in a single country. This is very important for the following reason: When we started in the Congo in December 1999, we found a very difficult environment due to the negative attitude of the Congolese government, including the population, vis-à-vis the United Nations. They were recalling the UN operation of the 1960s. They still have Lumumba's assassination in mind, holding the UN responsible for not adequately protecting him. Secondly, the mission had been decided upon after three other important operations (Kosovo, Sierra Leone, and East Timor). This is important, since it is related to the operational capacities of DPKO, which has not been in the position to face many emergency operations simultaneously. Thirdly, we have to take into consideration the comprehensive approach of the operation, covering a wide range of military, political, and humanitarian activities.

MONUC has been established at the request of the belligerents, as outlined in the Lusaka agreement. A major stumbling block is how to police the cease fire. Apart from the vastness of the country, a solution to the conflict is further complicated by the multiplicity of the parties and the economic interests involved (gold, diamonds, etc.). Other complicating factors are the necessity to reconcile the prerequisite of preserving the sovereignty and territorial integrity of the DRC and the exigencies of the security of its neighbors, notably Rwanda, which has constantly alleged the presence of hostile armed groups within the DRC. Rwanda is currently occupying a territory within the Congo fifteen times as large as its own territory. Consequently, we also have to deal with the interrelated conflicts surrounding the Congo.

In order to accomplish the goals of a traditional peacekeeping operation, the DRC would probably require hundreds of thousands

of troops. This is the reason why we have been setting up a different plan of operation by giving, first of all, the responsibility for the security of military observers to the parties themselves. Additionally, we initially thought that it would be appropriate to have battalions, but then we realized that they were useless, since there are no roads. We thus had to review our entire plan of operation. Consequently, we established small units in order to guard the premises and the equipment of the UN. However, we face the risk that the population may think that we are there to protect them. This is the reason why the information of the public is crucial in order to make our position clear and avoid any misconception.

As far as the composition of the mission is concerned, we have 2,366 military staff members in the Congo, including 496 military observers and staff officers; only 28 are nationals from Western countries. Furthermore, the majority of them are either in Kinshasa or in the capitals of the belligerents, i.e. Lusaka and Harare. Only two of them are inside the country. They always come to the country for a period of six months, which is far too short. 70 percent of the military staff is from Africa (Senegal, Morocco, Tunisia, South Africa). We also have some 400 Uruguayans to guarantee safe navigation on the river Congo.

Disengagement of the belligerent troops and the subsequent verification are still going on. For six months, we did not have any serious violation of the cease fire. The draft plan for disengagement, demobilization, reintegration, and repatriation was endorsed by and large by the Political Committee. The United Nations is awaiting additional information to be provided by the parties in order to implement that plan. The draft plan for the withdrawal of the foreign forces on both the government and the rebel side was also presented to the Political Committee last month. We are preparing for the finalization of this plan as the Security Council has requested. Furthermore, the Congo River has been declared open for navigation. In accordance with the recommendations contained in the Brahimi Report, the quick impact project has started already in

areas where MONUC is deployed to allow the population to gradually resume normal life. Moreover, preparations for the inter-Congolese dialogue are making good progress. It is worth noting that for the first time since the peace process started, the main objectives have generally been attained within the required time-frame. This intermediate success on the path towards the return to peace was only possible once the belligerent parties resolved to honor their commitments.

In conclusion, it is possible to end the war. However, the long-term challenge will be to bring peace and stability to the DRC and to the entire Great Lakes region, which is not a military issue, but a political one. The international community has a significant role in ensuring the full involvement of all the parties, armed and unarmed, in this process. The conflicts in this region are interrelated, and one cannot be solved in isolation to the others. There will be no sustainable peace and development within the DRC without peace in Angola, Burundi, and Rwanda and vice versa. Western countries should show more direct interest in the settlement of the Congo conflict and more political will to support international initiatives.

In summary, there are a number of reasons why the current situation is slightly more positive. Firstly, the change of power in Kinshasa, though the entire process started already on November 27, 2000, well before the assassination of President Kabila, during the summit in Maputu, chaired by President Mbeki; secondly, the change in the attitude of some main actors on the international scene, i.e. members of the Security Council and the Secretariat; thirdly, the role played by the local ambassadors accredited to Kinshasa, and their team spirit, which characterized their relation with MONUC and the representatives on the ground; fourthly, the exceptional relations we managed to establish between the political and military components of the mission, namely the relations with Force Commander General Diallo; fifthly, the role of many African leaders and the various summits which had taken place over the last year, from Algiers to Maputu. They helped to the relevant parties to act.

***Bert Koenders, MP and Spokesman for Foreign Affairs,
Dutch Labour Party***

Before I was elected into the Dutch Parliament, I worked with the UN in the peacekeeping operation in Mozambique and later in the Commission of the European Union. There I was *inter alia* responsible for conflict prevention. My paradigms were the ones of lessons learned, proper planning of missions, reducing the gap between headquarters and the field as well as between the Agenda of the Security Council and the reality on the ground. However, now – as a parliamentarian – I entered into a completely different ball game. It is about convincing media, public opinion, voters, and parties.

In my view, engagement in Africa is and should not only be a moral question, but also a foreign policy priority. This is not an easy task. One must convince that African problems are not intrinsically different from problems on the Balkans, arguing that it is about the political manipulation of ethnic differences, and that the slogan ‘African solutions to African problems’ has little to do with a greater sensibility for the African context, but more with the Western disengagement from the African continent. Any engagement on the African continent actually requires not only a lot of money, but also time, commitment and a sensitivity for the risks involved. This turns out to be a major problem in the political arena: When it comes to the Congo, most of the voters hardly know the country.

Is generating public support, therefore, an impossible task? I do not think so, since we have to be very careful in how we look at this. For example, one year ago, we were able to convince the Dutch public to send troops together with Canada as a lead nation to Ethiopia and Eritrea (UNMEE). The mission is operating under a classical Chapter VI mandate, not to be compared with the risks and complexity of the Congo. Some of the robust rules of engagement – as discussed in the Brahimi Report – have been applied.

Consequently, we do have a positive experience of how to convince our people after the trauma of Srebrenica. In the light of the recent experience of UNMEE, there seems to be a new sense of self-confidence among our soldiers and the public that UN operations in Africa are feasible and worthy of support.

There are some key conditions which should be met to get the necessary support for missions like those discussed in this Workshop. Firstly, a sense that the mission and the mandate can be successfully accomplished within a reasonable period of time. However, here we enter a vicious circle: Many of the missions are based on the reality of 'too little and too late.' It has been argued very often that this is due to the limits put on politicians by public opinion. But it is exactly the other way around. Because of the very fact that missions are very often 'too little, too late,' people start to realize that there is a considerable risk involved and hesitate to give the necessary support. A question related to this situation is whether a country should commit itself to send troops, if some key problems regarding the mandate etc. – as discussed in the Brahimi Report – have not been addressed

Secondly, there should be a reasonable balance between the engagement of the international community and the engagement of the conflict parties themselves. In my view, this problem is currently prevalent in the case of MONUC, especially when it comes to demobilization and re-integration. This issue plays a crucial role in the political strategy we apply towards the possibility of a future military engagement. The European Union, for instance, is engaged in pressing all the parties in the DR Congo to agree upon bilateral demobilization deals. If this is not going to happen, I fear very much that demobilization will only lead to a sense of weakness on the side of Mr. Kabila, and on the other side to the continuation of a creeping genocide in Burundi, and possibly a new clash in Rwanda. The Western countries must play a stronger role in preventing this.

Thirdly, commenting on the "zero-death-doctrine" mentioned earlier, I do not agree with this doctrine. I actually think that such

doctrine does not exist at all. It is not necessarily the case that, if soldiers are killed on the ground, public opinion will demand immediately a withdrawal of the forces. To the contrary, I think they will become more active to secure the success of the operation. What we do have, however, is a revolution in military affairs, as we have witnessed with regard to the Kosovo.

Fourthly, we need to increase the respect of the media and our public for what our militaries are actually doing. This is very crucial for creating more support for those kind of missions. Consequently, there is a need for education of global citizenship.

Coming to the question whether we are going to contribute troops to MONUC, I would like to answer in the following way: If Western countries and the European Union are willing to engage on this issue of disarmament and re-integration, we can do much more there to create the necessary conditions for a reasonable operation, which, in my view, does not have to be a Chapter VII operation once we proceed from MONUC II to MONUC III. Furthermore, there are a lot of smaller, low-key actions possible, which have not taken place at all, such as a trust fund for disarmament and re-integration and forcing the neighboring countries and the Congolese government to take the necessary steps to move forward.

We also have to engage more NGOs and our governments in projects of voluntary demobilization in the eastern Congo. In that region, a lot of smaller reconciliation efforts are also possible, particularly when considering the fate of the very young soldiers. Sharing intelligence with MONUC is another prominent task, since several countries actually know what is happening on the ground, but are very reluctant to share this kind of information with the UN.

In my view, there is a general political support within the European Union for creating a more balanced approach to the region. The Belgian Presidency of the European Union should vigorously confirm this approach by launching an initiative for the Congo.

I would like to conclude with two points: Firstly, if we are committed to accomplish the tasks mentioned together with our African partners, I would be willing, as a parliamentarian, to ask for a commitment of troops from the European side. Although this will be very difficult, it is nevertheless the prerequisite for a strategy leading to progress.

Secondly, it seems clear to me that the UN, at the end of the day, is not capable of handling logistics effectively. I was appalled to observe the problems with the operation in Ethiopia and Eritrea. One could even state that – from the logistical side – UNMEE existed in spite of the UN and not because of the UN.

Krishna Bose, MP, Chairperson Standing Parliamentary Committee on External Affairs, India

I was asked to comment on the panel reviewing the situation in the Democratic Republic of Congo, the only case of India declining to contribute troops in a peacekeeping operation, sending military observers instead. We also made a voluntary contribution of US\$ 1,000,000 in March 2000 to sustain the joint military commission of the Organization of African Unity.

It is not due to any lack of generosity or grace that we refused to commit our soldiers in the case of DRC. We held back because the plan of operations unveiled by the UN Secretariat (which in reality was prepared by a Member State's Department of Defense) was, in our view, ill-conceived.

With the exception of this operation, since 1960, India has participated in every single peacekeeping operation in Africa. We dispatched brigades to Congo in the 60s and to Somalia. We supplied battalions to Mozambique, Angola, Rwanda, Sierra Leone, and Ethiopia/Eritrea. Generally, India has been at or near the top of the list of countries contributing most troops to UN peacekeeping operations.

Despite this fact, India and other troop contributing countries have had an inadequate voice in decision-making when it came to conceiving the operations. This can best be described as 'taxation without representation:' taxation of our human resources with no real participation in the deliberations, not to mention representation on that body, which has the authority to give peacekeeping operations their mandate. This unfortunate situation will remain until key countries of the developing world are given permanent membership on the Security Council, a matter that has remained outside the deliberations of the Brahimi Panel.

The Brahimi Report has – to its credit – recommended proper structuring of the three-way relationship between the Security Council, the Secretariat and the troop-contributing countries (Paragraph 61).

But this recommendation has not received the prominence it deserves in the SC resolution 1327 dated November 13, 2000. Articles 43 and 44 of UN Charter Chapter VII actually go much farther in calling for participation in conceptual decision-making than this resolution.

To what extent the countries of the North want to share the risks of difficult peacekeeping operations in Africa is really up to them. In the specific instance of the DRC, countries of the North, which supported the old dictatorship in Zaire for decades, surely have a moral obligation. The least that the South expects from the North is that the latter should be prepared to listen to those countries in the developing world who bear the human burden of the international community's obligation to send peacekeeping forces when the situation so demands.

The controversy between North and South over the implementation of the Brahimi Report is fundamentally about the allocation of the scarce material resources available to the UN. Africa needs peace, and Africa needs development, and these two necessities are inextricably intertwined. We must learn how to address the root causes of conflict and not just treat its malignant symptoms. Increasing the expenditure for the creation of additional bureaucracies in the field of peacekeeping will not be in tune with that approach.

My main submission to this conference is that the Brahimi Report cannot be studied in isolation. It must be subjected to the full glare of comparative evaluation. For example, in June 2000, I took part in a conference on women which made important recommendations. The implementation of these recommendations has an equally legitimate claim to the UN's resources as the implementation of the Brahimi Report.

May I, in this context, reiterate a word about the suggestion I have been hearing from the North, that more women soldiers should be sent as part of peacekeeping forces. Participating in the debate on

women and security in the Security Council in October 2000, I ventured to suggest that it would be better to deploy more women in development and conflict prevention before the stage of peace-keeping operations. The same applies to peacebuilding. Let us not just focus on restoring peace in the aftermath of war, but pay equal attention and devote adequate resources to preserving peace and rebuilding peace on genuinely secure and long-lasting foundations.

Lindiwe Daphne Zulu, Chief Director Equatorial Africa and Indian Ocean Islands, Foreign Affairs, South Africa

South Africa has contributed to MONUC by sending a contingent of specialized units. This is our first experience of being involved in such an international operation. The reports we are getting from MONUC headquarters emphasize that those units are doing a very good job.

However, there is quite a number of questions posed from the field which I would like to raise in the framework of this panel. Firstly, what informed the UN Security Council to decide upon such an inadequate deployment? The question that has been rightly posed to the panel, whether sending 3,000 peacekeepers into a huge, war torn-country, is an irresponsible gamble rather than a display of solid planning and analysis, implies that the mandate might be completely inadequate.

Secondly, was there any substantial discussion with regional and sub-regional organizations before the operation was decided upon? Thirdly, is there enough political will from the North? Fourthly, why are so few resources allocated for resolving the conflict in the Congo?

The related discussion within our Department brought us to the conclusion that sending 3,000 peacekeepers to such a huge region does indeed show a lack of political will on the part of the international community. Furthermore, it displays the lack of faith in Africa and its leaders. It also shows that missions operating in Africa will always be treated half-heartedly. Last but not least, it demonstrates that even though there is sometimes enough early-warning, there is not enough political will to do act upon it.

All too often, there is much talk about the big risk of becoming involved in such conflicts: However, who is to take the risk at the end of the day? According to the reports we receive from the ground, most of the UN personnel coming from Western countries is exclusively deployed in the capital. But what are they able to do

from there? I understand that the country is vast. However, those peacekeepers should be spread all over the country. For example, if something were to happen in Goma, and you find that hardly anyone is nearby, how long does it take to communicate those developments to the capital?

In conclusion, how long is it going to take for the Security Council to understand that it is imperative for us to bring peace to that country. If we are able to make peace in the Congo, we will be able to make peace in the entire Great Lakes region.

Discussion

The case of the Democratic Republic of Congo shows the deep dilemma decision-makers may face confronted with a crisis situation in a country which is not of vital interest for their own country. They are caught between two extremes: Doing nothing is difficult in terms of public opinion; advocating a comprehensive, well developed, and clear mandated mission with sufficient and rapidly deployable resources is also not realistic in view of low national interest.

Inevitably, most decision-makers end up on a middle ground and the respective mission is sent out with an unclear, insufficient mandate as well as understaffed and under-resourced. ONUC in the Congo is such a case.

Several participants agreed that decision-makers tend to assume that taking the middle ground is still better than doing nothing. That is a rather dubious assumption. There is more than one case where the middle ground approach has made things worse or even led to disaster. Angola is one case, UNPROFOR in its early phase another. In Rwanda as well as in the case of protecting the safe area of "Srebrenica," this assumption has led to humanitarian tragedies of the worst kind. The Council therefore should think twice before agreeing on unrealistic mandates.

The discussion then turned more concretely to the Congo. In view of ONUC's scarce resources and the country's vastness, "the Chapter VII mandate of the UN operation in Congo does not make any sense," stated one discussant. De facto the operation was a Chapter VI mission. However, this view was challenged by others questioning the applicability of Chapter VI to war-torn countries like the Congo.

The lack of substantial Western involvement in the Congo then became a major point of discussion. European participants pointed out that most European countries face an enormous recruitment problem: "We have to solve the Balkan problems, and then we can

engage in other peacekeeping operations,” a force commander from the North stated. A participant from France therefore suggested granting more indirect support instead. In the case of Congo, for instance, France had trained and equipped two battalions, i.e. the Senegalese and the Moroccan units. This had been accomplished in the framework of a program to develop African Capabilities for Crisis Management (RECAMP), a broad initiative providing equipment and training as well as organizing joint exercises.

Another participant asked whether Western politicians as well as military were thinking too much in terms of sending entire battalions or even brigades when it comes to participate in operations in Africa. Inevitably, the answer is ‘no,’ considering the low strategic interest Sub-Saharan Africa has for Western countries. Yet, sending small numbers of military or police personnel might make a big difference and could supplement African capabilities, considerably enhancing their effectiveness. At the same time, such an engagement would send a credible political signal.

Building up Capabilities and Improving Political Decision-Making for Crisis Prevention and Peace Operations

The Organization for Security and Cooperation in Europe (OSCE)

Ambassador Márton Krasznai, Director of the Conflict Prevention Centre, OSCE

The Organization for Security and Cooperation in Europe (OSCE), a relatively young organization, is the main instrument for early warning, conflict prevention, crisis management and post-conflict rehabilitation in Europe, as stated by 54 Heads of States or Government at the Istanbul Summit in 1999. The OSCE applies a comprehensive approach to conflict prevention and crisis management, including the political, military, and humanitarian dimensions and to a lesser extent economic and environmental aspects. Its structure is lean and field oriented. The OSCE field staff presently comprises 1,100 internationals in 20 missions and 2,700 local employees, supported by almost 100 professionals in the Secretariat.

It has been relatively easy to create political will and generate resources within the OSCE. For example, when the OSCE deployed its mission in Kosovo (OMIK), it was able to recruit, select and train over 500 professionals in less than 3 months. The OSCE has also built up institutional capacities active in the field of early warning and conflict prevention as well as in democratic institution-building, such as the High Commissioner for National Minorities, the Office of Democratic Institutions and Human Rights and the Attaché for Freedom of the Media.

The OSCE has traditionally been active in operational crisis management like the Kosovo Verification Mission, which deployed a field staff of 1,500 within a few months, or in the monitoring of the Georgian-Chechen border. Recently, the OSCE improved its rapid

reaction (or rapid deployment) capability by implementing the REACT concept which provides the Organization with a sophisticated and computerized system to rapidly select, screen and deploy people in the field.

Structural conflict prevention, particularly democratic institution-building, is another Organization focus. The OSCE is involved in different areas of institution-building. This includes elections, the strengthening of the rule of law and police force training in Kosovo, Southern Serbia, and probably later in Macedonia. The Organization is active in promoting freedom of the media, political party development, civil society development, etc. New types of challenges, like trafficking of human beings as well as small arms and light weapons proliferation and organized crime (including the problem of growing criminalization in conflict areas) are increasingly addressed by the OSCE.

As already mentioned, political decision-making and creating political will for action have been relatively easy within the OSCE. All the participating states had agreed in the early 1990s that grievous, repeated, and uncorrected violations of basic OSCE principles and commitments are legitimate concerns for the whole OSCE community. However, political will without leverage does not lead very far, and this leverage is quite uneven within the OSCE region. In the Balkans, for example, leverage is adequate, particularly in Croatia, in Bosnia and Herzegovina, and in Serbia. It is also very effective in the Baltic States; the OSCE managed to assist Estonia and Latvia in integrating their huge Russian minorities. This leverage is derived mainly from those countries' strong desire to join the European Union and NATO. Moving further East, however, to the Caucasus, for example or to Central Asia, there has been much less political will, due to lack of effective leverage. The OSCE is now trying to promote a combination of soft leverages of various organizations, like the European Union, the OSCE, the Council of Europe, and the international financial institutions to improve their combined ability to act.

The OSCE is far too small an organization to work in isolation. It cooperates with other organizations, such as NATO, the European Union, the Council of Europe, and the United Nations with its specialized agencies. It conducts information and staff exchanges, high level visits, field coordination, joint training, and project harmonization. None of these organizations is vested with the role of overall coordinator. On the contrary, it was stated at the Istanbul Summit by the Heads of State or Government that all those organizations are considered equal. They cooperate on the basis of comparative advantages.

Traditionally, the UN had a tendency to concentrate on the military component of peacekeeping operations. It usually deployed military force too late in a crisis situation. The UN paid much less attention to civilian conflict prevention, that is addressing the root causes of conflicts. More substantial cooperation with regional organizations, like the OSCE, could help to change this pattern and to direct more attention to state-building, democratic institution-building, etc.

Europe has reasonably well-functioning mechanisms and organizations for conflict prevention. These organizations are adequately endowed with resources, which is not equally the case in other parts of the world. So what should be done about the growing gap between the North's and South's abilities to prevent conflicts and manage crises? Reading all the reports of the previous Berlin Workshops, I found a wealth of good ideas, for example an increase in resource allocation, integrated command, stand-by police, stand-by military forces, etc. However, another conclusion of these reports was that the implementation of these ideas is hindered by the lack of political will and reluctance of the international community to provide the necessary resources.

Therefore, the UN and regional organizations should concertedly invest more efforts in solving this problem. It would have disastrous consequences if the North-South gap were not addressed and if the UN could not exercise its leading role in peacekeeping, conflict prevention, and crisis management. Since the UN is constantly

suffering from lack of resources, it should outsource various tasks to regional organizations whenever possible and concentrate its resources on cases where this is neither feasible nor effective.

Furthermore, the UN should act as coordinator and facilitator, and this more efficiently than in the past. It should intensify the exchange of experience, know-how and personnel with regional organizations. The cooperation between the UN and regional organizations should become a two-way street. More visible cooperation with regional organizations could improve the ability of the UN to generate political will and thus acquire badly needed resources. Regional organizations should also be more open to a closer and substantial cooperation with the UN.

This all does not mean that the UN should withdraw from any area where regional organizations are active. Particularly, it should not withdraw from Europe, arguing that the resources are needed elsewhere. Such a step would create the impression of a deepening North-South divide in conflict prevention and crisis management, and this would have disastrous consequences for a globalizing world.

**Guido Lenzi, Permanent Representative of Italy
to the OSCE**

Picking up the title of the Workshop, I would like to start with the provocative statement that the UN is a Western/Northern construction, and end with the conclusion that the OSCE is its European clone. In order to do so, I will turn Chapter VIII of the UN Charter upside down and assign to regional organizations the task of energizing the UN.

The UN is a Western contraption (De Gaulle called it “le machin”); it embodies the universal principles that are the product of an outburst of human exaltation that goes under the name of “enlightenment.” It produced many lofty ideals, but also chopped off many heads during the French Revolution, of which Chou-en-lai said that it is too early to assess its consequences. Since the San Francisco founding conference in 1945, many more diverse actors and events have dispersed the seeds, but also the sense of purpose of this World Organization.

In its conception, the OSCE is more homogeneous, if we are to believe in the existence of a “common European home” that even Moscow evoked, well before the fall of the Wall, in the UN General Assembly. The decalogue agreed upon in Helsinki in 1975 contributed to the fall of the Wall. I would even argue that it precipitated it. The OSCE is comprehensive, cooperative to the point of intrusiveness, towards a behavioral consensus-building and convergent institution-building. These attributes make the OSCE a horizontal, non-hierarchical decision-making mechanism. It prides itself on an extensive field presence and on specialized institutions. These features make its activities flexible, persuasive and intrusive, not in order to impose but to nudge. It is significant that the OSCE is (back) in Chechnya.

And yet, Europe is not immune from historical and cultural divisions, not too dissimilar from those characterizing the relationship between North and South. A North-North divergence of

opinions still distinguishes Reformation versus Counter-Reformation, Anglo-Saxon versus Latin, beer versus wine countries. Furthermore, East-West reflexes linger, supplemented by the persisting impact of the Great Schism between Christian and Orthodox churches, as the Pope's visits to Georgia, Greece and the Ukraine recently demonstrated.

Nowadays, the common purpose among all Europeans is, nevertheless, based on common interests, above and beyond the awareness of common values that are being restored. This should lead, in particular, to joint assessments for conflict prevention and early warning purposes. It should facilitate converging involvement and inclusiveness, multilateral contributions adding legitimacy (by participation) to legality (by inter-institutional linkages). And it should prevent the avoidance of indifference, which leads to reluctance – a much more real danger than interference.

Such an improved international coordination should produce institution-building, not only at the national, but also at the international level, and consequently raise the threshold of military intervention and reduce the need for peace enforcement, by upgrading civil administration while downgrading military presence.

In more ways than one, we are back to square one. We are confronted with neither a new ball game, nor uncharted territory. Prevention rather than conflict resolution, use of Chapter VI and/or VIII rather than VII, stimulation instead of substitution for national responsibilities, should be the mechanisms that renewed multilateralism should resort to, while reinforcing and safeguarding sovereignty.

The difficult question is whether every one of the 180 plus countries belonging to the UN system recognizes itself primarily in the UN Charter, or rather in regional organizations deriving their legitimacy from it.

Discussion

The discussion focussed on the yet to be fully developed potential of the OSCE, especially when it comes to conflict prevention. Some participants claimed it still remains a “Ferrari standing in the garage” which Member States don’t drive at full speed. Others felt that this was a rather optimistic assessment of the OSCE’s potential. It already has serious problems competing with the growing capabilities of the EU and the proven ones of the UN. Inter alia, the organization has been and will be very much involved in elections in Bosnia and Kosovo, as well as in the process of transition from civil war to civil society.

There is clearly room for improvement regarding task-sharing with other regional organizations or developing a cooperation with the United Nations and international financial institutions such as the IMF and the World Bank. The key challenge remains as to how to coordinate various activities with organizations such as NATO, the EU, the Council of Europe, and the United Nations on the basis of comparative advantages.

The European Union (EU)

Rainer Schuwirth, Lieutenant General, Director-General, European Union Military Staff

The European Union has decided to perform crisis prevention along the mission spectrum outlined in the Petersberg Declaration, comprising the full spectrum of military activities except collective defense. By the end of this year, it hopes to have principal crisis prevention and management capabilities at its disposal. By the end of 2003, the European Union shall be in the position to carry out military missions up to a size of 50,000–60,000 soldiers, primarily ground forces, but, if necessary, with the appropriate air force and naval elements. Those forces should be able to operate for at least one year, with a deployment period of 60 days, which is quite an ambitious objective.

What can we expect once those capabilities have been established? The European Union will be prepared to conduct crisis prevention or crisis management operations on a case-by-case basis under the political control of the EU. Of course, there has not been any pre-identified set of decisions, though the term ‘political control of the EU’ suggests that such operations would rather be conducted as a sub-contractor of the United Nations, but not parallel to an ongoing UN operation. Examples could be SFOR and KFOR-type missions, based on the lessons we have drawn from the double-key arrangements we had had in Bosnia. The European Union would be prepared to act under circumstances under which NATO as a whole does not want to be engaged.

The instruments at the disposal of the European Union allow for a much broader engagement than merely a military one, as it comprises the entire spectrum of political, economic, and military measures. Indeed, not every EU crisis management operation will have to include a military dimension. Taking the example of the ongoing efforts in FYROM, one can observe how both EU and

NATO contribute to a solution of the emerging crisis in a very coordinated manner.

Under which circumstances are we supposed to act? I do not think that we will have a clear-cut definition as to when or where we are going to engage, with whom or to what purpose. This should be decided exclusively on a case-by-case basis. I do not hesitate to say that there is a tendency in certain EU Member States to go well beyond that. However, this has not been discussed in detail so far.

What have we achieved so far? Up to now, we have built up structures, and we are in the process of developing the necessary procedures. We have established initial contacts to the United Nations, and to other organizations as well. Initially based on generic scenarios, we have defined the military requirements needed to cover the Petersberg mission spectrum. EU Member States and non-EU European countries have offered force packages to a force catalogue on a voluntary basis which even exceeds the number of the headline goal. Again, we should bear in mind that it is not our aim to establish a European Rapid Reaction Force in the literal sense. The objective is rather to be capable of fielding a force of 50,000–60,000 soldiers. This is not a European standing army, this is not a separate military establishment. It requires the same processes we are already used to within UN or NATO operations, i.e. that once a political decision has been taken, countries have to provide forces on a voluntary basis. However, those forces have to be generated, deployed, sustained, commanded and controlled.

What kind of difficulties or challenges do we face? The first and foremost challenge is certainly in the area of capabilities, in terms of equipment or force protection, but also including the problem of recruitment. We start to face increasing difficulties recruiting young people for the armed forces. Those who have been involved in crisis management operations are very often confronted with the experience that the situation on the ground has not been changing over time, raising the question why the operation is actually being conducted. Furthermore, if the contributing countries are not capable

of sustaining a force by adequate national force postures, this will certainly have an effect on the capabilities of all related organizations. Secondly, there are the various missions that run parallel; they bind scarce resources. Thirdly, the success of those operations will depend not only on the military capabilities of such force, on its size or on its deterrence factor, but also on the will of the various parties for their peacebuilding and peace-maintenance efforts. Fourthly, the idea of a so-called “zero-casualty” war becomes an increasingly important factor in the decision on the deployment of military forces, especially in the highly developed countries. The Kosovo air campaign may serve as just one example to support that argument.

In summary, the overwhelming question remaining from my perspective is as follows: How can politicians, diplomats, and other actors perform better to avoid any military engagement in the first place, i.e. how can we do better with crisis prevention?

Robert Rydberg, Chairman, EU Committee for Civilian Aspects of Crisis Management – Director, Division for European Security Policy, Ministry for Foreign Affairs, Sweden

This is the last day of Sweden's first ever EU Presidency. I appreciate this opportunity to review our efforts – and to look ahead – on some issues at the top of this Presidency's agenda. I appreciate the opportunity to do this here in Berlin, as Germany has been particularly supportive to the Presidency on so many of these issues.

The Swedish Presidency has built on work in the Union accomplished largely during the last two years, under the Presidencies of Germany, Finland, Portugal, and France. We have added our own emphasis and nuances, successfully, I think, and hopefully to lasting effect. I would like to mention three aspects in particular:

1. The EU should be able to deploy civilian and military instruments of crisis management equally and simultaneously.

Civilian instruments are no substitute for military instruments, particularly in situations requiring robust, executive action. But military instruments alone cannot create conditions for rule of law and peaceful reconstruction. The EU will have a comparative advantage, if it manages to combine its new military capacities with a wide range of new and old civilian instruments.

We have made much progress in this field during the Swedish Presidency. Member States have moved fast to meet the ambitious targets set for the police: by 2003, we should be able to mobilize a 5,000-strong police force for crisis management, 1,000 of these troops at short notice. We have agreed on new, concrete targets for other priority areas: the wide range of personnel required to strengthen the rule of law (including judges and prosecutors), civilian administrators and civil protection. We have internally developed structures and procedures for civilian crisis management, and we have agreed on how to involve candidate states and others.

This makes the EU a leading region for crisis management capacities. There are capacities which should be available for UN- as well as OSCE- and EU-led operations, both within and outside of Europe. We have also agreed on a Rapid Reaction Mechanism that should make it possible to more quickly link support for acute crisis management with rehabilitation and reconstruction measures.

2. The EU should be equally able to prevent and manage violent conflicts.

Success is no more certain in conflict prevention than in crisis management, but we have an obligation to try our best. A priority for us is greater EU effectiveness and coherence in this field; prevention should play a role in all our external relations. It should be considered as a matter of routine by the relevant political organs. This is the approach behind an EU Program for the prevention of violent conflicts that the European Council endorsed earlier this month.

The Program is an inventory of steps for EU action. It deals with the need to set clear political priorities for preventive action, to improve early warning and coherence, to enhance instruments for long- and short-term prevention, and to build effective partnerships – with other states, with the UN system, and with civil society. I want to particularly emphasize the cooperative character of conflict prevention. True, there are extreme cases – Rwanda, Kosovo – where gross-scale violations of human rights demand external intervention without consent. But such cases are rare, and really not about prevention, as violence has already occurred.

3. The EU should be equally able to support the UN and international organizations, and to act by itself, when so required.

A third theme during our Presidency was strengthening cooperation particularly between the EU and the UN. We have developed a practice of regular meetings at the highest level, and we have agreed on cooperation modalities. We have agreed with the UN on priority areas of cooperation, including conflict prevention, crisis manage-

ment, the Western Balkans, the Middle East and Africa, specifically the Great Lakes region, the Horn of Africa and Western Africa. For the EU to cooperate closely with the UN benefits both the former's legitimacy and effectiveness. It is also the right framework for supporting the development of regional capacities in other parts of the world.

I have emphasized the positive and long-term developments of EU cooperation: new capacity for crisis management is being developed, conflict prevention has moved into focus, there is more policy coordination and more coordinated policy. These long-term developments are, admittedly, based on strong political will. This will is lasting, with all due account for weaknesses and setbacks that will no doubt occur. The EU is becoming a more effective foreign policy actor. Future political decisions in specific cases will determine where and how EU capacities will be applied. But this will also be determined by today's decisions on what type of capacities we develop.

***Michael Matthiessen, Head of Task Force, Policy Unit,
Council of the European Union***

I would like to start by elaborating on the build-up of the EU's crisis prevention and management capabilities, touching upon the questions what has been achieved, what are we planning, and what kind of difficulties do we face. In this regard, I will address the civilian aspects in particular.

The European Commission and the 15 Member States have been involved in conflict prevention and crisis management for years. What we are talking about now is a new type of more operational civilian crisis management linked to the developments of the military crisis management. It is clear that those activities are very much linked to the EU's experience in the Balkans. We are therefore trying to apply those lessons learned.

Let me start by reading out a paragraph from the executive summary of the Brahimi Report: "The Panel also calls upon Member States to establish enhanced national 'pools' of police officers and related experts, earmarked for deployment to United Nations peace operations, to help meet the high demand for civilian police and related criminal justice/rule of law expertise in peace operations dealing with intra-State conflict. The Panel also urges Member States to consider forming joint regional partnerships and programmes for the purpose of training members of the respective national pools to United Nations civilian police doctrine and standards."

I would like to argue that this is exactly what the European Union is trying to do right now. Mr. Rydberg has already referred to what has been done during the previous Presidencies. In Helsinki (December 1999), an action plan for civilian crisis management was adopted, establishing, inter alia, a coordinating mechanism in the Council Secretariat in Brussels, requesting furthermore that we should develop databases and capability initiatives in the field of civilian capabilities. The first priority should be police.

In Feira (June 2000), a kind of headline goal or concrete target was adopted, i.e. that by 2003, the European Union should be able to deploy 5,000 police officers of which 1,000 should be deployable within 30 days, which is along the lines of the Brahimi recommendations. It was also made clear that the priorities for the European Union in this field should be first police, then rule of law, then civil administration, followed by the use of civil protection assets in crisis management. In Nice (December 2000), the need for a rapidly deployable police force both for executive missions and for training was stressed.

Finally, in Gothenburg (June 2001), a number of decisions were taken in the field of civilian crisis management. For instance, a police action plan was adopted and new and concrete targets were set. Interestingly, we now also have a headline goal in the field of rule of law, i.e. that by 2003, the EU should be able to deploy 200 rule of law experts, such as judges, prosecutors or magistrates. It is important to stress that these are capabilities the EU is developing for either the UN or the OSCE, or for EU-led operations.

With regard to the police, we have established in Brussels a database showing that 3,550 police officers from the 15 EU Member States are currently deployed. These figures, however, do not correspond to the UN CIVPOL database. The reason is that our figures also include police with military status, such as the Gendarmerie, the Carabinieri, and the Guarda Civil. 3,200 of the 3,550 police officers are deployed in the Western Balkans, 200 in Asia, mostly in East Timor, and about 75 in Africa. Out of the 3,550 police officers, 1,900 are deployed within the UN, 1,100 within NATO (SFOR and KFOR), 300 within the WEU, and 100 within the OSCE.

The database has also developed some point of contacts in capitals. This is quite interesting for police work, since very often you need more than just one point of contact for the various kinds of police forces which Member States have at their disposal. We have also started to have meetings of police experts in Brussels to further develop the police capability initiative. During the Swedish

presidency (May 2001), an important meeting of the chiefs of police took place. We will have a ministerial commitment conference in the fall of 2001. Recently, the High Representative for CFSP, Mr. Solana, decided to create a police unit in the Council Secretariat, and this unit is being established right now.

Things are also moving on the Member States' side. The mere fact that we have asked for point of contacts, that we put figures on the table, that we use the EU method (to develop a concrete target which Member States should reach collectively), creates a certain dynamic. It is important to stress that the diversity of police forces in Europe – some with civilian, some with military status – may be a problem. However, it also presents a positive challenge: The police forces can be used in a very flexible manner for different types or in certain phases of crises, especially when considering executive policing versus training.

Just a few words on rule of law: Here, we have tried to apply a similar working method, i.e. to develop a database and capability initiatives, as with the police. Our database shows that about 150 experts are currently deployed. The target approved in Gothenburg, i.e. 200 experts by 2003, is of course ambitious. But we have to work towards this.

Training is something we are looking into, as well as financing, cooperation with the UN and OSCE, and cooperation with third states. Secretariat-level contacts have been established both with UN's DPKO and with the OSCE Secretariat to look into these things.

What are we planning? What we are trying to achieve is a rapidly deployable package, which includes police and rule of law experts. Of course, this requires joint planning with the military, and joint civil planning, which is not always very easy. We have also learned the lessons from Bosnia, Kosovo, and East Timor, that a certain kind of specialization within the police forces, i.e. intelligence, forensic

experts, etc. is indispensable. To provide these could be the added value of the EU.

Let me finish by pointing out some of the difficulties we face: How will we obtain these capabilities and resources? This is first and foremost a question of political will, but the fact that the Heads of State or Government of the 15 Member States have adopted and made public these targets is an indicator of the necessary political will. Another area which is quite difficult is the modalities of cooperation with the UN and the OSCE, including the decision-making procedures both within the EU and within these organizations. We are trying to overcome the gap in this field as it has been mentioned before. Although this is done within the EU, it is for the sake of the entire international community. We do not yet know to which extent these capabilities will be put at the disposal of the UN, the OSCE, or EU-led operations. Even though we are basing this initiative very much on the experience of Kosovo and East Timor (as far as executive policing is concerned), which implies that we are setting a very high threshold in the production of capabilities, this will also benefit other types of missions or other phases of the same type of crisis.

**Christoph Heusgen, Director of the Policy Unit,
Council of the European Union**

The provocative question of the Workshop Agenda: “EU crisis prevention – capabilities without effective and sustained political decision-making?” seems to imply that the process of building up EU-crisis prevention is flawed and progressing only slowly. However, if you look at what the European Union is doing these days, one has to concede that things are moving forward quite rapidly.

We should keep in mind that the Common Security and Defense Policy is a rather new element of the EU. Although it had been provided for in principle by the Maastricht Treaty, the actual decision to go ahead and to develop the EU in this direction has only been taken in December 1999 by the European Council in Helsinki. Since then, much has happened. Let me quote the High Representative of the European Union, Javier Solana: “In comparison with developments before, we are today moving with the speed of light.”

In addition to the capability initiatives discussed by Mr. Matthiessen, we have established on the institutional side since December 1999 the Political and Security Committee at ambassadorial level. Furthermore, the Military Committee, the Military Staff, and the Civilian Committee were brought into being. And then there is, of course, the Office of the High Representative, including our Policy Planning and Early Warning Unit. At the same time, we have developed cooperation with various international organizations, as was mentioned before.

These developments are quite spectacular. A year and a half ago, it would have been tantamount to a deadly sin for either a NATO or an EU official in Brussels to directly contact each other. Today, this has become normal business.

The European Union has also made progress in decision-making. Before, we had Council meetings only in monthly intervals and Political Committee sessions every two or three weeks. Now, we have the Political and Security Committee that meets at least twice a

week. According to the Treaty of Nice, decision-making in crises can be delegated to that body. If there is a need for quick decisions, they can be made very effectively. Consequently, the EU already now plays an expanded role, if you look at what is happening in the Middle East or on the Balkans, particularly in Macedonia.

The decisive question and the real problem is not whether we have the right decision-making process, but whether there is a political will. In comparison with the long antagonizing years during the Balkan wars of the 90s, we have moved forward in this regard, too. The most important milestone was certainly the summit of St. Malo, when France managed to get the United Kingdom engaged in European Security and Defense.

Coming to the Office of the High Representative, this institution seems to be rather weak at first sight, considering the Treaty provisions. However, the Office has developed to such a degree that it creates real added value to the European Union. It was Javier Solana, the High Representative, who was selected to participate in the Sharm-el-Sheikh committee. He was also a co-author of the Mitchell Report which is now the basis for the Middle East peace process (or what is left of it). And, most recently, it was Javier Solana who to a large degree managed the Macedonian crisis.

What about the EU's stake in different regions of the world? Though the Balkans and the Middle East will remain the main focus of our attention, this does not mean that there are no other regions the Office of the High Representative is examining. Russia, Ukraine, Southern Caucasus are other issues to which the High Representative pays particular attention. In addition, there is a Special Representative for the African Great Lakes region, there is another Special Representative of the EU-Presidency for Ethiopia and Eritrea. At the last European Council, it was decided that the Swedish Secretary of State will become the Special Representative for West Africa.

This shows that the European Union also concerns itself with African problems. Javier Solana has just decided, depending on how the situation in Macedonia is going to develop, to pay a one-week visit to the Great Lakes at the end of this month to demonstrate his personal interest and that of the Union in the region. Naturally, the Balkans will remain the most important area of concern.

Let me conclude on a particularly positive note: The latest Eurobarometer shows that a Common Foreign and Security Policy is an area which most European citizens are in favor of. About 70 percent of European citizens think that it is positive and should be supported. This positive public opinion needs to be translated into concrete political support, certainly when it comes to gaining the support of the Ministers of Finance.

Espen Barth Eide, State Secretary, Norwegian Ministry of Foreign Affairs

Today's Europe is increasingly *EU-driven*. Europe is one of the most institution-rich regions of the world, and there are several international organizations that are involved in overlapping activities: the EU, NATO, the Council of Europe, the Organization for Security and Cooperation in Europe, the Nordic Council, etc. While recognizing that these organizations are all important, it must be clear that some are more important than others. For a number of years, the importance of particularly the EU has grown. Today it is comparable to NATO. Its traditional focus on trade and economic integration has been supplemented with a strong drive towards cooperation in foreign policy, security and defense (pillar II) and in the area of justice and home affairs (pillar III).

The sum of all these developments is that the EU is transcending its merely regional aspirations and is becoming a global actor in its own right. This is important for all of us, whether we come from EU Member States, from European countries that are (still) not members, like Norway, or from other parts of the world.

So far, the EU has been more involved in some international issues than others. It has for a long time played a key role in the Balkans, and it is increasingly active in the international attempts to solve the Middle East crisis. The incoming Belgian presidency intends to include Central Africa on the list of priorities. Furthermore, the stamp of the EU is increasingly recognizable in global cooperative efforts, like the Kyoto protocol on climate change, international arms control negotiations, and not the least in the WTO. Furthermore, the Union is developing close links with both Russia and the Ukraine, and for decades it has been active in development aid and trade arrangements with a number of partners in the South.

Over the last few years, we have seen rapid developments in the efforts to establish an European Security and Defense Policy (ESDP). The process accelerated sharply after the St. Malo Summit

in 1998, where traditional disagreements between France and the United Kingdom were replaced with a new desire on behalf of the two to take the lead in a new phase of European integration. Many outsiders – both in my country and in, for instance, the U.S. may have focused too much on the numerical dimension of this endeavor: 60,000 troops by 2003, 30 days warning time, etc. Although numbers matter, this is not really the point: Decisive is the realization of an old ambition by many continental Europeans that will have far-reaching consequences for members and non-members alike.

The main theme now in the ESDP debate is how to develop relations between the EU and NATO. Although most EU members are NATO members and vice versa, two main issues arise: (1) how to allow the ESDP project to develop without challenging the vital transatlantic relationship, and (2) what shall be the role of the six European countries that are members of NATO but not of the EU. Both these questions are in the process of being solved in a mutually acceptable way. Allowing the EU to draw on common NATO resources avoids costly and unnecessary duplication of effort. By drawing up modes of cooperation with the non-EU members of NATO, their concern about being excluded is reduced if not eliminated.

Increasingly, those of us on the ‘outside’ feel that these issues are more easily solved in practice than in ‘theological’ discussions about formal procedures. It is extremely important to remember, however, that the EU is *not* being transformed from a predominantly civilian to a predominantly security- and military-oriented body. This is very far from the case. The EU is merely broadening its spectrum of civilian instruments to include military ones. The EU remains, and will remain, an organization that has its primary resources and capacities in the civilian sectors. Indeed, there is no regional organization in the world that is better placed to engage itself in, for instance, conflict prevention.

Strategically employed, these capacities and resources make the EU a potential heavyweight in many international issues. The problem is, of course, that the full potential of policy coordination is hardly

ever utilized. As far as I can see, as an interested outsider to the whole process, the main challenge for the EU now is to learn to develop the political and institutional capacities to exploit this vast potential. It is my firm conviction that the political will to do so is growing. The EU will become a recognized global actor.

The EU faces many challenges but also some unique opportunities. Why not use the opportunity, now that entire capacities are being built from scratch, to look ahead and develop specifically EU solutions to future problems, rather than copying the thinking of existing organizations using traditional solutions? It is often claimed that generals fight the last war. Likewise, peacekeepers tend to keep the last peace: they may be tempted to formulate generic lists of required resources based on their last 'live' experience. It should come as no surprise that the numbers being discussed for a future EU force have been inspired by the two most recent peacekeeping operations in the Balkans – Bosnia (SFOR) and Kosovo (KFOR). But is this exactly what is needed? And is the cry for 5,000 EU policemen realistic or indeed the right answer? I am not convinced. Instead, I think one should be ascertaining future needs and what functions would really be required.

In the military field, the EU may want to explore whether it should set up some kind of Gendarmerie force. Future ESDP operations will hardly look like traditional battlefield engagements with two roughly similar opponents – those were the wars of yesterday, not of tomorrow. Tomorrow's conflict is more likely to be asymmetrical, with operations looking more like Mitrovica than like Verdun. In tomorrow's conflict, civilians and combatants mingle, hence humanitarian protection and combat will be much more integrated than in the past. The establishment of military transition teams capable of running 'war to peace transformations' or periods of temporary international administration is another important element.

On the police side, the EU should steer away from repeating the UNMIK Police scheme. They should address the core problems right away: identify and train people like crime scene investigators, police

intelligence experts, police educators for ‘train the trainers’ programs, and, first and foremost, develop heavy expertise on identifying, combating and preventing international organized crime, which often becomes the main challenge in post-crisis regions. Furthermore, all EU-led police reform efforts should attempt not only to assist countries in transition or crisis to establish an effective police force for themselves, but also to create a law enforcement body that later can be integrated into an European police cooperation. And do not forget to pay due attention to the important actors of internal security, i.e. prosecutors, judges, and penal system administrators. Beyond those, the EU should build up a pool of people who can assist in ‘state-building’ on the civilian side, both at national and municipal level, including experts in planning, legal reform, privatization, registry development, etc.

These proposals may sound ambitious, and they are. Resources are never unlimited. Therefore, priorities have to be set. The EU should focus on providing specialized expertise rather than large numbers of people who perform jobs that can be done by local people.

If the EU chooses to go in the direction I have sketched, it would substantially contribute to the implementation of the Brahimi Report. It would also show that the EU, as a global player, has a role to play in the common effort to overcome the North-South divide that has been so clearly spelled out in several of the earlier remarks.

***Soliman Awaad, Assistant Minister for Multilateral Affairs,
Egypt***

The European Union has gone a long way in crisis prevention and capacity building. More would be gained if it decides to contribute troops to peacekeeping, peace-making and operations related to conflict prevention in the South. However, the role and perception of the EU in this regard reflects the general North-South divide regarding the Brahimi Report. The close interrelationship between the European Union, OSCE, and NATO is not corresponded to by a similarly close relationship of the EU with regional organizations in the South.

The North-South divide is multi-faceted. First, the European Union focuses too much on Europe. Some Member States are taken hostage by sad experiences of previous contributions to peacekeeping operations in the South. This is perceived in the South as an indication of a trend to leave the Africans alone.

Secondly, the conceptual framework of the Brahimi Report relating to sovereignty and the right of humanitarian intervention raises some concern, including the priority of the European Union and Western countries relating to democracy, good governance, the rule of law, and human rights. They downplay poverty as the major root cause of armed conflicts in the South and in Africa in particular.

The third caveat relates to the financial implications of the recommendations contained in the Brahimi Report, as well as the financial implications of peacekeeping operations conducted by sub-regional organizations such as ECOWAS. According to certain views within the European Union, such operations conducted by sub-regional organizations should be financed through the establishment of trust funds with voluntary contributions. The disadvantage of such contributions is that they may or may not flow. It is therefore the view of the South that such operations should be financed by the UN peacekeeping budget, i.e. by assessed contributions.

In conclusion, the lack of transparency during the deliberations of the Brahimi Panel and after the report was published contributed to the widening of the North-South divide. It also raised some concerns that the Brahimi Report is a Western-driven undertaking rather than an effort supported by all UN Member States. Continued dialogue within and outside the United Nations – such as this Workshop is providing – is badly needed in order to overcome this divide and to disperse our concerns.

Discussion

It is important to create EU capacities for covering the full spectrum of the Petersberg tasks (Article 17, Paragraph 2 TEU: humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking). The EU has to become a credible and capable international actor.

However, some concerns were voiced: There seems to be a severe lack of efficient decision-making structures to put these capabilities swiftly into practice when needed. And how willing will the EU be to close some of the gaps which have been identified on the preceding panels, i.e. assisting Africa in the field of crisis management, peace operations, and peacebuilding? Finally, once its capabilities are fully operational, will the EU be ready to complement rather than compete with the UN?

The project of a European Security and Defense Policy (ESDP) needs to be explained much better to domestic audiences in order to get the necessary public support. The ESDP will strongly affect state sovereignty once it becomes effective. Participants did not agree whether ESDP thus needs more efficient means of democratic control by the European citizenship. Some called for stronger parliamentary control. Others rejected the notion of a deficit in democracy, citing that decisions in Brussels were made consensually by democratically elected governments. There is even a double control, since ministers are controlled by national parliaments and related parliamentary committees. Consequently, there was no particular need to develop additional structures to enhance democratic supervision.

Looking at the Petersberg tasks, there is a growing demand to clearly formulate where the level of ambition of the EU actually lies. From the perspective of the United Nations, such testing ground could easily be found in the Balkans, i.e. in Bosnia and Herzegovina. The mandate implementation plan developed by the UN one

year ago is expected to be completed by the end of 2002. After that date, the region will need some kind of long-term police monitoring mission. Of course, this could be done by the United Nations. However, given that the solution to long-term stability in the Balkans, particularly in Bosnia, lies in some kind of association with and eventually entry into a larger European construct, there is an inherent logic that the EU should fulfill this task. This would mean a transition from “Yugo” to “Euro.” The EU must have special interest in developing relations with potential future member countries.

At the moment, there are some 880 police monitors from EU Member States on the ground in Bosnia and Herzegovina. About 500 police monitors would be needed for the mentioned follow-up mission. The EU therefore could use about half the police capacity it already has in the field. Such a role of the EU in the context of ESDP would be welcomed in the region and give the EU a new dynamic.

The Economic Community of West African States (ECOWAS) – From an Economic Grouping to a Regional Organization for Crisis Prevention and Peace Operations

Margret Vogt, United Nations, Department of Political Affairs

I would like to provide some background as to why ECOWAS, originally created as an economic organization to integrate the West African economies, started to develop a mechanism for conflict prevention, management, resolution, and for peacekeeping.

The formalization of ECOWAS' move into the security area was the result of the controversies that surrounded that organization's activities in Liberia. When the civil war erupted there, members of ECOWAS were worried about the level of casualties. At the Banjul Summit in 1990, West African leaders felt appalled that the international community ignored an important crisis in Africa, in which over 150,000 people lost their lives. Some of them argued that ECOWAS could not stand by idly. Therefore, they established a standing Mediation and Security Council to mediate conflicts in the region.

This Council then decided to deploy forces in Liberia. However, some of the leaders in the region objected that ECOMOG was not deployed properly and that there was not even any overall consensus on the deployment of such forces. The debate over the legality of the initial ECOMOG deployment into Liberia stayed with the organization for many years. Eventually, after a great deal of political negotiations, juggling and effort made to integrate and consult those members of ECOWAS unhappy about the way ECOMOG had been deployed, a gradual consensus evolved around the concept of a mechanism for regional intervention into internal security situations. The explanation given was basically on humanitarian grounds.

Liberia, indeed, was one of the first cases of humanitarian intervention.

ECOMOG became very popular among West Africans, even among those countries that did not initially support it. This was due to the perceived success of the intervention in Liberia and the widespread feeling that the international community had abandoned West Africa. West African countries felt that the United Nations had not lived up to its responsibility in Liberia. They felt that without ECOMOG, the security situation would have worsened. The domino effect Liberia might have had on other West African countries was very much feared.

When the Liberian civil war was eventually ended and elections conducted, the Member States of ECOWAS decided to formalize their intervention arrangement. A mechanism within the Organization was instituted so that future interventions would be handled properly. A panel of experts was tasked to develop ideas on the formalization of conflict prevention and management concepts, and conflict resolution means.

The ECOWAS Mechanism was finally adopted in 1999. It stipulates the creation of a Secretariat that would be equipped to prevent, manage, and resolve conflicts. It also provides for the appointment of a Deputy Executive Secretary and certain other bodies. One important body is the aforementioned Mediation and Security Council. ECOWAS leaders did not want to copy the concept of the UN Security Council, particularly the model of permanent membership.

Furthermore, a Council of Elders was established, quite a unique body. It consists of eminent members of civil society and past presidents from the region. The Council will meet periodically, reviewing the security situation in the region and giving advice. Council members will also be available for the Deputy Executive Secretary to be used for “good office” services. In fact, the Council of Elders was recently sworn in by ECOWAS.

An important legal aspect of the ECOWAS Mechanism is the right to intervene in internal affairs. Conditions of intervention have been specified, e.g. threat of a potential humanitarian catastrophe or gross human rights abuse by particular governments against its people. As one of its major intervention instruments, ECOWAS created a Standing Force consisting of an earmarked brigade to which Member States contribute.

The Mechanism is linked to the creation of a West African Parliament. It has been established last year and is closely patterned after the European Parliament. It will, *inter alia*, provide political legitimacy for the activities of ECOWAS in the areas of peace and security.

The Mechanism and these instruments are completely new. Currently, a large number of people are being recruited to build up an entire section within the Secretariat dealing with peace and security. Another important element of the Mechanism is the development of early warning capacities: The region will be divided into four observation zones with headquarters in four capitals. These observation zones are designated early warning centers that would develop links with various research institutions and monitor developments in the region.

What are the difficulties? One of the most significant difficulties ECOWAS continues to face is the harmonization with other organizations. ECOWAS is certainly the biggest sub-regional organization in Sub-Saharan Africa. However, within the region there are other competing organizations such as the ANAD (Accord de Non Aggression et d'Assistance en Matière de Defense – Treaty of Non-Aggression, Assistance and Mutual Defense) by the Francophone African countries or UEMOA (Union Économique et Monétaire Ouest-Africaine). The Member States of ECOWAS, UEMOA, and ANAD have decided to harmonize their activities, not the least to save scarce resources. The process of harmonization is still under way.

Another fundamental problem is that while ECOWAS is developing its instruments, it is deeply involved in conflicts in the region. For example, in January 2001, when the conflict between Guinea and Liberia broke out, ECOWAS approached the United Nations, proposing that the UN should deploy an intervention force between the borders of Guinea and Liberia, or empower ECOWAS to do so. Yet ECOWAS did not have the resources to even develop a cooperation concept for such a force. Eventually, despite of what we consider to be progress in Sierra Leone, the situation will remain untenable, unless we also resolve the difficult relationship between Liberia and Guinea. In fact, we may be on the threshold of another civil war in Liberia. There is a security vacuum, and the ECOWAS idea of deploying a second force there is one we need to revisit.

ECOWAS' proposal is still on the table, however the organization will not be able to move forward without international support. The activities of ECOWAS in Liberia in the past were mainly funded by some of its Member States, including Nigeria and Guinea. The international community is expected to live up to its responsibilities.

In the area of peace operations management, ECOWAS requires more support. The Secretary-General of the United Nations therefore decided to send a task force to West Africa earlier in the year. He was worried about the escalation of violent conflict in the region. This task force held talks with a wide range of interlocutors. A consensus emerged that West Africa is at a very delicate stage because there is a proliferation of violence from Liberia to Guinea, to Mali and to Côte d'Ivoire. There is also a large proliferation and flow of arms, including a proliferation of militias.

The task force returned with the recommendation that the international community should engage itself much more at the political level, in cooperation with the region's governments and the regional organizations respectively. The task force recommended the establishment of a UN office for West Africa that would work very closely with ECOWAS and with some of the other sub-regional organizations.

***Victor Malu, Lieutenant General Ret.,
former Force Commander, ECOMOG***

In the last decade, ECOWAS came to world attention primarily through its peacekeeping and crisis prevention efforts. Yet the people of that sub-region prefer a direction focused on economic development and integration – the original purpose for which the organization was established. The political and economic problems of ECOWAS Member States have made the realization of the that organization’s lofty goals difficult. Interestingly, this situation is not peculiar to ECOWAS. Specific to ECOWAS, however, appears to be that it is the first sub-regional organization in Africa to assume the challenge of incorporating a missing instrument, i.e. conflict prevention and peace operations, that will assist in stabilizing the sub-region. A bloody civil crisis in one of its Member States necessitated this development.

Some commentators have said that the involvement of ECOWAS in Liberia, by creating EGOMOG, was an unnecessary diversion of scarce funds, and was instigated by states with imperial and hegemonic ambitions. As a matter of fact, one of the reasons the development of ECOWAS has suffered over these years was the adoption of this mindset by certain countries within the region.

As true as the emphasis on development and economic integration may appear, this argument fails to acknowledge that no economic progress can be achieved in a situation of crisis, particularly a crisis threatening lives and property. Economic progress and development are only possible with peace and security. We should remember that the present-day European Union started off under the auspices of a security foundation provided by NATO, of which the founding EU Member States were all initially members. In a sense, membership in that security organization in no small way helped to create the necessary confidence and trust that nurtured the European Economic Community, as it was then known.

The appreciation of this basic fact may have encouraged the Member States of ECOWAS to ratify and include in the ECOWAS Treaty two important protocols – The Non-Aggression Protocol and the Mutual Assistance on Defense Protocol. The revised ECOWAS Treaty (July 1993) has now incorporated these protocols as Articles 56(2) and 58.

In the light of ECOWAS' experience over the years, particularly recent events in the Mano River Union area, the Community has started to evolve new methods of crisis resolution and prevention. Given that before July 1990 there was no formal basis for conflict resolution by ECOWAS, the Liberian crisis and its horrifying images forced the Authority of Heads of States and Governments of ECOWAS to hurriedly consider a structure and mechanism for the management and resolution of the conflict. This led to the establishment of the Standing Mediation Committee (SMC), comprising the acting Chairman and five other Member States. States bordering Liberia were also invited to join the committee. Other interested Member States were also allowed to participate in deliberations. The recommendations of the SMC were subject to ratification by the full Summit. This method of decision-making has not changed much since it complies with the basic decision-making procedure within ECOWAS.

However, a number of meetings, at the Foreign Minister and Military Chief Command level have now been added to form the basis of Summit decisions on such matters. A recent development is the appointment of a Deputy Executive Secretary for Military and Political Affairs. It is hoped that when this office is fully functional, it will be able to sort out many of the problems that bedevil early Community response to crisis in the sub-region.

The decision to constitute ECOMOG in August 1990 was taken by the SMC (and ratified by an extraordinary Summit in November 1990 in Bamako, Mali) on the basis that participation was open to those Member States who were *willing and able* to do so. While external assistance was hoped for (and some Western countries did

promise support), countries who contributed troops to ECOMOG were to assume responsibility for these forces. Some countries within the region (Mauritania, Sierra Leone, and Gambia) initially made some token donations to ECOWAS. Given the meager resources available to the majority of countries in the region, the question of capability (in terms of resources for the maintenance of troops) was a difficult one. However, manpower capacities were not deficient, and when the force was assembled and put into operation, it was able, in a surprisingly short time, to overcome the differences in language and doctrine.

In fact, as one of those who had the high honor of serving in that force, not only as Chief of Staff, but *later* as its Commander, I can attest that the greatest benefit that ECOWAS achieved from the creation of ECOMOG was the understanding and professional bonding that experience created in the armed forces of the sub-region. I would even dare to suggest that it was unfortunate that ECOMOG was allowed to disintegrate, although I understand the factors which led to it. However, if ECOWAS and the international community were exercising foresight, ECOMOG would be maintained in some form. Instead, presently, as a result of the lack of resources, capacities for supervising the contiguous borders of Guinea, Sierra Leone, and Liberia cannot be deployed. If a neutral force would be inserted into that area, the crisis of confidence that escalated amongst the three countries could be reduced and diplomacy and peaceful resolution given a chance.

In Liberia, much of the military assistance we received did not come from the UN. Of course, I know that ECOWAS as an organization received much political and diplomatic support from the UN. Most of our military support came from individual countries, notably the Netherlands, Germany, U.S.A., Britain, and Japan. These were in the form of non-lethal logistics – trucks, non-military helicopters, communication equipment, uniforms, boots, rations, medical supplies, power supply plants, and other logistics. These logistics were extremely helpful, especially in making the force mobile. We were

able to move troops to any point or position in the shortest possible time. In doing so, we responded to emergencies so fast that we gave the impression we had more troops than we really had.

Which does not mean that the support a peacekeeping force needs from the North should be limited to what I have listed above. I am aware that some North countries wish to offer training for peacekeeping duties. However, I am a little skeptical about the efficiency of such training for several reasons:

- the North has very limited knowledge of and experience with such missions in the South;
- North countries lack proper insight into the psychological make-up and motivation of some of these belligerents; and
- the training may not include the right technology for the mission.

In effect, what is being suggested here is that there is no clear-cut range of assistance that the North can offer. The appropriate support will differ from country to country. However, a common denominator is the fact that all the countries of the South are too poor to carry the burden of peacekeeping alone and therefore need assistance.

Mr. Chairman, allow me – although this means exceeding my time limit – in the final part of my statement to apply our experience in Liberia to the issue of “robustness.” This is an extremely important issue which we already have discussed in the first part of the Agenda.

For anybody who has seen the humiliation, degradation, and suffering of people in an armed civil crisis situation and cannot offer meaningful assistance due to existing rules and regulations, the shift towards a robust mandate for a military command is a welcome development. Normally, peacekeeping forces are deployed on the understanding that there is a request to do so and the contending parties are in agreement that such a force should be introduced into

the area. In the case of Liberia, there was a request at the time by the legitimate government (although some ignorantly believed that ECOMOG was never invited into Liberia), but there was no agreement by the contending parties on the deployment of ECOMOG. There could not have been one because each side believed that it had the capacity to annihilate the other(s). Meanwhile, the world was faced with a moral situation, as hundreds and thousands of innocent civilians were being killed, and those who were lucky to escape death were either displaced or turned into refugees.

The international community has a moral duty to stop such carnage on the part of warring parties in the types of civil crisis we are discussing. The excesses of these warring parties, whether in Kosovo, East Timor, Sierra Leone or as we saw in Liberia, gain extreme dimensions that cannot be tolerated in the present day world. A peacekeeping force, therefore, must be adequately *prepared and equipped* to face the moral challenge these situations pose. With that state of preparedness, a peacekeeping force should be able to determine when the situation has deteriorated to such an unacceptable level that preemptive action is necessary. This does not mean that the cardinal rule of making peace, i.e. separating the parties, should be abandoned. The issue is rather that any peacekeeping exercise should now include as one of its objectives the securing of the lives of the ordinary citizenry in an armed conflict situation in addition to the traditional peacekeeping role. If one were to describe this as the new peacekeeping doctrine, there is no doubt that, from a military viewpoint, such a doctrine will be a lot more successful.

When executing a peacekeeping mandate, the question of consent may undoubtedly arise. The force's impartiality will also be called into question. Experience shows that parties who are resistant to peaceful negotiated settlement normally raise such questions. While I have no first hand experience of either East Timor or Kosovo, military commanders who were involved in those operations would have been greatly assisted by political decisions that would have allowed them to pursue this new peacekeeping doctrine. If

ECOMOG had had such an opportunity at the inception of its involvement in Liberia, that country could have been spared a lot of suffering, which continues to the present day.

Discussion

There are interesting developments regarding the changing role of regional institutions not only in Europe, but also in Africa. For instance ECOWAS in West Africa, which emerged out of necessity and is a rather original African institutional model.

A close look at this regional model of conflict resolution puts a serious question mark behind the suggested North-South divide. True, regions may have to develop individual models for the solution of their specific problems, most participants agreed on this. Yet, Northern and Southern countries share the overwhelming common interest to conduct crisis management and related peace operations in the most effective manner. The past history of these operations shows that there are a number of universally applicable lessons to be learned.

One participant pointed out that, if one looks at its constitution, ECOWAS seems to be one of the most advanced regional organizations in the field of crisis management and peace operations. And, similar to NATO, its Member States are prepared to intervene without the explicit authorization of the Security Council, if deemed necessary. NATO should not be dealt with as the only “culprit” in this regard. When Nigeria, Ghana, and other members of ECOWAS sent armed peacekeepers into the civil conflicts of Liberia and Sierra Leone in the early 1990s, they intervened without Security Council mandate. Only later, the Council legitimized their action with a kind of indirect ratification by deciding to set up UNOMIL in Liberia and UNAMSIL in Sierra Leone.

While the performance of ECOMOG was generally appreciated as being effective, some skepticism was uttered whether ECOMOG and its troops sufficiently respected human rights in their operations. The effectiveness of ECOMOG partly depended on means which were not in accordance with United Nations peacekeeping standards. As a retired UN senior official explained: “In Sierra Leone, the

rebels were just about to take the country, and we at the United Nations did not know what to do about it. The following day, when ECOMOG managed to defeat the rebels with a lot of brutality, we at the United Nations were very much relieved that we did not have to do it. That has been a contradiction I have never been able to reconcile.”

Others argued that this dilemma stems from a misperception of what the United Nations is capable of doing in certain violent and complex emergencies: If there is no peace to keep, it cannot do peacekeeping, even if this would be desirable. By the time Monrovia was encircled in 1992, when Charles Taylor launched a military offensive (Operation Octopus) to retake the city, there was fully-fledged war and not a situation of peacekeeping. The same applies to Sierra Leone when its capital, Freetown, was attacked by the rebels. In both cases, the belligerents were brutally violating international norms and conventions. Consequently, one cannot use peacekeeping tools to deal with a situation of war.

Participants were divided on the issue whether the United Nations has and can develop the appropriate structure to handle such situations in addition to traditional peacekeeping scenarios. They require instruments and command, control and communication systems which international organizations have problems developing and running. ECOWAS was only able to perform efficiently in Liberia because the command authority resided in Nigeria, and therefore decisions could be made quickly. The same applies to its actions in Sierra Leone.

As far as the interaction between the UN and regional organizations is concerned, the development of ECOWAS and the cases of Liberia and Sierra Leone show the high degree of mutual dependency. If the United Nations had gone to Liberia without the support of the West African countries, it probably would have failed. It would have failed in Sierra Leone as well. If there is not a strong regional involvement in any of these situations, the UN is not going to be effective. But regions should not go it alone, either, particularly if

they do not have the necessary resources for sustaining a strong peace operation.

In summary, participants agreed that developing the partnership between the UN and regional organizations is the only possible way forward. While the international community provides legitimization, resources, standards, etc., the involvement of regional actors provides the regional expertise and the sustained interest in what is going on.

Concluding Panel: The UN at a Crossroads

Implementation of the Brahimi Report – Hopes Unfulfilled?

Ambassador Michel Duval, Deputy Permanent Representative of Canada to the UN

Areas of controversy between the North and the South are a significant dimension of the problems of implementing the recommendations of the Brahimi Report. Yesterday, when the Berlin Workshop started, unfortunately, I was in New York chairing the Working Group of the Special Committee on Peacekeeping. The committee is actively reviewing the Report of the Secretary-General (A/55/977 of June 1, 2001), containing the findings of the first in-depth and comprehensive review of the Department of Peacekeeping Operations and proposals for the further implementation of the recommendations of the Brahimi Report.

Let me begin by saying that it seems paradoxical to me that the reinforcement of the UN peacekeeping capabilities recommended by the Panel on United Nations Peace Operations, the Brahimi Report, seems to be slowed down mostly by the “demandeurs” of peace operations. They are:

- countries demanding more and more aggressive peacekeeping, condemning the North for not intervening forcefully in Rwanda and in the DRC, but, by the same token, fear for their sovereignty and reject the concept of intervention;
- countries demanding more planning, organization, support, financing, training, logistics from the UN, but blocking Brahimi recommendations to strengthen the Secretariat;
- countries claiming that peacekeeping is diverting money from development and refusing to accept the organic link between

peacekeeping and development, in a full continuum from prevention to reconstruction after conflicts;

- countries demanding more engagement from the North in Sub-Saharan Africa, but endorsing the lack of support of host countries and parties to the conflict and porting the UN as an intruder of the sacrosanct sovereignty and at the expense of responsibilities of the hosts and the parties;
- countries complaining that decision-making in the Security Council is held hostage to the Permanents' veto, yet in return demanding to be granted the same privileges for the sake of balance, but at what cost in efficiency?;
- finally, countries hesitating to engage their troops with the UN and refusing the financing needed to support and realize the reform they request.

What are the reasons for this paradox? Or could it be, more simply, a reciprocal lack of confidence between the partners in peacekeeping and the symptoms of a general lack of faith in the United Nations as peacekeeper?

Development and Security

The debate is dogmatic, in many ways it is absolutely Manichean. The task of keeping international peace and security is pictured as a "thing of the North," while development is a "thing of the South," and any money requested for peacekeeping is money diverted from development. The fact is, and we all know this at least instinctively, that to be successful in both peacekeeping and development, you need a partnership, a common endeavor, a cooperative approach with common goals, objectives, measurable results, considerable political will on both sides, time and hard work. This is the only way to go, but it makes the difference between success and failure.

We are still far away from a cooperative formula, and while the debate is raging at the United Nations, pragmatic responses have emerged outside the UN and they offer more rapid and flexible

modes of response to crisis and their management, involving the partners in the decision-making process. Coalitions of the willing, regional and sub-regional organizations have acted where they saw the need for it. They have done so swiftly, forcefully, leaving to the UN the excruciating debate on “how should it be done in full respect of the principles and purposes of the Charter, as we interpret them?” Or “within existing resources?”

The UN at a Crossroads

The truth is that the UN Security Council has lost its monopoly on peace operations because it would not, or could not, discharge its “primary responsibility of maintaining international peace and security,” as laid down in Article 24 of the Charter.

The peacekeeping landscape has evolved very quickly. In the past ten years, we have witnessed determined action on the part of the Organization for Security and Cooperation in Europe (OSCE), the North Atlantic Treaty Organization (NATO), the Economic Community of West African States (ECOWAS), coalitions of the willing under the leadership of a regional power. Tomorrow, there will be the European Union which could tip the balance to its favor with well equipped and trained military forces, civilian police, and administration staff, as well as considerable resources for development.

So yes, in a way, we could say that the UN is at a crossroads, but let's remember the UN is not standing alone at this crossroads, there are alternatives. The main message of the Brahimi Report is: “Without renewed commitment, significant institutional change and increased financial support, the United Nations will not be capable of executing the critical peacekeeping and peacebuilding tasks that the Member States assign to it.” Ambassador Brahimi expressed it best to the Special Committee in November when he said: “The key challenge is quite simply to retain peacekeeping as a core function of the United Nations.” This is clearly our preference.

That said, as the debate over intervention in Kosovo demonstrated, the Security Council has “primary” responsibility for the maintenance of international peace and security; it does not have “exclusive” responsibility. Thus, if we cannot get it right within the UN context, we will not hesitate to go elsewhere, if our cause is just.

The Implementation

I have spoken of difficulties in the implementation of the Brahimi Report, but the good news is that its recommendations are being implemented. Contrary to the Agenda for Peace, the Brahimi Report doesn't lay on a dusty shelf. From that point of view, we need not worry, a process has been engaged.

The Panel on United Nations Peace operations was mandated in March 2000 and produced its report in July 2000. *A tour de force*. Against all odds, in October 2000, the Special Committee met in Special Session and asked its Working Group to review the Brahimi Report. An ugly debate took place in the Working Group and was pursued during the November session of the Fourth Committee.

But, relentlessly the Working Group of the Special Committee on Peacekeeping persevered and concluded. The Committee adopted its report and recommendations on December 4. The Fourth Committee and General Assembly adopted them on December 6, 2000. Shortly after, the Fifth Committee authorized the creation of 93 new posts on support account and two from the regular budget in the DPKO.

Before resuming its consideration of the recommendation of the Brahimi Report and the Implementation Plan presented by the Secretariat, the Special Committee demanded the completion and submission of a comprehensive management and resources review. Consequently, the Secretariat produced a comprehensive managerial examination of the manner in which the UN plans, deploys, conducts, and supports peacekeeping operations. It is now being reviewed by the Special Committee which has been in session since June 18, 2001.

What Is the Brahimi Report?

First let me say that the Brahimi Report is not a magic formula meant to transform overnight the practice of peacekeeping and give us results the day after its festive endorsement by Member States. Those who expected that kind of immediate result had misguided hopes.

Second, let's not lose sight of the fact that the Brahimi Report is a catalogue of recommendations addressed to all agents of peacekeeping: Member States in their capacity as members of the Security Council and of the General Assembly; the Secretariat of the United Nations; and Member States in their role as purveyors of political, military, and financial resources.

To be satisfied that the Brahimi recommendations are being implemented, we need more than a couple of reports by the Secretariat. We need decisions from the legislative organs of the UN, reform in their organization and methods of work; we need to enhance the capacities of the Secretariat and modernize its working methods. Furthermore, and above all, we need action taken by Member States.

The so-called meager results of December 2000 will most likely take a whole year for the Secretariat to digest. Recruitment alone takes a year, training and reform also take time, the inertia of the system is hard to overcome, and we are dealing with a Department of Peacekeeping Operations that simply doesn't have the resources to be forward-looking.

Work in the General Assembly and the Security Council is progressing, slowly but steadily. Member States are still struggling with numerous difficulties – they are confronted by a diminishing human resource base and an exponentially increasing demand for resources.

Member States also have problems developing a coordinated approach to the implementation of the Brahimi recommendations. For instance, the members of the Special Committee on Peacekeeping were shocked to discover that out of 93 posts, only 19 of the

posts they had recommended were earmarked for active-service military officers and five for civilian police officers. Furthermore, not enough resources were allocated to the Claims and Information Management Section of the Field Administration and Logistics Division (FALD).

The Working Group clamored for an immediate explanation why the Secretariat had not reinforced what the Committee expected to be reinforced, only to discover that it was the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Fifth Committee that reviewed the details and allocated the posts in the end. This unforeseen result was the making of Member States.

There is a sharp discrepancy between what Member States do in one Committee and then what they do in the other. Frankly, most see this as an advantage rather than an inconvenience. A lot of energy is needed to achieve a focused approach.

It seems evident to me, if we are serious about enhancing the Secretariat capacity to plan, deploy and support peacekeeping operations, that our reinforcement efforts must first and foremost focus on the management and planning as well as on the core functions of the Department. Without these resources, it is not possible to make further progress in the implementation.

A progressive reinforcement of DPKO, if it is substantial, need not alarm us. We need to care for the absorption capacity of the Secretariat. Recruited newcomers need to be trained, units need to be reorganized. None of this can be done effectively overnight.

Brahimi Report – Needed Most by the South

The paradox is that the Brahimi Report is needed most by the South, not by the North. The North has the wherewithal and the will to carry out PKO without the support of a UN Secretariat, when it feels that an operation is needed to protect its interests. A planning capacity, strategic information analysis, logistics, equipment,

training... all are to the benefit of the South. At the end of the day, the efficiency and the credibility are to the benefit of all.

The fear that more emphasis on improving peace operations will consume resources better spent on fighting poverty and supporting development is tantamount to abandoning countries in crisis. There can be no development without a peaceful environment.

Those saying that robust peacekeeping mandates are conceptually wrong and threaten the sovereignty of smaller countries and their governments, particularly in the South, are telling us that Rwanda and Srebrenica are internal affairs when they occur and a mortal sin when they have occurred. The real lesson of Rwanda and Srebrenica is to be found in Bosnia and Herzegovina, Kosovo, East Timor, and Sierra Leone: “if you need to do it, do it outside the UN.”

I find it interesting to hear that leading military powers are disengaged from risky peacekeeping missions in the South, especially Sub-Saharan Africa. One should look at the recent on-the-ground operations of countries like France and the United Kingdom in Africa – in Sierra Leone, of course, where the United Kingdom has a massive presence, but also in the Central African Republic and Guinea-Bissau, where France did not hesitate to engage resources. The question we should be asking about them, and an increasing number of Troop Contributing Countries, is, why are they so hesitant to engage in risky operations under an UN flag?

Finally, countries from the South are the main troop contributors to United Nations peacekeeping. This is true now and they profit from it, but are they taking more risks? A few countries certainly did and still do in Sierra Leone, but in general and in the overall history of peacekeeping missions, peacekeepers all share the same risks.

Take for example India and Canada: India lost 100 peacekeepers, Canada lost 109. What does this mean? Simply that Canada and India are dedicated troop contributing countries – they should be able to come to terms and take the lead in this reform to benefit troop contributing countries, whether they come from the South or

the North. A cooperative approach is possible, and a cooperative approach is the only solution. Once an issue is taken out of the NAM-EU ping pong, it has a good chance of being resolved.

William J. Durch, The Henry L. Stimson Center

It is gratifying that the Brahimi Report, after a year, remains a touchstone and a target for debate and action toward making complex UN peace operations more effective and more universally supported in practice. The report was a last-ditch effort to salvage such complex operations as tools of international action, combining peacekeeping and peacebuilding capacities in a significant way in post-conflict situations. With instructions from the Secretary-General, and a promise from the SG to implement its recommendations, the Panel on UN Peace Operations focused on measures needed to strengthen the capacity and credibility of the UN itself, with suggestions as to what the Panel believed to be necessary complementary actions on the part of the Security Council and on the part of Member States in contributing effective military, police, and other rule of law enhancing components to UN operations.

The report recommended improvements in the UN's ability to watch for and to analyze violent conflict; to plan and support operations; to recruit and train personnel, especially civilians; and to lead and manage missions effectively in the field. All of these measures were aimed at better enabling the UN, in collaboration with security elements provided by Member States, to break the cycle of conflict in the mission area. In these brief remarks, I want to focus on three elements of the report, one that is politically sensitive and two others that are also proving difficult to implement, yet all are vitally important. These three elements are:

- the Information and Strategic Analysis Secretariat,
 - the Integrated Mission Task Forces[^], and
 - the on-call lists of military and police personnel
- to support new mission start-up in the field.

The Information and Strategic Analysis Secretariat (ISAS) was conceived as 20–25 professionals, consolidating small “policy analysis” and similar offices currently scattered throughout the Secretariat and usually diverted from policy analysis and strategic planning by the requirements of day-to-day political support. It was meant to support

the Executive Committee on Peace and Security (ECPS), one of four such committees that are the intellectual equivalent of a U.S. government “principals committee,” one notch below the chief decision-maker. They were established by Secretary-General Annan’s initial reform efforts in 1997. The ECPS has never functioned as an executive interagency body. We believed that it needed to do so and that giving it a “brain” might help. The staff we had in mind would consolidate the stream of cables and open-source information that inundates the UN system daily, synthesize it and post the originals and summaries on an intranet/extranet system; it would manage that system, facilitating cross-talk between field missions; and it would undertake both international “problem mapping” for the Secretary-General and competent risk analysis in support of new field operations, neither of which can be done by gathering data on the spur of the moment.

While the idea was to enable the UN Secretariat to anticipate problems on the basis of abundant, open source information, some states seemed to view this staff as a potential conduit for member state intelligence sharing and as a means by which states could be put in the international cross-hairs for potential military intervention. Clearly, there is political tension between the SG’s urging of a “culture of prevention” within the UN and opposition to the accumulation and organization of the knowledge within the UN system that would be needed to make that culture operational.

The Secretariat’s first implementation plan for the Brahimi Report, released in October 2000, increased this information and analysis staff’s recommended size to more than 50. The UN’s majority balked, and consideration was deferred. The second implementation report, in June 2001, reduced the size of the staff to less than the original recommendation, dispersed its functions to several parts of the Secretariat, and limited its analytical writ to support of mandated operations (that is, the problem-mapping function has been truncated).

The Department of Peacekeeping Operations (DPKO) has growing military, civil police, and de-mining expertise, plus substantial capability in logistics, transport, and communications, but it does not contain the UN's resident experts on refugee matters, emergency food disbursement, disease control, human rights, or education, utilities, taxes, customs, economic management, or other expertise required by a transitional civil administration mandate. To effectively plan and execute new complex operations, the UN must tap these other centers of expertise. The Brahimi Report recommended using a form of "matrix management" to draw the needed people, temporarily, into peace operations mission planning teams called "Integrated Mission Task Forces," or IMTFs. The Secretariat's October 2000 implementation report and the spring 2001 "comprehensive review" of DPKO endorsed the IMTF concept. The June 2001 implementation report proposed bringing those who would lead a field mission to New York to lead the IMTF as well, if the leadership was appointed soon enough. Neither the Secretariat nor the rest of the UN system is as yet up to implementing IMTFs, but the Secretariat would not be more effective in planning and supporting complex operations without them. Whatever it is called, the UN needs a mechanism that pulls credible contributions to mission planning and execution from UN elements outside DPKO, and promotes DPKO willingness to share responsibility for that planning.

Finally, I'd like to mention the two on-call lists of military and police (or, more broadly, rule of law). Rapid Deployment Field Headquarters Teams, 100 each, are proposed to be trained in existing operations for several months before serving on standby, in their home countries, for short-notice call-up to help establish new field operations. The Brahimi Report suggested a total period of liability to call-up of about two years, at which time individuals would rotate off the rosters as new personnel rotated on. In March 2001, the Secretariat sent letters to Member States requesting nominations to participate in the on-call lists; replies were requested by June 30. My understanding is that states have been very reluctant

to name individuals to these rosters, yet without individual postings, there can be no benefit derived from pre-training or team development. Perhaps there is no easy modality for making well-trained personnel available for quick deployment to new missions; that could be tragic, and it seems to be one of those political-cum-bureaucratic problems that could be resolved, if Member States viewed it as sufficiently important.

Last December, the General Assembly agreed to give DPKO and other peace operations support elements in the UN a total of 93 additional posts on an “emergency” basis, on the strength of the Secretary-General’s initial Brahimi implementation report. Subsequently, the comprehensive review, conducted by an outside management consulting firm, concluded that DPKO needed another 150 positions in addition to the 93. If the Assembly accepts this recommendation, then, by the end of 2002, DPKO will have grown by more than 80 percent over its pre-Brahimi size.

This is necessary growth, but unless the Secretariat changes its work practices, comparable to what was recommended in the Brahimi Report and reiterated in the comprehensive review, the UN and its members will not reap the benefits of this new investment. Quantitative change is not enough. The June 2001 implementation report lays out a number of potentially effective management changes that must happen along with the hiring, retention, and promotion of high-performance people. With over 6,000 applications received for the first 93 new posts, the Secretariat faces an abundance of choice. Let us hope it chooses wisely.

***Joachim Hütter, Director for Asia and the Middle East,
DPKO***

I would like to present a view of the Brahimi Report from the perspective of the Secretariat. I am using the indefinite article, since there is obviously not only one view. From a personal perspective, I am not as demoralized as it has been suggested in the previous discussion about the situation within the DPKO.

However, I do have a sense of déjà vu. After the inauguration of the Agenda for Peace, Mr. Marker, a participant in this Workshop, chaired a small group of Member States after the launching of the Agenda for Peace. The objective of this group was to find out how this Agenda could be brought down to a practical, implementable level.

To a certain extent, today's discussion reflects what had already been discussed in that panel. However, the Brahimi Report has made a real difference, because it has provided a high-profile platform for discussion of these issues. While the Agenda for Peace dealt with the broader issues of policy (peacekeeping, peacebuilding), the panel report has focused on practical issues of implementation. Herein lies its value. As far as previous efforts to strengthen the Secretariat are concerned, they always got stuck. In my personal view, we were caught between different perceptions – on the one hand, powerful Member States who consider the Secretariat too independent a body, and on the other hand those, mainly among the non-aligned, who perceived the Secretariat as not independent enough. As a result, neither side wanted a strong Secretariat.

To elaborate a bit on the current working situation, let me briefly present some examples: delegates hesitating to make appointments with me or bringing with them senior officials from their capitals for fear of taking up my time. This is absolutely terrible, because this is my job, and I should be dealing with them. Although it is true that they do take my time away from more operational tasks, it is nevertheless wrong that the situation is like this. I am in charge of the

operational direction of seven peacekeeping missions. For the better part of last year, I have had a staff of four to assist me in this task. One of those missions is the operation in East Timor, to which I devote roughly half of my time. Another is the operation in South Lebanon, which has been going through a major transformation over the last twelve months. Furthermore, Cyprus has always been quite active because of the ongoing negotiation process.

In East Timor, for instance, we write and promulgate a lot of legislation. We would like to give substantial input to the work in the field. However, very often we simply lack the capacity to do so. If things go wrong during a peacekeeping operation, you have to understand that this begins at a substantive level, it is not just a question of recruitment.

As far as the lack of confidence in the Department of Peacekeeping Operations is concerned, this criticism from the Member States' side seems to me a bit disingenuous, since these same Member States have it in their power and are now acting to provide the resources necessary for us to better accomplish our tasks.

In conclusion, after having seen all the debates and hopes raised before, this time I see a new spirit within the Department. For the first time in so many years, the long serving staff is beginning to believe that we may achieve a qualitative change. We are well aware that this is not just a question of additional posts and resources, but also of changing the way in which we do business, and we have a leadership in the Department of Peacekeeping Operations that is committed to achieving this objective. We must achieve that change with the help of Member States.

North-South Division in the UN – Myth and Reality

David M. Malone, President, International Peace Academy, Canada

Even though the Brahimi Report was broadly welcomed in the Millennium Summit declaration and endorsed by the Security Council Summit in September 2000, Member State delegations at the UN have experienced extreme difficulty in coming to terms constructively and practically with this ground-breaking report advanced by a broad cross-section of eminent experts. Much time was wasted in the fall of 2000 as a result of the politicization of the report and its recommendations. The mood has since improved, but the delay has been damaging.¹

What went wrong? Clearly, the Report itself, while containing some debatable, indeed optional, recommendations, was not the basic problem. I will argue that the intergovernmental process at the UN, essentially stuck in the dynamics of the immediate post-Colonial period, is probably the greatest challenge facing the organization, poisoning most substantive debates and reducing virtually all issues to questions of process and tactical advantage. Success is not measured by action in the field but rather by negotiating triumphs recorded in turgid communiqués and declarations of interest to nobody in the real world. Thus, many UN debates appear hopelessly arcane to most non-initiates. They are not seen to address real needs of actual people anywhere.

1 On 30 July 2001, the UN Special Committee on Peacekeeping operations (the so-called Committee of 34) concluded a lengthy debate on the Brahimi Report, in fact endorsing most of the recommendations within the remit of Member States. This positive outcome sadly remains obscured by the bitter, often ill-informed, discussions preceding it. Furthermore, the C-34 may have missed the boat: it is not clear that those Member States contributing the bulk of UN funding are as enthusiastic about paying for the Brahimi recommendations in mid-2001 as they appeared to be in September 2000.

To the North-South divide, then. Is it myth? Clearly not, at least at the UN. Virtually all negotiations beyond the consultations within the Security Council are organized into bloc confrontations: For the South, the Group of 77 articulates positions on economic and social issues, the Non-Aligned Movement on more political ones. The North is trickier, because little effort is made formally to coordinate substantive positions beyond intensive and usually successful efforts within the European Union to forge a joint stance. In practice, however, the EU often winds up being the principal interlocutor of either the G 77 or NAM, with several influential but often peripheral players kibitzing from the sidelines. But does this negotiating framework correspond to reality beyond the UN? Clearly not. Hence the myth. There are many Souths and at least several Norths.

As a joint exercise with the Center on International Cooperation of New York University, IPA last spring organized, through local partner institutions, regional consultations with government, non-governmental, academic, and other experts on the Brahimi Report's recommendations. Individuals with a broad range of views attended from all over Africa, Latin America, the Caribbean, and Asia. The conclusions from each of these meetings were strikingly different, although all were critical of the way business is done in New York, particularly of the practical outcomes arising from UN deliberations.² The preoccupations of experts in each of these regions were barely complementary, often indeed at odds with each other. One example: a number of our Asian interlocutors remained deeply concerned that national sovereignty be respected at the international level and that non-intervention in the internal affairs of countries continue to be highlighted as an international norm. African interlocutors, on the other hand, raged against the unwillingness of the

2 These conclusions, together with the summary of a widely-attended discussion of them in New York, can be found in the IPA report *Refashioning the Dialogue: Regional Perspectives on the Brahimi Report on UN Peace Operations*. Hard copies are available from IPA, but it is also available at www.ipacademy.org.

outside world to intervene in the conflicts of the area. In brief, some Asians worry about too much international intervention, some Africans about not enough. Beyond these differences, voices of the South rightly caution against various forms of intervention not so much tailored to their needs, but to what can be made available by the North. And many in the South also rightly express concern over the apparent Western enthusiasm for “regionalization” of peace-keeping duties, which may represent little more than flight from responsibility (particularly in the African context) on the part of some Western countries.

Differences of view are also rife within several of the regions, notably Africa and Asia. On the principles that should govern forcible intervention in internal conflicts, the views of Thailand and the Philippines are a far cry from those of Indonesia, India, and China. The latter two are prepared to be flexible and pragmatic on a case-by-case basis, but they evince little interest in broad “human security”-oriented approaches. Singapore, often viewed as fairly reserved on broader international involvement in addressing Asian security challenges, has in fact proved a highly effective champion of the UN’s role in ushering East Timor towards independence. It has argued persuasively within the Security Council that, in consultation with the Timorese leadership, the UN needs to remain involved in East Timor well beyond this transition in order to anchor its achievements to date in sustained success over time. In Africa, the policy preferences of South Africa and Nigeria at the UN stand in some contrast to those of Egypt and Algeria.

However, in New York, efforts are made to craft synthetic positions spanning the South, positions that frequently correspond to the national interests of only very few of the countries involved. Due to the skill of their local diplomatic operatives and the policy drive of some of their capitals, a number of countries have successfully dominated the G 77 and NAM. Among these, Cuba, Algeria, Egypt, and Pakistan spring to mind. (India plays a subtler, often independent game.) Their demands are often ideological, their tactics some-

times confrontational. They have proved highly adept at containing or overruling the views of those within the groups who might disagree with them. Nevertheless, tensions within these groups could be exacerbated if Security Council reform moves forward and Africa, Asia, and Latin America are each assigned new permanent seats.

In the North, the EU represents by far the most potent group of countries due, *inter alia*, to its donor clout (nationally and through the European Commission) and to its numbers (15 votes). Attempts have been made to form consultative coalitions of the non-EU Western countries, most notably under the heading of JUSCANZ (Japan, USA, Canada, Australia, and New Zealand). The Russian Federation fields exceptionally skilled diplomats, but they frequently have less to contribute substantively than in the past because of the decline of Russian influence overall and an emerging view in Moscow that UN negotiations outside of the Security Council ultimately do not matter much. For this reason and because of the growing ambivalence, often indifference, of the U.S. government towards much UN deliberative and norm-setting activity, the balance of influence generally favors the EU. EU negotiating flexibility with its Western partners is limited: intra-EU consultations are so exhaustive and exhausting that once a joint position is adopted, EU negotiators prefer to keep what little flexibility they have in reserve for the main attraction: the inevitable conflict with the G 77 or NAM (where the parties often cancel each other out substantively, achieving a nil result for the organization). One underlying element fueling tensions may be concern over a potentially growing tendency in the North (driven by the USA) to indulge in multilateralism *à la carte*, while the South may see its interests best served by set-menu multilateralism.

How then do these national and regional perspectives play out in New York? The one great success of North and South cooperation was the anti-apartheid struggle, placed firmly on the agenda by Africa's newly independent nations. But in the heady days of the post-Colonial period, notably the 1960s and 1970s, international

conditions (guilt or at least unease over the Colonial past in the North, optimism in the South) favored narratives of grievance and claims for redress and assistance. UN deliberative processes rapidly locked themselves into a pattern of demands from the South more or less energetically resisted by the North.

However, in the UN General Assembly, it was business as usual. However, an “Alice in Wonderland” atmosphere dominated, with unrealistic demands often accommodated rhetorically, as the treasuries of many Western countries had concluded that the body was irrelevant. Indeed, to this day, many UN declarations, statements, and resolutions are reminiscent of the old Soviet era-joke: we pretend to work and they pretend to pay us. For example, reiterations at the UN of the commitment on behalf of industrialized countries to official development assistance (ODA) levels of at least 0.7 percent of GNP have been accompanied, over the last decade, by a sharp decline of aid levels in most OECD countries. A further distraction from substantive achievement has been the growing emphasis on and time devoted to elections of various UN bodies, most prominently the Security Council and the Economic and Social Council (ECOSOC). The horse-trading involved can be fun, but it achieved nothing for the organization.

One exception has been in the emerging field of “human security,” where highly effective coalitions of countries spanning North and South have been successful in advancing the landmines ban and the International Criminal Court. However, even within such coalitions, the divide often re-emerges over the status and role of Non-Governmental Organizations (NGOs) in the UN negotiating processes, with most industrialized countries favoring NGO participation, while many developing countries remain reserved on this score.

Why are such processes and outcomes so damaging? Why not simply conclude, like many treasuries, that the UN does not matter? Sadly, the deliberative and many operational activities of the organization have largely ceased to interest the media in either the North or the South. But the UN maintains a pivotal role in the development of

international norms. It provides the umbrella under which important international treaties are developed. Emerging challenges, such as climate change and AIDS, requiring global action have frequently been first addressed within the UN system. The UN also serves as a weathervane of broad international trends, such as the greater adherence (at least in principle) to human rights standards and to the imperative of humanitarian action, two issues championed by current UN Secretary-General Kofi Annan. This can, but does not necessarily, lead to codification in these areas.

The damage to the UN's overall standing and reputation due to its dated and sterile negotiating practices has been profound in terms of the organization's perceived relevancy to populations the world over. Delegates, however, barely seem to notice it. They play the game that they have mastered: tactical jousting over ideologically charged issues, generally without much hope or expectation of affecting the world at large.

For a foreign ministry type like myself, the conclusions are fairly depressing. As observed in New York, many foreign ministries appear unable to adapt to a fast-globalizing, more highly integrated world. Indeed, some would appear to represent the last refuge of conservative elites. The extent to which some delegations feel called upon to reflect the new policies of nationally elected governments, rather than the tried-and-true incantations of the 1970s, seems tenuous.

Elsewhere, the situation has evolved considerably. Given the vacuum created by UN debates, ministers have migrated to other fora. As of the late 1970s, G 7, IMF and World Bank meetings set the pace. These were the meetings that leaders from both South and North wished to influence and attend. The World Economic Forum at Davos, a private initiative, left UN debates in the shade during the 1990s. A number of new, genuinely useful fora involving key decision-makers from North and South have emerged. Perhaps the most promising is the Group of 20, composed of the Finance Ministers of leading economic powers in both North and South.

Discussions are (relatively) informal, mostly non-confrontational, substantive and focused on shared interests and concerns rather than on mutual recriminations. The recent African initiative, spearheaded by the leaders of South Africa, Nigeria, Algeria, and Senegal, to present African ideas on implementation of economic and political reform of the continent was presented to G 8 leaders during their July 2001 meeting in Genoa. This initiative could generate useful dialogue across the North-South divide. The Security Council's inertia in exercising its exclusive role in authorizing the use of force internationally has been challenged by ECOWAS (in Liberia and Sierra Leone) and NATO (in Kosovo). Indeed, a sense has emerged that regional organizations and arrangements will play more, and the UN less, of a role in international security in the future.

Where does this leave the UN? Its normative activity continues to be vigorous and important, although the new U.S. Administration's reserved approach may constrain the UN in the area for some years. The Security Council remains a pivotal international political and legal forum, although its credibility has also been strained by several disastrous decisions during the 1990s and new tensions among the Permanent Five over issues such as Iraq and the Balkans. Kofi Annan, much admired, not least for his ability to communicate simply and meaningfully on important issues with populations the world over, not just ministers, hovers above the fray, constantly engaged in preventive and other forms of diplomatic action. However, the UN's main deliberative bodies, the UN General Assembly and the UN's Economic and Social Council, have sunk out of public view and interest, simply irrelevant to most governments, corporate actors and journalists.

This brings me to my conclusion and my topic, the North-South Divide at the UN. As long as UN discussions continue to be conducted systematically in a framework organized along North-South lines, I am convinced outcomes will remain largely meaningless when not actively counterproductive. In many cases, the positions adopted simply do not address national and regional interests. The

points tactically scored attract no interest in the outside world, while the important issues purportedly under discussion, suffer substantive neglect. (The recent UN conference on AIDS is an extremely depressing example.)

The UN needs to simplify its working methods: agreed texts and resolutions need not be the goal of every exchange of view. It should aim for meaningful, if often modest, outcomes rather than rhetorical exercises. It needs to evolve a framework for its deliberations in which national and regional interests can be addressed, rather than bloc positions confronting each other and canceling each other out. This will not be easy. An unhealthy co-dependency sometimes seems to have evolved between the negotiators on both sides of the current divide. Can they learn new tricks in this forum?

The General Assembly today is in a time warp. It desperately needs to be dragged into the 21st century and reflect new, post-Cold War, post-“alignment” geo-political dispensations. The CIC-IPA regional consultations on the Brahimi Report suggested both significant differences within North as well as South and significant commonality of view across this accursed divide. Building on this and many other examples of shared interests among countries of the North and the South (not, of course, all countries, not all at once, not on all issues) more pragmatic, action-oriented approaches need to emerge.

Espen Barth Eide, State Secretary, Norwegian Ministry of Foreign Affairs

I believe that there *is* a North-South divide – we have seen it here, in this conference, and we know it exists ‘out there.’ SWP was right in putting this issue on the table. The divide poses cause for concern. It should concern those from the ‘South,’ and it should concern those of us from the ‘North.’ I, as a Norwegian, am concerned. As a small state, we know that we need a law-based international order. Such an order needs to be built and maintained over time. Hence, global consensus on ‘the essentials’ of the future international order is important.

The Kosovo crisis in 1998/1999 has reopened wounds and divides that had not yet healed. Whatever one thinks of the conflict as such, it should be recognized that it revealed fundamental differences about ‘who can do what’ and ‘who is allowed to do what’ in the international community. It is perfectly possible to defend the action finally taken, given the situation at hand, while at the same time acknowledging the unfortunate side-effect that consisted in the (temporary?) relegation of the Security Council from its role as the primary forum for decisions on war and peace. However, it has made a number of non-Western countries fear a new trend of self-mandated imposition of the West on the rest of the world.

The ‘South’ does have a point: We should be careful to not substitute clear international norms with diffuse references to ‘We’ or ‘Us’ doing the ‘right thing,’ without any clear guidance to how the validity of this argument can be tested by an international representative body. There is more than one ‘we’: there are also groups out there whom ‘we’ refer to as ‘them’ but who refer to themselves as ‘we’ – and then they can also say that ‘we’ have to intervene because of the same kind of reason as ‘they’ did – despite the absence of a clear legal backing. Few of us would subscribe to a system where the mere uttering of a humanitarian cause alone could justify any kind of military action.

But this is not the whole story. In order to bring the UN back on track, and to reinstall the authority of the Security Council that many feel has been lost lately, we need to cooperate. All parties to this dispute have to cede something. To me it is rather obvious that if key representatives of the so-called 'South' keep insisting on the preservation of a stateist, non-intervention view of the world, without suggesting ways of making the common institutions able to grasp and act in internal crises like the one in Kosovo or in so many parts of Africa, the stalemate will continue and the UN will be further marginalized.

We have a chance now. A few years back, the question raised was: Who can do the job better than the UN? Today, in light of the Brahimi debate, the question is: How can the UN do its job better? This is, in my view, a much more constructive way of putting the question. This conference has brought us a step forward. Now it is important to keep up the momentum!

No Meaningful Reform without Security Council Improvement and Reform?

Kamalesh Sharma, Permanent Representative of India to the United Nations

Let me start by commenting on the so-called “coalition of the willing” or COW, which might be an idea with a certain merit. In the animal kingdom of the world of politics, however, a COW can be swiftly transformed into a CAT or “coalition of arms twisted.” I think it is better to anchor international peace and security affairs in the organization of which we are all members and to which we all have a responsibility – the United Nations – rather than concentrating too much on alternatives. Of course, I won’t deny that such “arm-twisting” can happen in the Security Council. But as long as such questions remain anchored in the UN, which has a universal membership, we are on much safer ground. This question lies at the heart of the North-South issue.

What is the role of the General Assembly in this regard? In fact, Article 7 assigns the General Assembly a role as long as the Council is not seized of the matter. However, the records of the Congo reveal something very interesting. During the first Congo operation in the early 1960s, the General Assembly had set up a Conciliation Commission, appointing troop-contributing countries to it. In addition, the Secretary-General had set up an Advisory Committee, also consisting of troop-contributing countries. It would be interesting to see how that formula worked.

The second question relates to representativeness. The current global reality is vastly different from 1945, and the difference resides primarily in the fact that the developing countries did not exist (apart from Latin America) at that time. Today, the majority of the United Nations members are developing countries. If you look at the Security Council’s agenda, more than 90 percent of its issues/items pertain to developing countries: this constitutes a North-South

divide, and something has to be done about it. The Council must wield the authority and sensitivity required for major action, particularly towards the developing countries. Therefore, it has to involve developing countries, as permanent as well as non-permanent members. I put forward the idea that if there had been a permanent member from Africa, I doubt the tragedy in Rwanda would have been permitted to happen. We are confronted with the huge question of comprehensiveness, credibility, and legitimacy. However, the reform of the Security Council is not solely the question of its expansion. It also must address the problems of working methods and decision-making processes. The Open-Ended Working Group has been discussing those issues for seven years now. While some would like to shape representativeness into a different formula, others are opposed to an expansion of the permanent membership. Yet the question of representativeness will not go away. The reform of the Security Council is fundamental to the reform of UN peacekeeping.

Secondly, we have noticed that the work of the Council has been expanded beyond what was originally the implication of peace and security in the Charter. A wider interpretation has evolved. The concept of integrated peace operations invites questions of health and development. If the social and economic health of a country is also drawn into what constitutes peace and security, then the significance of the non-representativeness which characterizes the composition of the Council today becomes even more significant.

Thirdly, coming to Council operations, I would like to stress again that there has to be a partnership between the troop-contributing countries (TCCs) and the Security Council. The executive summary of the Brahimi Report includes recommendations in this regard. Consultations with TCCs should already start when the Council mandates an operation. By then, the Secretariat has already decided on TCCs and the operational concept. This concept should be finalised only with the input of TCCs. Particularly when force is authorized, the Security Council must implement Articles 43 and 44,

which provide for TCCs to participate in these decisions. Lastly, when the legal framework of an operation is changed due to new tasks, as was the case in Sierra Leone, the TCCs should also be properly consulted.

What has to be done to achieve this? I think, there should be a regular interactive body, on which the Council has to act. The Military Staff Committee could be re-activated, as it has provisions for involving other non-permanent members.

Fourthly, touching upon the nexus between peacekeeping and development, we are not so much worried that the resources flowing into the creation of approved new posts – in accordance with the recommendations of the Brahimi Report – will have a negative impact on the development agenda. Our arguments are basically two-fold: On the one hand, the UN must operate on a zero-budget rule. We were very much afraid that if one cuts the budget because of the financial restraints, resources will be allocated away from the ‘soft’ areas relating to social and economic activities of the UN. We did not want that to happen. On the other hand, we were worried at the balance between the Agenda for Peace and the Agenda for Development within the UN itself. In other words, we are talking about rehabilitating law and order in these societies: but how about rehabilitating them as organic functioning social and economic entities? I am afraid if that collapse is not fixed, problems will occur time and time again. If you have a society with no employment opportunities in a vicious circle down-turn, in a depression, with no sustainability in its economic life, you are inevitably going to have leadership as well as political problems. There is a nexus between development and peacekeeping which cannot be ignored.

Lastly, I am personally not that pessimistic about the outcome of the Brahimi Report and the ongoing discussions. A number of suggested items have already been accepted. I think intergovernmental agreements based on general negotiations among Member States produce the desired results. This process must be continued. The troop-contributing countries are extremely mindful of strengthening the

capacity of the DPKO, and I guess we are well on track. But one warning: we should not confuse fixing DPKO with fixing peacekeeping. There are major problems and pitfalls hindering successful peacekeeping. And we should not have the wrong impression that they have been fixed.

Discussion

While participants generally acknowledged that there is a North-South divide on some issues, the discussion turned out to be far less dogmatic and Manichean than one could have expected. As one ambassador from the South stated: “We have to stop talking about North and South, East and West. It is high time for looking for a common language to address those issues together.” North and South have a lot in common when addressing peace and security in this world, indeed.

The challenge therefore is to bridge the “us” and “them” gap. The Brahimi Report should be seen as an answer to overcome, rather than to deepen divides. Neither Western arrogance nor Southern antagonism will be the right way to achieve this.

Particularly African countries expect very much from the United Nations and its support from the North as well as the South. For them, the Brahimi Report is somewhat less relevant, since it does not answer the question of what do successful peacekeeping and peacebuilding translate into, i.e. it does not include the long-term development perspective, which is an integral part of the transition from conflict to stability. Other participants objected. Long term stability had not been in the mandate of the Brahimi Panel. There was also critique that African countries were not consulted while writing up the report.

United Nations officials from the field received the report enthusiastically, since it promises greater efficiency and greater back-up at the headquarters level for field structure which had already been improved over the last ten years in a number of missions. The UN has accumulated an enormous wealth of experience during that period, and the implementation of changes at headquarters would ensure a better application of that experience.

As one UN senior official working in the field pointed out, there are already some very good missions that are very well focused, well

resourced, with an excellent human base. This is often not sufficiently appreciated by politicians and international public opinion. All participants agreed that it is an important challenge for the United Nations to sell itself better and publicize its successes more effectively.

Abbreviations

ACABQ	Advisory Committee on Administrative and Budgetary Questions
ANAD	Accord de Non Aggression et d'Assistance en Matière de Defense – Treaty of Non-Aggression, Assistance and Mutual Defense
APEC	Asia-Pacific Economic Cooperation
ASEAN	Association of South-East Asian Nations
C-34	Peacekeeping Committee of the UN
CDF	Civil Defense Force (Sierra Leone)
CFSP	Common Foreign and Security Policy (EU)
CIC	Center on International Cooperation (New York University)
CIVPOL	United Nations Civilian Police
CNN	Cable News Network
COE	Contingent-Owned Equipment
COW	Coalition of the Willing
DDR	Disarmament, Demobilization, Reintegration
DPA	Department of Political Affairs (UN)
DPKO	Department of Peacekeeping Operations (UN)
DRC	Democratic Republic of Congo
ECOMOG	ECOWAS Cease-Fire Monitoring Group
ECOSOC	Economic and Social Council (UN)
ECOWAS	Economic Community of West African States
ECPS	Executive Committee on Peace and Security
ESDP	European Security and Defense Policy
EU	European Union
FALD	Field Administration and Logistics Division
FC	Force Commander
FYROM	Former Yugoslav Republic of Macedonia
G 7	Group of Seven

G 8	Group of Eight
HQ	Headquarter
ICG	International Crisis Group
ICRC	International Committee of the Red Cross
IFOR	Implementation Force
IMF	International Monetary Fund
IMTF	Integrated Mission Task Force
INTERFET	International Force in East Timor
IPA	International Peace Academy
IPTF	International Police Task Force
ISAS	Information and Strategic Analysis Secretariat
JUSCANZ	Japan, USA, Canada, Australia and New Zealand
KFOR	Kosovo Force
KLA	Kosovo Liberation Army
LSG	London Suppliers Group
MNF	Multinational Force
MONUC	Mission de l'Organisation des Nations Unies en République Démocratique du Congo / UN Organization Mission in the Democratic Republic of the Congo
MP	Member of Parliament
MSF	Médecins sans frontières
MSU	Multinational Support Unit
MTA	Military Technical Agreement
MTCR	Missile Technology Control Regime
NAM	Non-aligned Movement
NAM	North America
NATO	North Atlantic Treaty Organisation
NGO	Non-Governmental Organisation
OAS	Organisation of American States
OAU	Organisation of African Unity
ODA	Official Development Assistance

OECD	Organization for Economic Co-operation and Development
OMIK	OSCE Mission in Kosovo
ONUC	Opération des Nations Unies au Congo / United Nations Operation in Congo
ONUMOZ	Opération des Nations Unies au Mozambique / United Nations Operation in Mozambique
OSCE	Organisation for Security and Cooperation in Europe
P 5	Permanent Five (Members of the UN Security Council)
PE	Peace Enforcement
PK	Peacekeeping
PKF	Peacekeeping Force
PO	Peace Operation
PSO	Peace Support Operation
REACT	Rapid Expert Assistance and Cooperation Team
RECAMP	Renforcement des Capacités Africaines de Maintien de la Paix
ROE	Rules of Engagement
RPF	Revolutionary Patriotic Front (Rwanda)
RUF	Revolutionary United Front (Sierra Leone)
SADC	Southern African Development Community
SADCC	Southern African Development Coordination Conference
SC	(United Nations) Security Council
SFOR	Stabilization Force
SG	Secretary-General
SHIRBRIG	Stand-By High Readiness Brigade
SMC	Standing Mediation Committee
SOP	Standard Operation Procedure
SPU	Special Police Unit
SRSG	Special Representative of the Secretary-General
TCC	Troop-contributing Country

TEU	Treaty on the European Union
UEMOA	Union Économique et Monétaire Ouest-Africaine
UN	United Nations
UNAMET	United Nations Assistance Mission to East Timor
UNAMIR	United Nations Assistance Mission for Rwanda
UNAMSIL	United Nations Mission in Sierra Leone
UNCIVPOL	United Nations Civilian Police
UNHCR	United Nations High Commissioner for Refugees
UNITA	União Nacional para a Independência Total de Angola (National Union for the Total Independence of Angola)
UNMEE	United Nations Mission in Ethiopia and Eritrea
UNMIBH	United Nations Mission in Bosnia and Herzegovina
UNMIK	United Nations Interim Administration Mission in Kosovo
UNMOZ	United Nations Operation in Mozambique
UNOMIL	United Nations Observer Mission in Liberia
UNPREDEP	United Nations Preventive Deployment Force (Macedonia)
UNPROFOR	United Nations Protection Force
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
UNTAES	United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium
UNTAET	United Nations Transitional Administration in East Timor
VCP	Vehicle Control Point
WEU	Western European Union
WTO	World Trade Organization

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